

**JOURNAL**  
of the  
**STATE SENATE**



**ORGANIZATIONAL SESSION**  
and  
**FIRST REGULAR SESSION**  
and  
**FIRST EXTRAORDINARY SESSION**

of the  
**SIXTY-THIRD LEGISLATURE**

of the  
**STATE OF IDAHO**  
**2015**



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**2015**



# SENATE JOURNAL

2015

## TABLE OF CONTENTS

### SIXTY-THIRD IDAHO LEGISLATURE ORGANIZATIONAL AND FIRST REGULAR SESSION

	<u>Page</u>
<b>ORGANIZATIONAL SESSION - December 4, 2014</b> .....	1
Alphabetical Index of Subject Matter .....	348
Committee Assignments (Standing).....	341
Offices and Administration of the Senate for the Organizational Session.....	340
<b>FIRST REGULAR SESSION - January 12 through April 10, 2015</b> .....	5
Alphabetical Index of All Senate legislation and House legislation received by the Senate.....	352
Committee Assignments.....	349
House Bills received by the Senate.....	452
House Concurrent Resolutions received by the Senate.....	476
House Joint Memorials received by the Senate.....	474
Journal Index .....	339
Members of the Senate and Assignments.....	345
Senate Attaches.....	350
Senate Bills.....	422
Senate Bills that became Law with effective date and Session Law Chapter number cited.....	447
Senate Concurrent Resolutions .....	444
Senate Joint Memorials.....	443
Senate Officers and Administration .....	343
Senate Sponsors of House Legislation.....	482
Senate Sponsors of Senate Legislation .....	479
<b>FIRST EXTRAORDINARY SESSION - May 18, 2015</b> .....	491
Regular Session Daily Journals .....	5



# SENATE JOURNAL OF THE IDAHO LEGISLATURE

ORGANIZATIONAL SESSION  
SIXTY-THIRD LEGISLATURE

**FIRST LEGISLATIVE DAY  
THURSDAY, DECEMBER 4, 2014**

Senate Chamber

At the hour of 9 a.m. on Thursday, December 4, 2014, the members-elect of the Senate of the Sixty-third Idaho Legislature convened in the Senate Chamber of the Capitol in the City of Boise for an organizational session, Senator Brent Hill presiding.

The following Certificate of Election was read by the Secretary of the Senate:

STATE OF IDAHO  
OFFICE OF THE SECRETARY OF STATE

### CERTIFICATE OF ELECTION

I, Ben T. 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 Senate of the First Regular Session of the Sixty-third Legislature, as shown by official records on file in my office:

DISTRICT	NAME
1	Shawn Keough (R)
2	Steve Vick (R)
3	Bob Nonini (R)
4	Mary Souza (R)
5	Dan J. Schmidt (D)
6	Dan G. Johnson (R)
7	Sheryl L. Nuxoll (R)
8	Steven P. Thayn (R)
9	Abby Lee (R)
10	Jim Rice (R)
11	Patti Anne Lodge (R)
12	Todd M. Lakey (R)
13	Curt McKenzie (R)
14	Marv Hagedorn (R)
15	Fred S. Martin (R)
16	Grant Burgoyne (D)
17	Elliot Werk (D)
18	Janie Ward-Engelking (D)
19	Cherie Buckner-Webb (D)
20	Chuck Winder (R)
21	Clifford R. Bayer (R)
22	Lori Den Hartog (R)
23	Bert Brackett (R)
24	Lee Heider (R)

25	Jim Patrick (R)
26	Michelle Stennett (D)
27	Dean L. Cameron (R)
28	Jim Guthrie (R)
29	Roy Lacey (D)
30	Dean M. Mortimer (R)
31	Steve Bair (R)
32	John H. Tippetts (R)
33	Bart M. Davis (R)
34	Brent Hill (R)
35	Jeff C. Siddoway (R)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Idaho. Done at Boise, the Capitol of Idaho, this First day of December, in the year of our Lord, two thousand and fourteen, and of the Independence of the United States of America, the two hundred and thirty-ninth.

/s/ BEN T. YSURSA  
Secretary of State

The Certificate of Election was ordered filed in the office of the Secretary of the Senate.

Roll call showed all members present.

The Oath of Office was administered to the members of the Senate by the Idaho Secretary of State, Ben Ysursa.

Prayer was offered by Chaplain Brent Adamson, pastor at Mountain Life Ministries, Idaho City, Idaho.

The Pledge of Allegiance was led by Sarah Jane McDonald, Sergeant-at-Arms.

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

### Motions and Resolutions

Senator Hill called Senator Cameron to the Chair.

Moved by Senator Davis, seconded by Senator Stennett, that Senator Brent Hill be elected President Pro Tempore of the Senate for the Sixty-third Idaho Legislature.

The question being, "Shall the motion prevail?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 35.

Whereupon the Acting President declared that the motion did prevail and Senator Brent Hill was elected President Pro Tempore of the Senate of the Sixty-third Idaho Legislature.

Secretary of State Ben Ysursa administered the Oath of Office to President Pro Tempore Hill.

President Pro Tempore Hill assumed the Chair.

Moved by Senator Davis, seconded by Senator Stennett, that Jennifer Novak be elected Secretary of the Senate for the Sixty-third Idaho Legislature.

The question being, "Shall the motion prevail?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared that the motion did prevail and Jennifer Novak was elected Secretary of the Senate of the Sixty-third Idaho Legislature.

The President Pro Tempore administered the Oath of Office to Secretary Novak.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Rules of the Senate and Joint Rules of the Senate and House of Representatives as adopted by the Sixty-second Idaho Legislature were adopted as the Rules of the Senate and Joint Rules of the Senate and House of Representatives of the Sixty-third Legislature of the State of Idaho.

At this time, the Senators selected their seats pursuant to Senate Rule 3(B). On request by Senator Davis, granted by unanimous consent, the seats, as presently occupied, were permanently assigned to the Senators for the Sixty-third Idaho Legislature.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 9:50 a.m. until the hour of 2 p.m. of this day.

**RECESS  
AFTERNOON SESSION**

The Senate reconvened at 2 p.m., pursuant to recess, President Pro Tempore Hill presiding.

Roll call showed all members present.

Prior to recess the Senate was at the Tenth Order of Business, Motions and Resolutions.

On request by Senator Davis, granted by unanimous consent, the following roster of majority and minority leadership was ordered spread upon the pages of the Journal:

Majority Leader ..... Senator Bart M. Davis  
Assistant Majority Leader ..... Senator Chuck Winder  
Majority Caucus Chairman..... Senator Todd M. Lakey

Minority Leader ..... Senator Michelle Stennett  
Assistant Minority Leader ..... Senator Elliot Werk  
Minority Caucus Chairman ..... Senator Cherie Buckner-Webb

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the following committee assignments were approved for the Sixty-third Idaho Legislature:

**AGRICULTURAL AFFAIRS (9)**

Rice, Chairman  
Bayer, Vice Chairman

Brackett  
Patrick  
Souza  
Lee  
Den Hartog  
Ward-Engelking  
Burgoyne

**COMMERCE AND HUMAN RESOURCES (9)**

Tippetts, Chairman  
Patrick, Vice Chairman

Cameron  
Martin  
Lakey  
Heider  
Lee  
Schmidt  
Ward-Engelking

**EDUCATION (9)**

Mortimer, Chairman  
Thayn, Vice Chairman

Keough  
Nonini  
Patrick  
Souza  
Den Hartog  
Buckner-Webb  
Ward-Engelking

**FINANCE (10)**

Cameron, Chairman  
Keough, Vice Chairman

Bair  
Mortimer  
Nuxoll  
Johnson  
Thayn  
Guthrie  
Schmidt  
Lacey

**HEALTH AND WELFARE (9)**

Heider, Chairman  
Martin, Vice Chairman

Lodge  
Nuxoll  
Hagedorn  
Tippetts  
Lee  
Buckner-Webb  
Schmidt

**JUDICIARY AND RULES (9)**

Lodge, Chairman  
Hagedorn, Vice Chairman

Davis  
Tippetts  
Johnson  
Bayer  
Souza  
Werk  
Burgoyne

**LOCAL GOVERNMENT AND TAXATION (9)**

Siddoway, Chairman  
Johnson, Vice Chairman

McKenzie  
Rice  
Vick  
Bayer  
Guthrie  
Werk  
Burgoyne

**RESOURCES AND ENVIRONMENT (9)**

Bair, Chairman  
Vick, Vice Chairman

Cameron  
Siddoway  
Brackett  
Heider  
Nuxoll  
Stennett  
Lacey



STATE AFFAIRS (9)  
McKenzie, Chairman  
Lodge, Vice Chairman

Davis  
Hill  
Winder  
Siddoway  
Lakey

Stennett  
Werk

TRANSPORTATION (9)  
Brackett, Chairman  
Nonini, Vice Chairman

Keough  
Winder  
Hagedorn  
Vick  
Den Hartog

Buckner-Webb  
Lacey

On request by Senator Davis, granted by unanimous consent, Senator Buckner-Webb's assignment to the Health and Welfare Committee was withdrawn and Senator Stennett was assigned to the Health and Welfare Committee.

On request by Senator Davis, granted by unanimous consent, President Pro Tempore Hill appointed a committee consisting of Senator Guthrie, Chairman, and Senators Lee and Buckner-Webb to notify the Governor that the Senate is now organized and ready to conduct business.

The committee was excused.

On request by Senator Davis, granted by unanimous consent, President Pro Tempore Hill appointed a committee consisting of Senator Hagedorn, Chairman, and Senators Den Hartog and Burgoyne to notify the House of Representatives that the Senate is now organized and ready to conduct business.

The committee was excused.

The committee appointed to wait upon the Governor returned and reported that the Governor sent his best wishes to the Senate members.

The committee was discharged.

The committee appointed to wait upon the House of Representatives returned and reported that they had conveyed the message to the House and the House expressed their best wishes for a productive session.

The committee was discharged.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Organizational Session of the Idaho Senate of the Sixty-third Legislature adjourned *Sine Die* at 3:45 p.m., Thursday, December 4, 2014.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary



# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**FIRST LEGISLATIVE DAY  
MONDAY, JANUARY 12, 2015**

Senate Chamber

At the hour of 12 noon on Monday, January 12, 2015, the time established for the convening of the First Regular Session of the Sixty-third Idaho Legislature, the members of the Senate convened in the Senate Chamber of the Capitol in the City of Boise, President Brad Little presiding.

Roll call showed all members present except Senator Lodge, absent and formally excused by the Chair.

Prayer was offered by Chaplain Brent Adamson, pastor at Mountain Life Ministries, Idaho City, Idaho.

President Pro Tempore Hill provided a brief history of the Idaho State flag flown over the domes of the House and Senate Chambers during each session of the Legislature. He explained that the flags represent the spirit of our citizens and serve as a symbol of Idaho's sovereignty. They further serve notice to the State that the Legislature, the elected representatives of all the citizens of Idaho, is in session. The flags are raised when the Legislature convenes and will be retired when the Legislature adjourns *sine die*. On request by President Pro Tempore Hill, granted by unanimous consent, the Idaho Army National Guard Color Guard entered the Chamber.

The Pledge of Allegiance was led by Sarah Jane McDonald, Sergeant-at-Arms. President Little presented the Idaho State flag to the Color Guard to be raised above the Senate Chamber to fly during the First Regular Session of the Sixty-third Idaho Legislature and the Color Guard exited the Chamber.

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

### Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the Sergeant-at-Arms escorted the Sugar Salem Choir into the Senate chambers for the purpose of singing *The National Anthem, America the Beautiful* and *This Land is Your Land*.

On request by Senator Davis, granted by unanimous consent, President Little appointed a committee consisting of Senator Bayer, Chairman, and Senator Lacey to escort the committee from the House of Representatives into the Senate Chamber. Representatives DeMordaunt, Horman, and Rubel informed the Senate that the House is now organized and ready to conduct business.

The Senate committee was discharged.

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

### Messages from the House

January 12, 2015

Dear Mr. President:

I transmit herewith [HCR 1](#), which has passed the House.

ALEXANDER, Chief Clerk

[HCR 1](#) was filed for first reading.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, President Little appointed a committee consisting of Senator Keough, Chairman, and Senators Vick and Schmidt to notify the Governor that the Senate is now organized and ready to conduct business.

The committee was excused.

On request by Senator Davis, granted by unanimous consent, President Little appointed a committee consisting of Senator Siddoway, Chairman, and Senators Nuxoll and Ward-Engelking to notify the House of Representatives that the Senate is now organized and ready to conduct business.

The committee was excused.

The committee appointed to wait upon the Governor returned and reported that the Governor sent his best wishes to the Senate members.

The committee was discharged.

The committee appointed to wait upon the House of Representatives returned and reported that they had conveyed the message to the House and the House expressed their best wishes for a productive session.

The committee was discharged.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the following changes were made in Standing Committee Appointments for the First Regular Session of the Sixty-third Idaho Legislature:

Senator Lacey's assignment to the Resources and Environment Committee was withdrawn and he was assigned to the Health and Welfare Committee. Senator Stennett's assignment to the Health and Welfare Committee was withdrawn. Senator Buckner-Webb was assigned to the Resources and Environment Committee.

The Senate advanced to the Eleventh Order of Business.

### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[HCR 1](#), by Moyle and Rusche, was introduced and read at length.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [HCR 1](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Bair, Lodge. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [HCR 1](#) was before the Senate for final consideration.

On motion by Senator Davis, seconded by Senator Stennett, [HCR 1](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

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

### Second Reading of Bills

On request by Senator Davis, granted by unanimous consent, the Senate went at ease for the purpose of attending a joint session to hear the Governor's State of the State and Budget Address.

### JOINT SESSION

Pursuant to [HCR 1](#), the hour of 1 p.m. having arrived, the members of the Senate entered into the House Chamber and met in Joint Session with Speaker Bedke presiding.

Roll call of the House showed all members present except Representative Kloc, absent and formally excused by the Chair.

Roll call of the Senate showed all members present except Senator Lodge, absent and formally excused by the Chair.

Prayer was offered by House Chaplain Tom Dougherty.

The Pledge of Allegiance was led by House Chaplain Tom Dougherty.

On request by Representative Moyle, granted by unanimous consent, the Speaker appointed three committees to wait upon the Supreme Court Justices and Appellate Court Judges, the elected officials, and the Governor and escort them to the House Chamber.

The Speaker appointed Senators Hagedorn and Werk and Representatives Will and Gannon as the committee to wait upon and escort the Supreme Court Justices and Appellate Court Judges to the House Chamber.

The Speaker excused the committee.

The Speaker appointed Senators Winder and Buckner-Webb and Representatives Nielsen and Wintrow as the committee to wait upon and escort the elected officials to the House Chamber.

The Speaker excused the committee.

The Speaker appointed Senators Davis and Stennett and Representatives Moyle and Rusche as the committee to wait upon and escort the Governor to the House Chamber.

The Speaker excused the committee.

The committees appointed by the Speaker returned and escorted the Supreme Court Justices, Appellate Court Judges, the elected officials, and the Governor into the House Chamber where they were presented to the Joint Session by the Speaker.

The Speaker introduced His Excellency, the Governor of the State of Idaho, C.L. "Butch" Otter, and the following **State of the State and Budget Address** was delivered by the Governor:

Mr. Speaker, Mr. President, Honorable Justices and Judges, my fellow constitutional officers, distinguished legislators and members of my Cabinet, honored guests, friends, my family and our First Lady my fellow Idahoans.

Allow me first to comment briefly on two men who were with us here throughout the first eight years of my tenure in this office - Superintendent of Public Instruction Tom Luna and Secretary of State Ben Ysursa.

During my time in government I have seldom been privileged to work so closely with two individuals more devoted to the public interest or more motivated by the better angels of public service than Tom and Ben.

Please join me now in an appreciation of their work, their legacy, and their friendship.

To our newly elected legislators and constitutional officers, congratulations and welcome. I applaud your willingness to serve. I respect and appreciate your civic virtue. And I encourage your attention, patience and commitment to the processes and purposes of our State government.

Like you, I am beginning a new term in office. It is an honor and a privilege to have once again garnered the support and confidence of the citizens of Idaho.

Like you, I take that responsibility very seriously. And I know that public confidence must be earned anew every day. So let us begin our work together unfettered by cynicism or mistrust, and with a sure understanding of our limitations as well as our potential.

With you, I look forward to advancing the interests of the people we serve.

With you, I am committed to continuing our efforts to make Idaho what America was meant to be.

Ladies and gentlemen, we are blessed to live in interesting times. There is unrest and uncertainty all around us. But that's nothing new to the human experience.

There has never been a shortage of issues upon which well-intentioned people could earnestly and actively disagree in any free and dynamic society.

We also are blessed to live in a nation and a state where there is an orderly, responsible, citizen-driven process for sorting out and addressing those issues. Our process is not designed to satisfy everyone. Nothing ever can. But it is designed to do more than stimulate public discussion and debate.

Ultimately, it must inspire resolution and progress - however imperfect or incomplete.

That is the lodestar on which we must find our way forward in the days ahead.

Unfortunately, that has not been a hallmark of our national government in recent years.

From immigration to energy and from environmental protection to budgeting, there is neither rhyme nor reason to how the federal government does - or does not - do its job.

Partisan rancor and political infighting are unacceptable excuses for inaction and dysfunction. Here in Idaho we have not only the opportunity but the responsibility to set a higher standard, and then live up to it.

I ran for Governor in 2006 because my six years in Congress taught me that the states are where our Republic must meet today's challenges and prepare for those that lay ahead.

That is just as true today, and even more apparent. So I am more determined than ever for Idaho to embrace that opportunity.

It will mean setting an example of both fiscal responsibility and policy vision, especially on those issues that are fundamental to our future prosperity, consistent with the proper role of government and aligned with our Idaho values. That will require all of us working together rather than at cross-purposes.

We must not allow ourselves to emulate the federal government's politics of division, procrastination and misdirection for which we all are paying the price.

In some cases and on some issues, we already have put off making some tough decisions for too long. That cannot and must not continue. Today, I will outline some issues on which I believe we must act - not in careless haste but with all appropriate dispatch.

Perhaps the most important message I want to leave with you today is simply this: Idaho Learns.

We learned the value of being more frugal and accountable with taxpayer resources during the Great Recession. We learned the value of preparation and consensus building during our discussions concerning transportation funding. We learned the value of process and inclusion during our efforts to improve education.

And we have learned that even the best intentions and plans must be carried out with equal attention to detail and public perceptions from our contract experience with the Idaho Education Network.

Idaho Learns.

And those lessons run deep.

As a result of our experiences we move forward more confident in our abilities, more certain in our goals, and better prepared for the challenges before us. Future generations will benefit from our efforts to apply these lessons today.

I am not here to offer panaceas or to insist that your deliberations proceed in a particular direction - we are after all separate but equal branches of State government.

Instead, I am here to offer my view of what our state priorities should be and where our resources can be most effectively used in the public interest.

That list begins with education.

Last year in this chamber I laid out a five-year plan for sustainably and responsibly investing in our public schools.

I greatly appreciate your support for achieving those goals and I encourage your continuing help in seeing this process through as we welcome new Superintendent of Public Instruction Sherri Ybarra.

In Idaho, public schools are the most fundamentally proper role of government. They are essential to the health of our families, our communities and our economy.

In addition to the choices that parents are afforded with home schooling, charter schools and private schools, world-class public schools can set the bar for higher individual achievement. They are the key to our prosperity and Idaho's competitiveness in the global marketplace.

As you know, our school improvement plan is based on the recommendations of my broad-based, bipartisan Education Task Force, which was led and facilitated by the State Board of Education. The goal of its recommendations is to build a public school system that is focused on student outcomes, responsive to local needs, respectful of the role of classroom teachers, and more accountable to parents, patrons and taxpayers.

The Fiscal Year 2016 Executive Budget recommendation I am submitting to you today provides more funding for teacher training and professional development, and a significant infusion of money for teacher compensation under the new tiered licensure and career ladder proposed by the State Board of Education.

To support continuous improvement, my recommendation provides additional funding to help local school districts conduct planning on how best to improve the education of our children every year.

In addition, I'm calling for another \$20 million in discretionary operating funds for local schools in fiscal 2016.

My recommendation also includes funding to provide more career and college counseling for students. As we implement our K-through-Career goals I want students and parents to have the best information available in making important decisions about courses, programs and post-secondary opportunities that will give them a leg up toward success in the workforce.

My total General Fund budget request for the coming year represents a 5.2-percent increase.

But my proposal for public schools calls for 7.4 percent more funding. That's almost \$60 million more than we allocated for schools before the Great Recession began in fiscal year 2009.

Beyond the numbers, I'm also calling on the State Board of Education and our education partners to work together to develop a comprehensive plan for improving literacy and reading proficiency. Reading at grade level by the end of third grade is a major foundation for a student's education. It enables their success in every other subject area. We absolutely must prepare our students by doing more to achieve this critical benchmark. Anything less is simply unacceptable.

My hope while you consider this request is that we work together to continue assessing the impact of the current year's investments and seek to advance those policies and processes that work best for Idaho students.

We know that one of our initiatives to improve the quality and equity of the public school experience for our students is the Idaho Education Network.

It enables students in Salmon and Montpelier to get the same kind of advanced instruction as those in Sandpoint and Meridian. It enables Idaho to overcome our geographic and socioeconomic barriers. It allows us to realize the kind of opportunities for enlightenment and progress that not long ago were available only in our largest and most connected communities.

The kind and quality of courses and the level of instruction provided by the IEN truly is staggering. I believe its value is beyond question. The IEN is an asset that must be maintained. The challenges in continuing this world-class educational tool can and should be overcome.

I am committed to fulfilling the vision and promise of the IEN, which will start with rebidding the contracts involved, but also includes a strong recommendation for full funding of IEN operations in fiscal 2016 to ensure the service is continued for Idaho students.

One of the benefits of the Idaho Education Network continues to be the ability to bring college-level courses into high school classrooms throughout Idaho. That in turn helps ensure that more of our students are adequately prepared for the academic rigors of college life.

Our colleges and universities have been spending too much time, money and energy on remedial programs to bring Idaho high school graduates up to a post-secondary level of competence on such critical subjects as science, math and reading comprehension.

Many of our employers also are having trouble finding workers with the skills they need in an increasingly complex economy to enable those businesses to remain competitive.

And I'm not just talking about computer science, engineering and healthcare fields; we have businesses struggling to find enough well-trained and qualified welders, technicians and other trades positions. In fact, at current levels of economic growth we are going to be tens of thousands of employees short of industry demand for the skills and level of post-secondary training and education they need in the coming years.

That's why our efforts to better prepare students to be contributing members of society now extend beyond the old K-12 focus to a K-through-Career emphasis.

Education must not be allowed to end with high school.

We have a responsibility to use our tax dollars more strategically and effectively - and to build and strengthen partnerships with employers - if we are to meet our goal of at least 60 percent of Idaho citizens between the ages of 25 and 34 having a post-secondary degree or professional certification by 2020.

Folks, that's just five years down the road. We have a lot of work to do to achieve this worthy goal.

Already the Board of Education and our higher education institutions are working more closely than ever with the Department of Labor, the Department of Commerce, Professional-Technical Education, Health and Welfare and local organizations to develop commonsense plans for meeting our workforce development needs.

That includes more pronounced, targeted and sustainable investments in such programs as the computer science initiative at Boise State University, an employee readiness initiative at the University of Idaho, career path internships at Idaho State University, and the Complete College Idaho program throughout our higher education system.

Those are amongst the top priorities at each of our schools, and I'm asking for your continuing support to help them succeed - to help US succeed in building a comprehensive system of education and workforce training opportunities so that Idaho Learns applies to all the citizens of our state.

I'm also pleased to report some good news from the efforts of our Leadership in Nuclear Energy Commission or LINE Commission and the Center for Advanced Energy Studies CAES. As you will recall, that group did an outstanding job highlighting the strengths and capabilities of our National Lab - and one of their key recommendations focused on "regionalizing CAES" by including other state partners.

This past fall my good friend Governor Mead and the University of Wyoming agreed to join as equal partners in the CAES consortium of our state universities.

This is but the first step in a continuing effort to fulfill the promise of the INL and CAES.

Let me talk for just a moment now about something that you won't find in my budget recommendation. But I believe it has the potential to improve the lives and enhance the opportunities of many Idaho citizens. I believe that because we've already seen it happen right here in this valley.

In 2007, my first year as Governor, the Treasure Valley was one of the last metropolitan areas in America without a community college. That year the Legislature enacted my request to provide a State incentive of startup funding for any local jurisdictions where voters opt to establish a community college district. Ada and Canyon counties soon stepped up to the challenge and voted to establish the College of Western Idaho.

And what a tremendous success it's been. It's forever changed the way education is delivered here in Idaho's most populated area. It's hard to even imagine this valley now without CWI playing a significant role in our future.

Thanks to the incredible efforts of President Bert Glandon, the visionary leadership of the College of Western Idaho Board and collaboration with Boise State University and others, CWI joins as a full partner with the College of Southern Idaho and North Idaho College in fulfilling the promise of true "community" colleges.

They are providing affordable, accessible and responsive resources for both students and employers to meet their education and career-training goals.

Through them, Idaho Learns is taking on a broader definition.

Providing that opportunity for our citizens during the economic downturn was critically important to our recovery.

Now that we are rebounding, we find ourselves faced with growing demand and intensifying need for the services that community colleges are uniquely able to provide.

So today I challenge again the underserved communities of Idaho where no broad-based community college programs now exist to canvass their citizens and businesses on the value that can be added to their economic development and public enrichment efforts by establishing a community college district of the size and focus that will meet their local needs.

Those needs and my challenge for local leaders to address them will be part of the discussion in each town I visit to conduct Capital for a Day. We did it with CWI and we can do it again.

Preparing Idahoans for the workplace is the primary focus of the Idaho Department of Labor. It's not just about sending out unemployment checks.

And the experts at Labor and our other State agencies now have a clearer picture than ever of where our people will be

working in the years ahead - if they are educated and trained to do the kinds of careers being created.

We now expect to outpace the national employment growth rate with 15,000 job opportunities a year being created for Idaho workers through 2022 - many of them in the healthcare and construction fields.

That's why Director Ken Edmunds and his team at Labor have developed a plan for retaining, recruiting and returning employees to Idaho to help meet the demand for skilled workers.

The idea behind the "Choose Idaho" initiative is to bridge the coming labor shortage by keeping Idaho's best and brightest right here at home, encouraging former Idahoans to come home, and welcoming people with new skills to our communities.

To help build on that effort, my budget recommendation for fiscal 2016 includes a transfer of \$5 million for Industry Sector Grants.

That will help build partnerships between industry and our education system to more effectively address a growing shortage of skilled and trained employees - a key element of our K-through-Career goals.

At the same time, I'm pleased that the Department of Labor was able to announce last month that Idaho's economic recovery and job growth will allow the unemployment insurance tax rate paid by Idaho businesses to fall for the third consecutive year - this time by another 16.8 percent. That means tens of millions of dollars in savings that can help capitalize additional Idaho growth.

I appreciate your support over the years for reducing the tax burden on Idaho citizens. From increasing the grocery tax credit to lowering income tax rates and providing personal property tax relief, we are keeping almost \$157 million in the hands of Idaho taxpayers during 2015. And that will grow to more than \$169 million during the year that begins July 1 as our economy keeps expanding.

Director Jeff Sayer and his team at the Department of Commerce are working hand-in-glove with Education, Labor, Transportation, Agriculture, Health and Welfare and other State agencies to leverage market-driven economic growth into improving how employers see Idaho. Their goal is nothing less than to make Idaho a global leader in growth and prosperity.

And we have some great resources to help Accelerate Idaho, including the Tax Reimbursement Incentive or TRI that you approved last year. This performance-based tool is attracting great interest from businesses ready to create thousands of jobs and invest billions of dollars in Idaho's future.

Thank you for recognizing that Idaho Learns extends to the lessons from other states where government is mortgaging its future to up the ante on attracting new businesses.

By contrast, the TRI requires employers to prove up their commitment to Idaho with jobs and capital investments before a dime of their tax payments are reimbursed. And most importantly, the TRI is getting just as much attention from our homegrown Idaho businesses looking to expand as it is from employers outside Idaho looking for a better place to achieve their goals.

One of the most crucial parts of making Idaho a better place to do business and create jobs is improving our infrastructure. My budget recommendation includes an additional \$3 million infusion for the Idaho Opportunity Fund at the Department of Commerce. That money is used for strategic grants to help Idaho

communities provide the water, power, wastewater treatment, roads and other infrastructure necessary for new or expanding businesses.

A great example of the return on investment from our Opportunity Fund is Cives Steel. When one of the nation's largest steel fabricators was looking to expand west of the Mississippi River it found a home in Ucon, just north of Idaho Falls.

It landed there for a number of reasons, but one factor in particular helped seal the deal: Ucon was able to secure a \$400,000 Idaho Opportunity Fund grant to support infrastructure needed for the Cives operation. So far the employee-owned company has invested about \$10 million in facilities and equipment in Idaho. That figures to grow to about \$32 million as Cives creates more than 150 career opportunities in Bonneville County.

You know as well as I do that every Idaho community that's been passed over by a new or growing employer understands the value of those grants. But they only help address a small fraction of our statewide infrastructure needs.

The biggest of the big-ticket items in our infrastructure inventory is our long-term, multibillion-dollar investment in Idaho's roads and bridges.

And if Idaho Learns means anything at all, it's time for us to address that elephant in the room.

Our own circumstances and the realities of our national government require us to seize the opportunity to become more self-reliant, to be the architects of our own destiny rather than the afterthoughts of a federal funding system that could be skewed to our disadvantage. There's a real possibility that Congress will try to pass a transportation funding bill in the coming year - maybe as early as the spring.

A cold, hard assessment of the politics involved indicates that we run the risk of getting left in the lurch if that federal legislation changes the Highway Trust Fund formula so that we wind up paying in more than we're allotted for our needs in Idaho.

A survey last winter showed that most Idahoans believe our aging highways and bridges will need attention within ten years.

That's one benchmark to consider.

But the maintenance backlog we already have makes it even more important to figure out now how to pay for the hundreds of millions of dollars in improvements needed to protect Idaho lives and corridors of commerce.

Ladies and gentlemen, we know that after education, investing in infrastructure is among the smartest, most cost-effective and frankly essential uses of taxpayer dollars to promote the public's general welfare and sustain economic growth.

And that truth is being embraced by voters. It's interesting to note that roughly half of the survey respondents said transportation funding should be among the Legislature's top three priorities - even though most are satisfied with the condition of our roads and bridges right now.

They get it. Building and maintaining infrastructure is not an overnight proposition - whether it's highways, broadband connectivity, electric transmission lines or water treatment facilities. It takes planning and a commitment to sustainable long-term investment.

We already have 785 state and local bridges in Idaho that are over 50 years old and considered structurally "deficient."

That number will grow to almost 900 bridges by 2019 even after completing work on the 68 for which we already have funding.

This isn't a matter of Hennie Penny telling us that the sky is falling. It's a real problem, but we know how to fix it if we have the resources. Major Idaho highway improvement projects since 2009 - mostly funded by GARVEE bonds and federal stimulus money - have reduced the accident rate on those routes by 35 percent and the death rate by 25 percent.

Under Director Brian Ness and Board Chairman Jerry Whitehead, the Idaho Transportation Department is making significant strides in efficiency and more effectively using limited highway resources. ITD has eliminated more than 100 full-time positions since 2013 alone by reducing layers of management. It now is recognized among the best-run transportation agencies in America.

I fully understand the misgivings of some about higher transportation costs.

But there is something to be said for the old adage about being "penny wise and pound foolish." In fact, every dollar we invest now in our roads and bridges will save motorists and taxpayers \$6 to \$14 later.

Chairmen Brackett and Palmer, legislative leaders, I am not going to stand here and tell you how to swallow this elephant. That would be contrary to all we have learned about each other and the people we serve in recent years. But we all know it must be done. I welcome financially responsible legislation that addresses steady, ongoing and sustainable transportation infrastructure in Idaho; however, I will NOT entertain proposals aimed at competing for General Fund tax dollars with education and our other required public programs or services.

That raises the question of taxation.

So allow me to reflect for just a moment on our Idaho tax system and its conformance with the basic tenets of equity, certainty and simplicity. By that I mean taxation must be fair in its policy and administration across taxpayer classifications; it must be predictable so that taxpayers can plan and prepare as they conduct their business and personal affairs; and it must be understandable so that taxpayers have a fighting chance of making sense of the tax code and its impact on them.

As it stands today, Idaho unfortunately has become a confusing hodgepodge of taxing authorities. That undermines public confidence that those who collect the tax are accountable to citizens for how the revenue is used. With that and the benchmarks of equity, certainty and simplicity in mind, I'm asking for your help today in ensuring that over the coming four years we can make Idaho's tax system one of the best in the nation.

I believe that work should start now by enacting the recommendations from the task force I assembled last year to consider improvements to how the Idaho State Tax Commission operates. Those recommendations are aimed at improving the efficiency, accountability and transparency of our revenue operations. That includes refining the role of the Commission itself with the addition of a director over day-to-day agency business.

By now most of you know that I would like to see us further reduce the marginal rates for Idaho's individual and corporate income tax below 7 percent from their current 7.4 percent, as well as the complete elimination of the personal property tax. To that end, my budget recommendation sets aside the first year of a five year approach to reduce our income tax brackets from 7.4 percent to 6.9 percent.

This effort will provide relief to 44 percent of taxpayers this year and up to 51 percent of taxpayers by 2018.

I also believe the time has come for Idaho to prepare for a potential change in federal law to address the issue of tax equity. It's called the Marketplace Fairness Act.

As many of you know, that legislation now before Congress would clarify the legal authority of states like Idaho to impose and enforce a sales tax on interstate purchases of goods online.

Not only is this a fundamental matter of fairness for those brick-and-mortar businesses in our communities. It also is a matter of securing our own long-term prosperity.

Simply put, every dollar of sales tax from online purchases that goes uncollected is the better part of a dollar that is NOT going to support the necessary and proper roles of our State government - especially meeting the education and infrastructure needs of our growing economy.

Congress has yet to act. But the legislation has support from within our own Idaho delegation.

On the topic of Congress, I believe the chances now have improved - if only marginally - to repeal or more likely make incremental changes to Obamacare that would have a real impact here in Idaho.

I have studied the recommendations of my Medicaid Redesign Workgroup and agree with its findings - up to a point. I especially appreciate the Workgroup's strong focus on personal accountability, requiring co-payments, and managed care.

But more broadly, Idaho Learns should also apply to these findings and their experience. The Workgroup did its homework and deserves an opportunity to share what they have learned. I am asking you to hold hearings this session, listen to their findings, ask questions and educate yourselves on all the work they have done.

We worked together collaboratively and with great success on creating Your Health Idaho. After some initial trials, Idaho now is successfully running its own insurance exchange cheaper, more efficiently, with less staff and with better service than the national system that overpromised and profoundly under-delivered. That's because Your Health Idaho is locally run and utilizes insurance agents and brokers working in the free market.

In fact, the marketplace is the key to how Idaho is advancing our goal of making health care more affordable and accessible for all Idahoans.

Many people in this state have quietly gone about the business of putting Idaho at the forefront of the changing healthcare landscape.

By building public-private partnerships, Health and Welfare Director Dick Armstrong and the men and women who are



working on the State Healthcare Innovation Plan are changing the way we pay for and deliver healthcare services - including Medicaid.

Those who are working diligently in both the public and private sectors to improve healthcare outcomes in Idaho deserve our sincere thanks.

My thanks also go to the Legislature and those advocates who are enabling us to more aggressively address the local challenges of behavioral health. Less than a month ago I was in Idaho Falls to cut the ribbon on Idaho's first Behavioral Health Crisis Center, where people with mental health or substance abuse problems can get short-term help without going to a hospital emergency room or a jail cell.

It's an important part of the broader improvements needed in our community-based services. We know that best practices across the country show that such local facilities reduce law enforcement and hospital-related costs while providing more sustainable support and better access for vulnerable citizens. That's why I once again am requesting funds for an additional Behavioral Health Crisis Center in the coming year.

Another decision for which I'm proud of the Legislature, our courts and our Executive agencies is their unprecedented collaboration in enacting and now implementing the Justice Reinvestment Initiative or JRI.

This is an effort started two years ago by the good chairmen of our House and Senate Judiciary committees.

Last year's overwhelming legislative support for Senate Bill 1357 and hard work during the past year by our courts, Department of Correction and Commission of Pardons and Parole has resulted in an outstanding set of administrative rules for you to consider during this session.

They spell out in detail how we can improve public safety, reduce recidivism and lower the costs associated with locking up offenders by prioritizing and refining our post-release supervision efforts with swift, certain and graduated sanctions.

I appreciate your continuing support as our Justice Reinvestment efforts move from careful planning to effective on-the-ground implementation.

I hope you will consider it equally important to continue our work toward addressing the very real challenge we face in our public defense system.

The courts have made it clear that our current method of providing legal counsel for indigent criminal defendants does not pass constitutional muster.

This is a priority for our counties so it also must be a priority for us. If we value the ideals embodied in the Fourth, Fifth, Sixth and Eighth amendments to the U.S. Constitution, then it is undeniably our responsibility to take the phrase "due process of law" as seriously as the Framers intended.

Which brings me to another constitutional issue - the defense of traditional marriage.

Last year we found ourselves in the position of defending an amendment to the Idaho Constitution approved by voters in 2006 and - I believe - truly representing both the intentions and the values of our citizens. It defines marriage between a man and a woman as the only "domestic legal union" valid in Idaho.

It is incumbent upon those of us sworn to uphold and defend our Constitution and to do so based on its content now - not on changing societal views since it was enacted or how any of us would write it today.

Therefore, I will continue to do all I can to uphold my oath and defend our Idaho Constitution.

I am hopeful that our recent request for the U.S. Supreme Court to review the issue will be accepted and that we can look forward to an outcome that affirms our Constitution.

It's unfortunate that so many of our differences with the national government wind up in court. But in the absence of any federal consensus on a multitude of issues, too often the courts become the last refuge both for public policy disputes and safeguarding our freedoms.

That may well be where such questions as protection of sage-grouse and siting of electricity transmission corridors end up. I hope not, and we are working hard with Idaho landowners, sportsmen, federal land managers and other stakeholders to find common ground through our administrative processes on those issues and others.

During the past year we completed the historic Snake River Basin Adjudication process. The largest single-stream adjudication in U.S. history took 27 years and covered water rights on about 87 percent of Idaho's land area. We advanced our efforts to similarly adjudicate all northern Idaho water claims. And we made great progress on our efforts to preserve, recharge and more sustainably manage our water throughout the state.

In addition and with gratitude for your help and support, I'm proud to announce that there now are five Rangeland Fire Protection Associations throughout Idaho. They are organized and prepared to launch initial attacks when wildfire threatens any of more than 3.5 million acres of state, private and BLM rangeland in our state.

Ladies and gentlemen, look high above you. Within this magnificent chamber so beautifully renovated just a few years ago, you see an Idaho sky through a vaulted dome of glass. This chamber, this building, this body has all the room that anyone could need to accommodate the biggest, loftiest and most meaningful ideas and actions.

In fact I would measure that the entire church used in the summer of 1787 to create this great Republic would but fill this chamber.

So as you begin your deliberations today, don't limit yourselves.

Think big. Be bold. Act decisively. Reflect the Idaho values you were sent here to represent.

And as you consider the magnitude of the work ahead and how it will benefit the citizens we serve, keep looking up toward higher aspirations.

Keep looking up and apply what Idaho Learns so that our fondest hopes and best intentions will lead to a better tomorrow for future generations.

Join me in putting Idaho and our people first and foremost in your minds.

Good luck, Godspeed, and may God continue to bless America and the Great State of Idaho.

Thank you.

The Speaker thanked Governor Otter for his message.

The committees came forward and escorted the Governor, the Supreme Court Justices, Appellate Court Judges, and the elected officials to their chambers and offices respectively, and were, on their return, thanked and discharged by the Speaker.

On motion by Moyle, seconded by Erpelding, by voice vote the State of the State and Budget Address was ordered spread upon the pages of the House and Senate Journals.

On motion by Moyle, seconded by Erpelding, by voice vote the Joint Session was dissolved.

The appointed committee came forward and escorted the Senators from the House Chamber.

The members of the Senate returned to the Senate Chamber.

The Senate reconvened at 2 p.m.

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

#### **Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 2:05 p.m. until the hour of 11:30 a.m., Tuesday, January 13, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

**SENATE JOURNAL**  
OF THE  
**IDAHO LEGISLATURE**

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**SECOND LEGISLATIVE DAY**  
**TUESDAY, JANUARY 13, 2015**

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senator Lodge, absent and formally excused by the Chair.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Brooke Chick, Page.

The Senate advanced to the Third Order of Business.

**Reading and Correction of the Journal**

The JUDICIARY AND RULES Committee reports that the Senate Journals of the proceedings of December 4, 2014 and January 12, 2015, were read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

**Messages from the Governor**

January 12, 2015

Jennifer Novak  
Secretary of the Senate  
Idaho State Legislature

Dear Madam Secretary:

As required by Section 57-1601, *Idaho Code*, I am transmitting the following report of the Governor's Emergency Fund for fiscal years 2014 and 2015.

**Balance as of July 1, 2013**                      **\$83,744.48**

No activity in fiscal year 2014

**Balance as of June 30, 2014**                      **\$83,744.48**

No activity year-to-date in fiscal  
year 2015

**Balance as of December 31, 2014**                      **\$83,744.48**

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:40 a.m. until the hour of 11:30 a.m., Wednesday, January 14, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION SIXTY-THIRD LEGISLATURE

THIRD LEGISLATIVE DAY WEDNESDAY, JANUARY 14, 2015

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senator Lodge, absent and formally excused by the Chair; and Senator Cameron, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Cameron Floyd, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 13, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senator Cameron was recorded present at this order of business.

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

Motions and Resolutions

Moved by Senator Davis, seconded by President Pro Tempore Hill, that the following attaches be elected to fill the offices provided for by the Constitution of the State of Idaho and by statute:

- Assistant to the Majority Leader ..... Marian Smith
Assistant to the Asst. Maj. Leader ..... Lizzie Kukla
Assistant to the Maj. Caucus Chairman ..... Sharon Pennington
Secretary to the Secretary of the Senate ..... Jan Snell
Journal Clerk ..... Sarah Hendrick
Assistant Clerk ..... Jamie Kaiser
Sergeant-at-Arms ..... Sarah Jane McDonald
Assistant Sergeant-at-Arms ..... Jerry Csutoras
Doorkeeper ..... Al Henderson
Majority Staff Assistant ..... Jeanne Clayton
Majority Staff Assistant ..... Barbara Lewis
Majority Staff Assistant ..... Sean Schupack
Majority Staff Assistant ..... Jenny Smith

- Majority Staff Assistant ..... Paula Tonkin
Minority Staff Assistant ..... Jerome Filip
Minority Staff Assistant ..... Zach Reider
Minority Staff Assistant ..... Claire Smith

Committee Secretaries:

- Agricultural Affairs ..... Carol Deis
Commerce and Human Resources ..... Linda Kambeitz
Education ..... LeAnn South
Finance ..... Peggy Moyer
Health and Welfare ..... Erin Denker
Judiciary and Rules ..... Carol Cornwall
Local Government and Taxation ..... Amanda McLennan
Resources and Environment ..... Juanita Budell
State Affairs ..... Twyla Melton
Transportation ..... Gaye Bennett

Pages:

- Brooke Chick, Plummer
Cameron Floyd, Boise
Haley Fronk, Boise
Laura Hahn, Meridian
Paul Kennedy, Boise
Brenton Kleopfer, Rupert
Jameson Lake, Eagle
Karessa Love, Malad
Miles Madden, Kuna
Mariem Mastouri, Payette

The question being, Shall the motion prevail?

Roll call resulted as follows:

AYES-Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS-None.

Absent and excused-Lodge. Total - 1.

Total - 35.

Whereupon the President declared the attaches duly elected to their respective positions. The President instructed the Sergeant at Arms to escort the attaches to the well of the Senate at which time the Oath of Office was administered to the elected attaches and they were escorted from the Chamber.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:45 a.m. until the hour of 11:30 a.m., Thursday, January 15, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL  
OF THE  
IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

FOURTH LEGISLATIVE DAY  
THURSDAY, JANUARY 15, 2015

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senators Lodge and McKenzie, absent and formally excused by the Chair; and Senators Bair, Brackett, and Cameron, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Haley Fronk, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 14, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Fourth Order of Business.

Reading of Communications

January 15, 2015

The Honorable Brad Little  
President of the Senate  
Idaho State Senate

Dear Mr. President,

Pursuant to Section 67-6622, Idaho Code, I submit from the records of this office the enclosed listing of the names of the lobbyists registered under the law.

If we may be of assistance to you in regards to this listing, please do not hesitate to contact this office.

Sincerely,  
/s/ Lawrence Denney  
Secretary of State

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

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

Messages from the Governor

January 14, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Blake Fischer of Meridian, Idaho, was appointed as a member of the Idaho Fish and Game Commission to serve a term commencing July 29, 2014, and expiring June 30, 2018.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the Resources and Environment Committee.

January 14, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Lane Clezie of Pocatello, Idaho, was appointed as a member of the Idaho Fish and Game Commission to serve a term commencing July 29, 2014, and expiring June 30, 2018.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the Resources and Environment Committee.

Senators Brackett and Cameron were recorded present at this order of business.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 14, 2015

Dear Mr. President:

I transmit herewith Enrolled [HCR 1](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [HCR 1](#) and ordered it returned to the House.

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

**Miscellaneous Business**

Senator Bair was recorded present at this order of business.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:40 a.m. until the hour of 11 a.m., Friday, January 16, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

**SENATE JOURNAL**  
OF THE  
**IDAHO LEGISLATURE**

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**FIFTH LEGISLATIVE DAY**  
**FRIDAY, JANUARY 16, 2015**

Senate Chamber

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

Roll call showed all members present except Senators Buckner-Webb and Lodge, absent and formally excused by the Chair.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Laura Hahn, Page.

The Senate advanced to the Third Order of Business.

**Reading and Correction of the Journal**

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 15, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

**Messages from the Governor**

January 15, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Brent Baker of Athol, Idaho, was appointed as a member of the Lake Pend Oreille Basin Commission to serve a term commencing July 24, 2014, and expiring July 24, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the Resources and Environment Committee.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:10 a.m. until the hour of 11:30 a.m., Monday, January 19, 2015.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

**SENATE JOURNAL**  
OF THE  
**IDAHO LEGISLATURE**

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**EIGHTH LEGISLATIVE DAY**  
**MONDAY, JANUARY 19, 2015**

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senator Lodge, absent and formally excused by the Chair.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Paul Kennedy, Page.

The Senate advanced to the Third Order of Business.

**Reading and Correction of the Journal**

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 16, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

**Messages from the Governor**

January 15, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Celia Gould of Buhl, Idaho, was reappointed Director of the Department of Agriculture to serve a term commencing January 3, 2015, and expiring January 7, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Agricultural Affairs Committee.

January 16, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Sharon Harrigfeld of Boise, Idaho, was reappointed Director of the Department of Juvenile Corrections to serve a term commencing January 5, 2015, and expiring January 7, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Judiciary and Rules Committee.

January 15, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Cassandra Jones of Boise, Idaho, was appointed Executive Director of the Commission on Pardons and Parole to serve a term commencing August 18, 2014, and continuing at the pleasure of the Governor.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:50 a.m. until the hour of 11:30 a.m., Tuesday, January 20, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary



# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**NINTH LEGISLATIVE DAY**  
**TUESDAY, JANUARY 20, 2015**

Senate Chamber

President Pro Tempore Hill called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senator Lodge, absent and formally excused by the Chair; and Senator Cameron, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Brenton Kleopfer, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 19, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Messages from the Governor

January 19, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have appointed Melinda Smyser of Parma, Idaho, to be Acting State Senator for Legislative District 11, Canyon, State of Idaho.

This appointment is effective January 19, 2015, and will continue until such time as Senator Patti Anne Lodge is able to resume her duties.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

### 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 59-917, *Idaho Code*, Patti Anne Lodge, State Senator, District 11, Canyon, State of Idaho, has nominated Melinda Smyser of Parma, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 11, Canyon.

NOW, THEREFORE, I, C.L. "Butch" Otter, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Melinda Smyser to the office of State Senator, District 11, Canyon, State of Idaho, for a term commencing on January 19, 2015, and continuing until such time as Senator Lodge is able to resume her duties.

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 Nineteenth day of January, in the year of our Lord two thousand and fifteen and of the Independence of the United States of America, the two hundred and thirty-ninth year.

/s/ BY THE GOVERNOR C.L. "BUTCH" OTTER  
/s/ SECRETARY OF STATE LAWRENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

Senator Cameron was recorded present at this order of business.

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

### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:45 a.m. until the hour of 11:30 a.m., Wednesday, January 21, 2015.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**TENTH LEGISLATIVE DAY**  
**WEDNESDAY, JANUARY 21, 2015**

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senator Bair, absent and formally excused by the Chair; and Acting Senator Smyser, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

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

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 20, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Messages from the House

January 20, 2015

Dear Mr. President:

I transmit herewith [H 3](#), which has passed the House.

ALEXANDER, Chief Clerk

[H 3](#) was filed for first reading.

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

### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

#### **S 1001** **BY COMMERCE AND HUMAN RESOURCES** **COMMITTEE** AN ACT

RELATING TO WORKPLACE SAFETY; AMENDING SECTION 67-2312, IDAHO CODE, TO PROVIDE THAT THE DIVISION OF BUILDING SAFETY IS SOLELY VESTED WITH THE RIGHT OF ENTRY AND INSPECTION OF

PUBLIC BUILDINGS; AMENDING SECTION 67-2317, IDAHO CODE, TO PROVIDE THAT THE ADMINISTRATOR OF THE DIVISION OF BUILDING SAFETY MAY CONDUCT HEARINGS; AMENDING SECTION 67-2318, IDAHO CODE, TO PROVIDE THAT THE GOVERNOR MAY ORDER THE USE OF EMERGENCY EXPENDITURES FOR COMPLIANCE WITH THE ADMINISTRATOR'S DECISIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-2601A, IDAHO CODE, TO PROVIDE THAT THE ADMINISTRATOR SHALL CONDUCT SAFETY INSPECTIONS AND SAFETY TRAINING PROGRAMS FOR LOGGING OPERATIONS, TO PROVIDE THAT THE ADMINISTRATOR MAY CONDUCT SAFETY INSPECTIONS OF PUBLIC BUILDINGS UPON REQUEST AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 72-519, IDAHO CODE, TO PROVIDE THAT THE DIVISION OF BUILDING SAFETY MAY USE MONEY FROM THE INDUSTRIAL ADMINISTRATION FUND TO CONDUCT SAFETY INSPECTIONS AND TRAINING; REPEALING SECTION 72-720, IDAHO CODE, RELATING TO SAFETY POWERS OF THE INDUSTRIAL COMMISSION; REPEALING SECTION 72-721, IDAHO CODE, RELATING TO SAFETY RULES OF THE INDUSTRIAL COMMISSION; REPEALING SECTION 72-722, IDAHO CODE, RELATING TO UNSAFE CONDITIONS; REPEALING SECTION 72-723, IDAHO CODE, RELATING TO SAFETY ORDER VIOLATIONS; AND AMENDING SECTION 39-4113, IDAHO CODE, TO REMOVE A CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS.

[S 1001](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 3](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

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

### Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:35 a.m. until the hour of 11 a.m., Thursday, January 22, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

---

**ELEVENTH LEGISLATIVE DAY**  
**THURSDAY, JANUARY 22, 2015**

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senator Davis, absent and formally excused by the Chair; and Senators Heider, McKenzie, and Acting Senator Smyser, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Karessa Love, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 21, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Fourth Order of Business.

### Reading of Communications

January 21, 2015

The Honorable Brent Hill  
President Pro Tempore of the Senate  
Idaho State Senate

Dear President Pro Tempore Hill,

Due to unforeseen requirements of my current employment, I am unable to continue in the role as Acting Senator, District 11, for The Honorable Patti Anne Lodge. Please accept this letter as official notice of my resignation.

Sincerely,  
/s/ Melinda Smyser

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

Senator Lodge was recognized as formally excused by the Chair at this time.

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

### Reports of Standing Committees

January 22, 2015

The JUDICIARY AND RULES Committee reports that [S 1001](#) has been correctly printed.

HAGEDORN, Vice-Chairman

[S 1001](#) was referred to the Commerce and Human Resources Committee.

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

### Messages from the Governor

January 20, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I am hereby transmitting to the Idaho State Senate a list of all gubernatorial appointments that had not been previously communicated pursuant to title 67, section 803 of the Idaho Code.

Additional appointments made during this session will be submitted forthwith with the appropriate corresponding information for your consideration.

Please do not hesitate to contact me if you have any questions.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

January 15, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that John Chatburn of Boise, Idaho, was appointed Administrator of the Office of Energy Resources to serve a term commencing September 19, 2014, and continuing at the pleasure of the Governor.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 19, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Travis Beck of Idaho Falls, Idaho, was appointed as a member of the Commission for the Blind & Visually Impaired to serve a term commencing April 3, 2014, and expiring July 1, 2016.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the Health and Welfare Committee.

January 19, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Michael Gibson of Nampa, Idaho, was reappointed as a member of the Commission for the Blind & Visually Impaired to serve a term commencing July 1, 2014, and expiring July 1, 2017.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Health and Welfare Committee.

January 19, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Sara B. Thomas of Meridian, Idaho, was reappointed as the State Appellate Public Defender to serve a term commencing August 1, 2014, and expiring August 1, 2018.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Judiciary and Rules Committee.

January 19, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Ruthie Johnson of Hayden Lake, Idaho, was reappointed as a member of the Idaho Commission on Human Rights to serve a term commencing July 1, 2014, and expiring July 1, 2017.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the State Affairs Committee.

January 19, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Sheila Olsen of Idaho Falls, Idaho, was reappointed as a member of the Idaho Commission on Human Rights to serve a term commencing July 1, 2014, and expiring July 1, 2017.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the State Affairs Committee.

January 19, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Roland James Murray of Layton, Utah, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing December 16, 2014, and expiring April 10, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

January 20, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Gary Scheihing of New Plymouth, Idaho, was reappointed as a member of the Commission on Pardons and Parole to serve a term commencing January 1, 2015, and expiring January 1, 2018.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Judiciary and Rules Committee.

January 20, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that W. Craig Corbett of Grace, Idaho, was reappointed as a member of the Idaho Lottery Commission to serve a term commencing January 1, 2015, and expiring January 1, 2020.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the State Affairs Committee.

January 20, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Thomas P. Baskin of Boise, Idaho, was reappointed as a member of the Idaho Industrial Commission to serve a term commencing January 13, 2015, and expiring January 13, 2021.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Commerce and Human Resources Committee.

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

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1002**

**BY FINANCE COMMITTEE**

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO IDAHO PUBLIC TELEVISION FOR FISCAL YEAR 2015; AND DECLARING AN EMERGENCY.

**S 1003**

**BY FINANCE COMMITTEE**

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2015; AND DECLARING AN EMERGENCY.

**S 1004**

**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO THE STATE BOARD OF CORRECTION; AMENDING SECTION 20-242A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO INMATE INCENTIVE PAY AND TO PROVIDE LIMITATIONS ON INMATE INCENTIVE PAY.

**S 1005**

**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO EXECUTIONS; AMENDING SECTION 19-2716, IDAHO CODE, TO PROVIDE THAT THE IDENTITIES OF CERTAIN INDIVIDUALS PARTICIPATING OR ASSISTING IN AN EXECUTION AND CERTAIN INFORMATION SHALL BE CONFIDENTIAL.

[S 1002](#), [S 1003](#), [S 1004](#), and [S 1005](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:10 a.m. until the hour of 10:30 a.m., Friday, January 23, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**TWELFTH LEGISLATIVE DAY**  
**FRIDAY, JANUARY 23, 2015**

Senate Chamber

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

Roll call showed all members present except Senators Davis, Lodge, and McKenzie, absent and formally excused by the Chair; and Senators Bayer, Cameron, and Rice, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Miles Madden, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 22, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

January 23, 2015

The JUDICIARY AND RULES Committee reports that [S 1002](#), [S 1003](#), [S 1004](#), and [S 1005](#) have been correctly printed.

HAGEDORN, Vice-Chairman

[S 1002](#) and [S 1003](#) were referred to the Finance Committee.

[S 1004](#) and [S 1005](#) were referred to the Judiciary and Rules Committee.

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

### Messages from the Governor

January 22, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have appointed Kimberly Johnson of Caldwell, Idaho, to be Acting State Senator for Legislative District 11, Canyon, State of Idaho.

This appointment is effective January 23, 2015, and will continue until such time as Senator Patti Anne Lodge is able to resume her duties.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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 59-917, *Idaho Code*, Patti Anne Lodge, State Senator, District 11, Canyon, State of Idaho, has nominated Kimberly Johnson of Caldwell, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 11, Canyon.

NOW, THEREFORE, I, C.L. "Butch" Otter, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Kimberly Johnson to the office of State Senator, District 11, Canyon, State of Idaho, for a term commencing on January 23, 2015, and continuing until such time as Senator Lodge is able to resume her duties.

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 Twenty-second day of January, in the year of our Lord two thousand and fifteen and of the Independence of the United States of America, the two hundred and thirty-ninth year.

/s/ BY THE GOVERNOR C.L. "BUTCH" OTTER  
/s/ SECRETARY OF STATE LAWRENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Johnson, and she was recorded present at this order of business.

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

### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

Senator Bayer was recorded present at this order of business.

### S 1006 BY COMMERCE AND HUMAN RESOURCES COMMITTEE AN ACT

RELATING TO IDAHO REAL ESTATE LICENSE LAW; AMENDING SECTION 54-2002, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2004, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2018, IDAHO CODE, TO REMOVE REFERENCES TO A CHALLENGE EXAM AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-2027, IDAHO CODE, TO REVISE REQUIREMENTS OF IDAHO CERTIFIED COURSE PROVIDERS RELATING TO COURSE COMPLETION LISTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2030, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE EXPIRATION OR WITHDRAWAL

OF PROVIDER CERTIFICATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2032, IDAHO CODE, TO REQUIRE PRIOR APPROVAL OR CERTIFICATION FOR INDIVIDUALS WISHING TO TEACH REAL ESTATE FOR CREDIT TOWARD POST LICENSE; AMENDING SECTION 54-2033, IDAHO CODE, TO PROVIDE INSTRUCTOR QUALIFICATIONS FOR INDIVIDUALS WISHING TO TEACH ANY REAL ESTATE COURSES FOR CREDIT TOWARD THE POST LICENSE; AMENDING SECTION 54-2036, IDAHO CODE, TO REVISE A PROVISION RELATING TO DISTANCE LEARNING COURSES, TO REMOVE PROVISIONS RELATING TO SUBSTITUTING CONTINUING EDUCATION COURSEWORK AND TO REMOVE PROVISIONS RELATING TO RETAKING A CHALLENGE EXAM; AMENDING SECTION 54-2039, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE BROKER AND BRANCH MANAGER ABSENCES AND CHANGES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2051, IDAHO CODE, TO PROVIDE AN ADDITIONAL REQUIREMENT FOR WRITTEN OFFERS TO PURCHASE REAL PROPERTY OR ANY INTEREST THEREIN; AND AMENDING SECTION 54-2056, IDAHO CODE, TO REMOVE PROVISIONS RELATING TO TERMINATING RELATIONSHIPS BETWEEN A BROKER AND A SOLE PROPRIETORSHIP OWNED BY A PERSON OTHER THAN THE BROKER.

**S 1007**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**  
 AN ACT

RELATING TO IDAHO REAL ESTATE LICENSE LAW; AMENDING SECTION 54-2019, IDAHO CODE, TO PROVIDE AN ADDITIONAL BASIS UPON WHICH THE IDAHO REAL ESTATE COMMISSION MAY DENY ANY LICENSE APPLICATION AND TO MAKE A TECHNICAL CORRECTION.

**S 1008**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**  
 AN ACT

RELATING TO REAL ESTATE; AMENDING SECTION 54-2013, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE RELATING TO A FEE.

**S 1009**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**  
 AN ACT

RELATING TO IDAHO REAL ESTATE LICENSE LAW; AMENDING SECTION 54-2028, IDAHO CODE, TO REVISE THE TERM OF A COURSE PROVIDER'S CERTIFICATION AND TO PROVIDE AN EXPIRATION DATE; AND AMENDING SECTION 54-2035, IDAHO CODE, TO REVISE THE TERM OF AN INSTRUCTOR CERTIFICATION AND TO PROVIDE AN EXPIRATION DATE.

**S 1010**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**  
 AN ACT

RELATING TO IDAHO REAL ESTATE LICENSE LAW; AMENDING SECTION 54-2054, IDAHO CODE, TO REVISE PROVISIONS RELATING TO FEE-SPLITTING

WITH UNLICENSED PERSONS AND TO REVISE THE REQUIREMENT THAT ALL FEES MUST BE PAID THROUGH A BROKER.

**S 1011**  
**BY STATE AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO HORSE RACING; REPEALING SECTION 54-2512A, IDAHO CODE, RELATING TO PARI-MUTUEL BETTING ON HISTORICAL HORSE RACES, DISTRIBUTIONS OF DEPOSITS AND HISTORICAL HORSE RACE PURSE MONEYS FUND.

S 1006, S 1007, S 1008, S 1009, S 1010, and S 1011 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Cameron was recorded present at this order of business.

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

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 10:40 a.m. until the hour of 11:30 a.m., Monday, January 26, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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FIFTEENTH LEGISLATIVE DAY  
MONDAY, JANUARY 26, 2015

Senate Chamber

President Pro Tempore Hill called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senators Lacey, Patrick, and Siddoway, absent and formally excused by the Chair.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Brooke Chick, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 23, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

January 26, 2015

The JUDICIARY AND RULES Committee reports that [S 1006](#), [S 1007](#), [S 1008](#), [S 1009](#), [S 1010](#), and [S 1011](#) have been correctly printed.

HAGEDORN, Vice-Chairman

[S 1006](#), [S 1007](#), [S 1008](#), [S 1009](#), and [S 1010](#) were referred to the Commerce and Human Resources Committee.

[S 1011](#) was referred to the State Affairs Committee.

January 23, 2015

The FINANCE Committee reports out [S 1002](#) and [S 1003](#) with the recommendation that they do pass.

CAMERON, Chairman

[S 1002](#) and [S 1003](#) were filed for second reading.

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

### Messages from the Governor

January 22, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that John Burnham of Sugar City, Idaho, was reappointed as a member of the Sexual Offender Management Board to serve a term commencing January 1, 2015, and expiring January 1, 2018.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Judiciary and Rules Committee.

January 22, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Shane Evans of Boise, Idaho, was reappointed as a member of the Sexual Offender Management Board to serve a term commencing January 1, 2015, and expiring January 1, 2018.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Judiciary and Rules Committee.

January 22, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jean Fisher of Boise, Idaho, was reappointed as a member of the Sexual Offender Management Board to serve a term commencing January 1, 2015, and expiring January 1, 2018.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor



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

The Gubernatorial reappointment was referred to the Judiciary and Rules Committee.

January 22, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Julie DeLorenzo of Boise, Idaho, was reappointed as a member of the Idaho Transportation Board to serve a term commencing January 31, 2015, and expiring January 31, 2021.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Transportation Committee.

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

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1012**

**BY FINANCE COMMITTEE**

**AN ACT**

APPROPRIATING ADDITIONAL MONEYS TO THE DIVISION OF VOCATIONAL REHABILITATION FOR FISCAL YEAR 2015; AND DECLARING AN EMERGENCY.

[S 1012](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:45 a.m. until the hour of 11:30 a.m., Tuesday, January 27, 2015.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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SIXTEENTH LEGISLATIVE DAY  
TUESDAY, JANUARY 27, 2015

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senator Cameron, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Cameron Floyd, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 26, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

January 27, 2015

The JUDICIARY AND RULES Committee reports that [S 1012](#) has been correctly printed.

HAGEDORN, Vice-Chairman

[S 1012](#) was referred to the Finance Committee.

January 26, 2015

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

Blake Fischer to the Idaho Fish and Game Commission, term to expire June 30, 2018.

Lane Clezie to the Idaho Fish and Game Commission, term to expire June 30, 2018.

BAIR, Chairman

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

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

### Messages from the Governor

January 23, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Cameron Arial of Eagle, Idaho, was appointed as a member of the Treasurer's Investment Advisory Board to serve a term commencing November 13, 2014, and expiring July 1, 2018.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 23, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Gavin Gee of Boise, Idaho, was appointed as a member of the Treasurer's Investment Advisory Board to serve a term commencing November 13, 2014, and expiring July 1, 2016.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 23, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Dennis Johnson of Eagle, Idaho, was appointed as a member of the Treasurer's Investment Advisory Board to serve a term commencing November 13, 2014, and expiring July 1, 2018.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 23, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Gary Michael of Boise, Idaho, was appointed as a member of the Treasurer's Investment Advisory Board to serve a term commencing November 13, 2014, and expiring July 1, 2016.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 23, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kerrie Murray of Boise, Idaho, was appointed as a member of the Treasurer's Investment Advisory Board to serve a term commencing December 2, 2014, and expiring July 1, 2016.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 23, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that John McCreedy of Boise, Idaho, was appointed as a member of the Board of Environmental Quality to serve a term commencing July 1, 2014, and expiring July 1, 2018.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the Health and Welfare Committee.

January 23, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Deborah Critchfield of Oakley, Idaho, was appointed as a member of the State Board of Education to serve a term commencing July 16, 2014, and expiring July 1, 2018.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the Education Committee.

January 23, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Dr. David Hill of Boise, Idaho, was appointed as a member of the State Board of Education to serve a term commencing July 16, 2014, and expiring July 1, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the Education Committee.

January 23, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Randy K. Doman of Cottonwood, Idaho, was reappointed as a member of the Park and Recreation Board to serve a term commencing June 30, 2014, and expiring June 30, 2020.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Resources and Environment Committee.

Senator Cameron was recorded present at this order of business.

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

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1013**

**BY FINANCE COMMITTEE**

AN ACT

REDUCING THE APPROPRIATION TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2015; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2015; AND DECLARING AN EMERGENCY.

**S 1014**

**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO EXEMPTION OF PROPERTY FROM ATTACHMENT OR LEVY; AMENDING SECTION 11-605, IDAHO CODE, TO REVISE AND CLARIFY WHICH PROCEEDS OF A CERTAIN LIFE INSURANCE CONTRACT ARE ENTITLED TO AN EXEMPTION FROM ATTACHMENT OR LEVY.

[S 1013](#) and [S 1014](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[S 1002](#) and [S 1003](#), by Finance Committee, were read the second time at length and filed for third reading.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:50 a.m. until the hour of 11 a.m., Wednesday, January 28, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**SEVENTEENTH LEGISLATIVE DAY  
WEDNESDAY, JANUARY 28, 2015**

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senator McKenzie, absent and formally excused by the Chair; and Senators Thayn, and Tippets, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Haley Fronk, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 27, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

January 28, 2015

The JUDICIARY AND RULES Committee reports that [S 1013](#) and [S 1014](#) have been correctly printed.

HAGEDORN, Vice-Chairman

[S 1013](#) was referred to the Finance Committee.

[S 1014](#) was referred to the Judiciary and Rules Committee.

January 27, 2015

The FINANCE Committee reports out [S 1012](#) with the recommendation that it do pass.

CAMERON, Chairman

[S 1012](#) was filed for second reading.

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

### Messages from the Governor

January 26, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Gary Spackman of Eagle, Idaho, was reappointed Director of the Idaho Department of Water Resources to serve a term commencing January 14, 2015, and continuing at the pleasure of the Governor.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Resources and Environment Committee.

January 26, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Charles Cuddy of Orofino, Idaho, was reappointed as a member of the Idaho Water Resource Board to serve a term commencing January 1, 2015, and expiring January 1, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Resources and Environment Committee.

January 26, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jeffery Raybould of St. Anthony, Idaho, was reappointed as a member of the Idaho Water Resource Board to serve a term commencing January 1, 2015, and expiring January 1, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Resources and Environment Committee.

January 26, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Peter Van Der Meulen of Hailey, Idaho, was reappointed as a member of the Idaho Water Resource Board to serve a term commencing January 1, 2015, and expiring January 1, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Resources and Environment Committee.

The Senate advanced to the Ninth Order of Business.

#### Messages from the House

January 27, 2015

Dear Mr. President:

I transmit herewith [H 26](#), which has passed the House.

ALEXANDER, Chief Clerk

[H 26](#) was filed for first reading.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

The President announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Blake Fischer was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Vick, seconded by Senator Stennett, the Gubernatorial appointment of Blake Fischer as a member of the Idaho Fish and Game Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Lane Clezie was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lacey, seconded by Senator Guthrie, the Gubernatorial appointment of Lane Clezie as a member of the Idaho Fish and Game Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

#### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

##### S 1015

#### BY TRANSPORTATION COMMITTEE

##### AN ACT

RELATING TO MOTOR VEHICLE DEALERS; AMENDING SECTION 49-1608, IDAHO CODE, TO REVISE CERTAIN BOND REQUIREMENT PROVISIONS, TO REQUIRE THE PROCUREMENT AND FILING OF A SPECIFIED BOND BY WHOLESALE DEALERS AND TO PROVIDE AN EXEMPTION FROM PARTICIPATION IN THE IDAHO CONSUMER ASSET RECOVERY FUND BY CERTAIN WHOLESALE DEALER LICENSEES.

##### S 1016

#### BY TRANSPORTATION COMMITTEE

##### AN ACT

RELATING TO DRIVER'S LICENSES AND PERMITS; AMENDING SECTION 49-104, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 49-110, IDAHO CODE, TO REVISE DEFINITIONS, TO DEFINE TERMS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-115, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 49-305, IDAHO CODE, TO PROVIDE FOR COMMERCIAL LEARNER'S PERMITS, TO PROVIDE FOR THE VALIDITY OF COMMERCIAL LEARNER'S PERMITS AND CLASS D INSTRUCTION PERMITS, TO PROVIDE FOR THE RENEWAL OF THOSE PERMITS WITHOUT RETAKING A TEST UNDER CERTAIN CONDITIONS AND TO PROVIDE FOR THE RENEWAL OF MOTORCYCLE ENDORSEMENT INSTRUCTION PERMITS WITHOUT RETAKING A TEST UNDER CERTAIN CONDITIONS; AMENDING SECTION 49-306, IDAHO CODE, TO PROVIDE AN APPLICATION FEE FOR COMMERCIAL LEARNER'S PERMITS, TO PROVIDE AN EXCEPTION ASSOCIATED WITH CERTAIN APPLICATION REQUIREMENTS FOR PROVIDING PROOF OF IDAHO RESIDENCY AND AN IDAHO MAILING ADDRESS, TO PROVIDE FOR COMMERCIAL LEARNER'S PERMITS, TO PROVIDE FOR PROOF OF UNITED STATES CITIZENSHIP OR LAWFUL PERMANENT RESIDENCY IN ASSOCIATION WITH CERTAIN APPLICATIONS, TO PROVIDE AN EXCEPTION, TO REQUIRE THAT CERTAIN APPLICANTS PROVIDE SPECIFIED UNEXPIRED EMPLOYMENT AUTHORIZATION DOCUMENTS OR UNEXPIRED FOREIGN PASSPORT ACCOMPANIED BY AN APPROVED I-94 FORM AND TO REVISE PROVISIONS RELATING TO THE DISTRIBUTION OF MONEYS RECEIVED FROM CERTAIN FEES; AND AMENDING SECTION 49-306, AS AMENDED BY SECTION 2, CHAPTER 354, LAWS OF 2013, TO PROVIDE AN APPLICATION FEE FOR COMMERCIAL LEARNER'S PERMITS, TO PROVIDE AN EXCEPTION ASSOCIATED WITH CERTAIN APPLICATION REQUIREMENTS FOR PROVIDING PROOF OF IDAHO RESIDENCY AND AN IDAHO MAILING ADDRESS, TO PROVIDE FOR COMMERCIAL LEARNER'S PERMITS, TO PROVIDE FOR PROOF OF UNITED STATES CITIZENSHIP

OR LAWFUL PERMANENT RESIDENCY IN ASSOCIATION WITH CERTAIN APPLICATIONS, TO PROVIDE AN EXCEPTION, TO REQUIRE THAT CERTAIN APPLICANTS PROVIDE SPECIFIED UNEXPIRED EMPLOYMENT AUTHORIZATION DOCUMENTS OR UNEXPIRED FOREIGN PASSPORT ACCOMPANIED BY AN APPROVED I-94 FORM AND TO REVISE PROVISIONS RELATING TO THE DISTRIBUTION OF MONEYS RECEIVED FROM CERTAIN FEES; AMENDING SECTION 49-313, IDAHO CODE, TO PROVIDE FOR THE EXAMINATION OF APPLICANTS FOR COMMERCIAL LEARNER'S PERMITS; AND AMENDING SECTION 6, CHAPTER 354, LAWS OF 2013, TO REVISE A CONTINGENT EFFECTIVE DATE.

**S 1017**  
**BY TRANSPORTATION COMMITTEE**  
AN ACT

RELATING TO PROVIDERS OF TELECOMMUNICATIONS SERVICE; AMENDING SECTION 40-210, IDAHO CODE, TO PROVIDE THAT THE IDAHO TRANSPORTATION DEPARTMENT AND URBAN RENEWAL AGENCIES SHALL PARTIALLY REIMBURSE TELECOMMUNICATIONS SERVICE PROVIDERS FOR THE COST OF RELOCATION OF FACILITIES TO ACCOMMODATE CERTAIN PROJECTS, TO PROVIDE FOR APPLICABILITY AND TO DEFINE TERMS.

**S 1018**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO TEACHERS; AMENDING SECTION 33-1205, IDAHO CODE, TO REMOVE CERTAIN FEE AMOUNTS AND CERTAIN EFFECTIVE DATES AND TO REVISE PROVISIONS RELATING TO HOW CERTAIN FEES ARE USED.

**S 1019**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO THE STATE BOARD OF EDUCATION; AMENDING SECTION 33-130, IDAHO CODE, TO REVISE PROVISIONS RELATING TO FEES FOR UNDERGOING A CRIMINAL HISTORY CHECK AND TO MAKE TECHNICAL CORRECTIONS.

**S 1015**, **S 1016**, **S 1017**, **S 1018**, and **S 1019** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

**H 26**, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

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

**Third Reading of Bills**

Senator Tippetts was recorded present at this order of business.

**S 1002** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Ward-Engelking, Werk, Winder. Total - 33.

NAYS—Vick. Total - 1.

Absent and excused—McKenzie. Total - 1.

Total - 35.

Whereupon the President declared **S 1002** passed, title was approved, and the bill ordered transmitted to the House.

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

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

Whereupon the President declared **S 1003** passed, title was approved, and the bill ordered transmitted to the House.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:30 a.m. until the hour of 11:30 a.m., Thursday, January 29, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**EIGHTEENTH LEGISLATIVE DAY**  
**THURSDAY, JANUARY 29, 2015**

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senators McKenzie and Siddoway, absent and formally excused by the Chair; and Senator Cameron, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Laura Hahn, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 28, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Petitions, Resolutions, and Memorials

#### SCR 101

#### BY AGRICULTURAL AFFAIRS COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND RECOGNIZING AND HONORING GARY STEVENS, A NATIVE IDAHOAN, FOR HIS LONG AND OUTSTANDING CAREER AND ACCOMPLISHMENTS IN HORSE RACING.

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

WHEREAS, American Thoroughbred horse racing jockey, actor and sports analyst Gary Stevens was born and raised in Caldwell, Idaho; and

WHEREAS, Gary Stevens won his first race at Les Bois Park in Boise, Idaho, at the age of sixteen on Little Star, a horse trained by his father; and

WHEREAS, Gary Stevens has been one of the most successful jockeys in history, reaching his 5,000th career victory in October 2005 at Belmont Park, where he rode three-year-old filly Joint Aspiration to a two-length victory in the Gaviola Stakes. He is one of twenty jockeys to reach such a milestone; and

WHEREAS, Gary Stevens was bestowed the honor of receiving the George Woolf Memorial Jockey Award in 1996, an

award voted on by peers and given to the rider whose personal character, leadership and career achievement bring affirmative attention to the sport of horse racing. Gary Stevens later went on to portray George Woolf in the 2003 Oscar nominated movie "Seabiscuit";

WHEREAS, Gary Stevens was inducted into the U.S. Racing Hall of Fame in 1997 at the age of 34 and won the Eclipse Award as North America's Outstanding Jockey in 1998; and

WHEREAS, Gary Stevens won his first Kentucky Derby in 1988, riding Winning Colors to victory and into the history books as only the third filly to win the fabled race; and

WHEREAS, in addition to three wins in the Kentucky Derby, Gary Stevens has won three Preakness Stakes, three Belmont Stakes, ten Breeders' Cup races and a record nine Santa Anita Derbys; and

WHEREAS, Gary Stevens retired in 2005 to join NBC Sports and the TVG Network as an on-air racing analyst. In 2008 he joined horse racing's HRTV network while continuing to work with NBC Sports and acting in the TV series "Luck"; and

WHEREAS, in 2013 Gary Stevens came out of retirement, returning to the track and winning 69 of 383 races, including the Breeders' Cup Classic and the prestigious Preakness Stakes atop Oxbow, becoming the oldest jockey at the age of 50 to win the race.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we recognize and honor Gary Stevens, a native Idahoan, for his long and outstanding career and accomplishments in horse racing.

[SCR 101](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

January 29, 2015

The JUDICIARY AND RULES Committee reports that [S 1015](#), [S 1016](#), [S 1017](#), [S 1018](#), and [S 1019](#) have been correctly printed.

HAGEDORN, Vice-Chairman

[S 1015](#), [S 1016](#), and [S 1017](#) were referred to the Transportation Committee.

[S 1018](#) and [S 1019](#) were referred to the Education Committee.

January 28, 2015

The FINANCE Committee reports out [H 26](#) and [S 1013](#) with the recommendation that they do pass.

CAMERON, Chairman

[H 26](#) and [S 1013](#) were filed for second reading.

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

### Messages from the Governor

January 27, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature



Dear Mr. President:

I have the honor to inform you that Dale Van Stone of Hope, Idaho, was appointed as a member of the Idaho Water Resource Board to serve a term commencing January 15, 2015, and expiring January 1, 2019.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the Resources and Environment Committee.

January 27, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Marc Brinkmeyer of Sandpoint, Idaho, was reappointed as a member of the Lake Pend Oreille Basin Commission to serve a term commencing July 24, 2014, and expiring July 24, 2017.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Resources and Environment Committee.

The Senate advanced to the Ninth Order of Business.

#### Messages from the House

January 28, 2015

Dear Mr. President:

I transmit herewith [H 40](#) and [H 27](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 40](#) and [H 27](#) were filed for first reading.

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

#### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

Senator Cameron was recorded present at this order of business.

#### S 1020

##### BY RESOURCES AND ENVIRONMENT COMMITTEE AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-111, IDAHO CODE, TO PROVIDE CERTAIN EXEMPTIONS RELATING TO THE PAYMENT OF MONEYS INTO THE FISH AND GAME SET-ASIDE ACCOUNT, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS.

#### S 1021

##### BY EDUCATION COMMITTEE AN ACT

RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING SECTION 33-5208, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE AUTHORIZER FEE FORMULA AND TO REVISE THE PAYMENT DEADLINE FOR THE AUTHORIZER FEE.

[S 1020](#) and [S 1021](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 40](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 27](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

#### Second Reading of Bills

[S 1012](#), by Finance Committee, was read the second time at length and filed for third reading.

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

#### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:45 a.m. until the hour of 11 a.m., Friday, January 30, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**NINETEENTH LEGISLATIVE DAY**  
**FRIDAY, JANUARY 30, 2015**

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senators Martin, Siddoway and Ward-Engelking, absent and formally excused by the Chair.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Paul Kennedy, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 29, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

January 30, 2015

The JUDICIARY AND RULES Committee reports that [SCR 101](#), [S 1020](#), and [S 1021](#) have been correctly printed.

HAGEDORN, Vice-Chairman

[S 1020](#) was referred to the Resources and Environment Committee.

[S 1021](#) was referred to the Education Committee.

On request by Senator Rice, granted by unanimous consent, [SCR 101](#) was referred to the Agricultural Affairs Committee.

January 28, 2015

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

Gary Scheihing to the Commission on Pardons and Parole, term to expire January 1, 2018.

Sara B. Thomas as the State Appellate Public Defender, term to expire August 1, 2018.

HAGEDORN, Vice-Chairman

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

January 29, 2015

The FINANCE Committee reports out [H 40](#) with the recommendation that it do pass.

CAMERON, Chairman

[H 40](#) was filed for second reading.

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

### Messages from the House

January 29, 2015

Dear Mr. President:

I transmit herewith [H 28](#) and [H 29](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 28](#) and [H 29](#) were filed for first reading.

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

### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

#### S 1022

#### BY TRANSPORTATION COMMITTEE

#### AN ACT

RELATING TO LICENSE PLATES; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE A CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-420N, IDAHO CODE, TO PROVIDE FOR AMERICA THE BEAUTIFUL PLATES.

#### S 1023

#### BY COMMERCE AND HUMAN RESOURCES

#### COMMITTEE

#### AN ACT

RELATING TO INSURANCE; AMENDING TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 30, TITLE 41, IDAHO CODE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR INSURER CONDUCT AND TO PROVIDE FOR UNFAIR TRADE PRACTICE; AND PROVIDING AN EFFECTIVE DATE.

#### S 1024

#### BY STATE AFFAIRS COMMITTEE

#### AN ACT

RELATING TO IDAHO ENERGY RESOURCES AUTHORITY; AMENDING SECTION 67-8908, IDAHO CODE, TO REVISE THE AUTHORITY'S POWERS, TO PROVIDE ADDITIONAL POWERS REGARDING CONSERVATION MEASURES AND TO CLARIFY THAT THE AUTHORITY IS NOT A TAXING DISTRICT;

AMENDING SECTION 67-8909, IDAHO CODE, TO REVISE POWERS OF THE AUTHORITY TO PLEDGE AND ASSIGN ITS INTEREST IN A FACILITY AND TO PROVIDE REQUIREMENTS FOR THE PLEDGE OR ASSIGNMENT; AMENDING CHAPTER 89, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-8926, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR CONSERVATION MEASURES AND TO PROVIDE BONDING AUTHORITY; AND DECLARING AN EMERGENCY.

[S 1022](#), [S 1023](#), and [S 1024](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 28](#) and [H 29](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

#### **Second Reading of Bills**

[H 26](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1013](#), by Finance Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

#### **Third Reading of Bills**

[S 1012](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Tippetts, Vick, Werk, Winder. Total - 32.

NAYS—None.

Absent and excused—Martin, Siddoway, Ward-Engelking. Total - 3.

Total - 35.

Whereupon the President declared [S 1012](#) passed, title was approved, and the bill ordered transmitted to the House.

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

#### **Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:20 a.m. until the hour of 11 a.m., Monday, February 2, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**TWENTY-SECOND LEGISLATIVE DAY**  
**MONDAY, FEBRUARY 2, 2015**

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senators McKenzie, Siddoway, and Vick, absent and formally excused by the Chair; and Senators Lee, and Thayne, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Brenton Kleopfer, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 30, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Motions and Resolutions

Senator Lee was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, President Little appointed a committee consisting of Senator Lakey, Chairman, and Senators Souza and Burgoyne to escort Chief Justice Roger S. Burdick into the Senate Chamber where he delivered the following **State of the Judiciary Address**:

Mr. President, Mr. President Pro Tem, and distinguished members of the Idaho Senate, my colleagues on the Supreme Court and Court of Appeals, and fellow Idahoans.

It is always a great pleasure to discuss with you the State of the Judiciary. It is an honor to address you and each year I have carried a theme - be it of change or demographics. This year's theme is transformation.

Because of your foresight last year, the Idaho judiciary has a solid foundation to build upon to address retention and recruitment of Idaho's judges; initial funding for our modern case management technology and attendant move to electronic records and filing; and finally your significant change to Idaho's criminal justice framework with the Justice Reinvestment Initiative.

Starting with the theme of "transformation" I can think of nothing more appropriate than the completion of the Snake River Basin Adjudication. This event puts Idaho as a leader in the nation. The ceremonial signing of the final decree of the Snake River Basin Adjudication headlined by Justice Antonin Scalia marked the end of the largest water adjudication ever finished in United States history. This signing was the capstone of twenty-six years of unprecedented cooperation between the Idaho legislature, executive branch and the judiciary leading to the cataloging of over 150,000 water rights of Idaho's citizenry. The effort took the combined efforts of five district judges, four governors and hundreds of legislators, and the SRBA administrative staff but it will prove its worth in the future.

The Legislature is correct to continue this cataloging throughout the state. Water is vitally important in Idaho's history, today, and for the future. How do we manage it and grow without knowing who owns what? Congratulations again are in order for an important job well done.

We continue transformation in our court administration. Patti Tobias, our Administrative Director of the Courts for twenty years resigned to take a new position with the National Center for State Courts in Denver, Colorado. Her service was marked by unrelenting energy, unwavering respect and love for Idaho's court system, especially its trial judges and her absolute honesty in approaching this body and the executive branch to accomplish the State's work. We thank her again for her vision and work throughout the years.

Gladly, she continues with us in the ongoing implementation of the Justice Reinvestment Act through our contract with the National Center for State Courts.

The Supreme Court continues to search for her replacement. To date we have reviewed 84 applications from throughout the nation. In an attendant move, the Court formally appointed former Chief Justice Linda Cople Trout as the interim Administrative Director and Senior Judge Barry Wood as the deputy director. Both have proven over the last months to be very adept at continuing the strong administration of the Idaho Judiciary. It is unprecedented in the nation to have a former Chief justice come back to serve as Administrative Director. We are very grateful for her service. I can say without reservation both have the complete trust and backing of the Idaho judiciary.

Justice Trout and Judge Wood's work has been helped by the strong leadership of our Division Directors, Janica Bisharat, Andrea Patterson, Roland Gammill, Kerry Hong, and Kevin Iwersen. They had previously fashioned a transition plan under Patti's leadership and have continued their exemplary service. Thanks to all of our administrative staff during this transition.

I want to touch upon the theme from last year of demographic change and the importance of the Court's ongoing efforts to recruit the "best and brightest" from the ranks of Idaho's lawyers and magistrate judges.

This demographic change is illustrated by the many retirements on the district and appellate bench with many more likely to come in the near future. Eighteen district and appellate judges have retired since 2009 and as of June 30, 2014, another 34 (63%) are eligible to retire within the next five years. In January three more retired. Additionally twenty-four magistrates will have retired by the end of this month. It is crucial during this time of transition that we continue to recruit the most highly qualified individuals to serve in the judiciary and that we ensure that they are fully trained and supported.

I would also like to take time to thank those attorneys familiar with our judicial candidates for participating in the Idaho State Bar surveys. We need trustworthy responses from those attorneys who know our judicial candidates. I want to encourage all Bar members to continue to support this important source of information to our Magistrate Commissions and the Judicial Council.

Lastly, another thank you to the Idaho Legislature for your continuing commitment to judicial salaries. House Majority Leader Mike Moyle and Senate Majority Leader Bart Davis were instrumental in last year's legislative session helping us to address the need for competitive salaries. We also thank the chairs of our germane committees Senator Lodge and Representative Wills for ongoing support.

We continue on our odyssey for the transformational overhaul of the court's statewide case management and computer system. This system is well named - Odyssey. This new technology configuration will consolidate the forty-four servers throughout the State to one in-house web based server in Boise with redundancy in Meridian. Moving to this shared platform will allow the Idaho judicial branch to dramatically improve data quality, information sharing and incorporate consistent practices and forms across all of our courts.

This new technology will also favorably impact all of Idaho's law enforcement, governmental agencies and our citizens who depend upon the courts for up to date information. It is hard to explain the amount of vital information produced and disseminated by the courts on a routine basis. We are mindful of this and are working hard to accommodate those needs. Efforts are underway to also preserve our historical data by converting it to our new system as part of this transformation to electronic court records.

At this date we are on budget and on schedule to pilot this spring the program in Twin Falls County. I would like to take this opportunity to recognize the Twin Falls County Commissioners and other local officials for their efforts to pilot this program. I especially want to thank two elected clerks of the court, Twin Falls County Clerk, Kristina Glascock and Ada County Clerk, Chris Rich for their efforts. They have not only worked closely with us, but have marshalled county personnel for the data conversion efforts.

We continue to keep a close eye on the technology fund revenues you have authorized. If there is a down-turn in case filings it will necessarily impact available funds. If that happens we will have to come to you to solicit your advice to help bridge the gap.

In 2012 I spoke to you of the need for renovation or new construction of court facilities throughout the state. The court together with the counties has done a survey of physical facility needs and the need is great. We are moving ahead to help counties have access to information and plans in conjunction with the National Center for State Courts. In fact later today the National Center for State Courts will give a presentation to our elected clerks, county commissioners and court personnel on court facilities. This is an area of great need not only for the safety of citizens and employees but also for prudent use of county funds.

I am very proud of the progress of our Guardianship Committee. In the last two years they have surveyed existing rules and statutes, reviewed national standards and made needed statutory and rule changes. The committee continues to work

on future legislative initiatives to give guardians, conservators, and the protected persons as well as interested parties further guidance and clarification of rights, obligations and procedures. We hope to present you with future legislation to make sure all interests have been considered.

I have been licensed to practice law since 1974 and I believe your enactment of the Justice Reinvestment Initiative is the most important change, indeed a transformation, in criminal justice during my career.

Senate Bill 1357 passed last year because of the hard work of all three branches of state government and the Council of State Governments Justice Center. Its introduction generated a tremendous amount of work and debate among our forty-five district judges and thankfully you listened.

It has properly focused our state on evidence based practices which devote resources to community based programs rather than building more prison walls. Additionally JRI calls for a rejuvenation of "what works" within the prisons themselves and finally it strengthens the procedures and decision making of our parole system.

To make JRI a success, we must continue a vision for the long course, moving all aspects of the criminal justice system to a scientific and evidence-based sentencing and correctional practice. This will not be accomplished overnight or without additional resources. It will take years to train and change the attitudes and practices historically entrenched in all aspects of the criminal justice system. It is vital that the Legislature stay committed to the reinvestment of correctional savings to the goals of community supervision, training of probation officers, and community rehabilitation resources.

Another criminal justice commitment made last year is improvement of the county-based public defender system.

The Idaho Legislature took notice that since 1923 in *State v. Montroy* that all citizens accused of crimes have a right to a "fair and impartial trial and every reasonable opportunity to prepare a defense." Most importantly - "in a case of indigent persons accused of a crime, the court must assign counsel to the defense at public expense." We hope further study, education, and resources will result in a new, creative approach to this constitutional duty.

The creation of the Public Defense Commission, with its Executive Director, Ian Thompson, has already resulted in numerous new training opportunities for criminal law practitioners. The Commission continues to explore new ways to help county commissioners furnish public defense services. It is an exciting first step.

Besides public defense in a criminal case, there is a vital issue of due process and equal access to justice that needs resources and analysis - foreign language interpretation. It is axiomatic that if a person cannot understand the court proceedings and the court cannot understand them, there can be no due process of law.

Because of Idaho's rural nature, many counties lack access to professional, qualified court interpreters. Providing language access goes beyond locating a bilingual person to provide interpreting or translating services. While being bilingual is a needed prerequisite, it does not sufficiently qualify a person to serve as an interpreter or translator for the courts.

In 2014, court interpreters were secured for 47 different languages and this trend will only increase. In the future we will

be coming to you for additional resources to assist trial courts in constructing a statewide, coordinated program of recognition, training and accessibility to language assistance.

In summary, the State of Idaho's judiciary is very strong by any benchmark. We have all but finished the original SRBA, the largest in the nation's history. Our recruitment efforts for the "best and brightest" have been expanded and strengthened. We have drilled down to analyze and identify delay in every case type through our Advancing Justice Initiative.

Our creative approach to old issues has resulted in over 66 courts statewide following a problem solving model. New procedural rules and techniques have been adopted to help divorce litigants get through this emotional experience in a more expedient way. Additionally, high conflict divorces and child custody cases have been given more and varied resources.

We have embarked on an aggressive program to bring our Guardianship and Conservatorship procedures up to date. Our technology initiative is a sea-change in how we will file cases, handle those cases, keep and disseminate our records. We are looking at all alternatives including bridging gaps with senior judges, before coming to you and our counties for new judgeships.

We are strong but that doesn't mean there are not challenges ahead. I've mentioned a few - Justice Reinvestment Initiative implementation and most importantly REINVESTMENT, public defender improvement, court facilities at the county level, interpretive resources, competitive salaries and new judicial positions. We are truly embarked on a transformational period in our court's history. We will keep you informed and stand ready to assist in these important policy decisions for all Idahoans.

Because of the remarkable working relationship we have with the Legislature and Governor, we can and will continue our shared vision of excellence for a safe and strong future for all Idaho citizens.

GOD BLESS.

The President thanked Chief Justice Burdick for his remarks and Senator Lakey, Chairman, and Senators Souza and Burgoyne escorted Chief Justice Burdick from the Chamber, and the Committee was discharged.

Senator Thayn was recorded present at this order of business.

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

### Reports of Standing Committees

February 2, 2015

The JUDICIARY AND RULES Committee reports that [S 1022](#), [S 1023](#), and [S 1024](#) have been correctly printed.

HAGEDORN, Vice-Chairman

[S 1022](#) was referred to the Transportation Committee.

[S 1023](#) was referred to the Commerce and Human Resources Committee.

[S 1024](#) was referred to the State Affairs Committee.

February 2, 2015

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

John Chatburn as the Administrator of the Office of Energy Resources, term to continue at the pleasure of the Governor.

MCKENZIE, Chairman

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

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

### Messages from the Governor

January 26, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that George McQuiston Jr. of Challis, Idaho, was appointed as a member of the Idaho Outfitters and Guides Licensing Board to serve a term commencing June 2, 2014, and expiring April 20, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the Resources and Environment Committee.

January 26, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Rodger Lee Sorensen of Soda Springs, Idaho, was reappointed as a member of the Aeronautics Advisory Board to serve a term commencing January 31, 2015, and expiring January 31, 2020.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Transportation Committee.

January 26, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Lisa Growette Bostaph of Boise, Idaho, was reappointed as a member of the Commission on Pardons and Parole to serve a term commencing January 1, 2015, and expiring January 1, 2018.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Judiciary and Rules Committee.

January 30, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Dave Radford of Idaho Falls, Idaho, was reappointed as a member of the State Soil and Water Conservation Commission to serve a term commencing July 1, 2014, and expiring July 1, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Agricultural Affairs Committee.

The Senate advanced to the Ninth Order of Business.

#### Messages from the House

January 30, 2015

Dear Mr. President:

I transmit herewith [H 15](#), [H 10](#), [H 11](#), [H 12](#), [H 13](#), [H 34](#), [H 41](#), [H 36](#), and [H 37](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 15](#), [H 10](#), [H 11](#), [H 12](#), [H 13](#), [H 34](#), [H 41](#), [H 36](#), and [H 37](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Gary Scheihing was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lee, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Gary Scheihing as a member of the Commission on Pardons and Parole was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Sara B. Thomas was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Hagedorn, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Sara B. Thomas as the State Appellate Public Defender was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

#### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

##### S 1025

##### BY JUDICIARY AND RULES COMMITTEE

##### AN ACT

RELATING TO THE IDAHO UNIFORM BUSINESS ORGANIZATIONS CODE; REPEALING CHAPTER 1, TITLE 30, IDAHO CODE, RELATING TO GENERAL BUSINESS CORPORATIONS; REPEALING CHAPTER 6, TITLE 30, IDAHO CODE, RELATING TO THE IDAHO UNIFORM LIMITED LIABILITY COMPANY ACT; REPEALING CHAPTER 18, TITLE 30, IDAHO CODE, RELATING TO THE IDAHO ENTITY TRANSACTIONS ACT; REPEALING CHAPTER 2, TITLE 53, IDAHO CODE, RELATING TO THE UNIFORM LIMITED PARTNERSHIP ACT; REPEALING CHAPTER 3, TITLE 53, IDAHO CODE, RELATING TO UNIFORM PARTNERSHIP LAW; AMENDING TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 21, TITLE 30, IDAHO CODE, RELATING TO THE UNIFORM BUSINESS ORGANIZATIONS CODE, TO PROVIDE SHORT TITLE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR APPLICATION OF LAW, TO PROVIDE FOR DELIVERY OF RECORD, TO PROVIDE FOR RULES AND PROCEDURES, TO PROVIDE FOR ENTITY FILING REQUIREMENTS, TO PROVIDE FOR FORMS, TO PROVIDE FOR EFFECTIVE DATES AND TIMES, TO PROVIDE FOR WITHDRAWAL OF FILED RECORD BEFORE EFFECTIVENESS, TO PROVIDE FOR CORRECTING FILED RECORD, TO PROVIDE FOR DUTY OF SECRETARY OF STATE TO FILE AND REVIEW OF REFUSAL TO FILE, TO PROVIDE FOR EVIDENTIARY EFFECT OF COPY OF FILED RECORD, TO PROVIDE FOR CERTIFICATE OF GOOD STANDING OR REGISTRATION,

TO PROVIDE FOR SIGNING OF ENTITY FILING, TO PROVIDE FOR SIGNING AND FILING PURSUANT TO JUDICIAL ORDER, TO PROVIDE FOR LIABILITY FOR INACCURATE INFORMATION IN FILED RECORD, TO PROVIDE FOR DELIVERY BY SECRETARY OF STATE, TO PROVIDE FOR ANNUAL REPORT FOR SECRETARY OF STATE, TO PROVIDE FOR FEES, TO PROVIDE FOR PERMITTED NAMES, TO PROVIDE FOR NAME REQUIREMENTS FOR CERTAIN TYPES OF ENTITIES, TO PROVIDE FOR RESERVATION OF NAME, TO PROVIDE FOR REGISTRATION OF NAME, TO PROVIDE DEFINITIONS, TO PROVIDE FOR ENTITIES REQUIRED TO DESIGNATE AND MAINTAIN REGISTERED AGENT, TO PROVIDE FOR ADDRESSES IN FILING, TO PROVIDE FOR DESIGNATION OF REGISTERED AGENT, TO PROVIDE FOR LISTING OF COMMERCIAL REGISTERED AGENT, TO PROVIDE FOR TERMINATION OF LISTING OF COMMERCIAL REGISTERED AGENT, TO PROVIDE FOR CHANGE OF REGISTERED AGENT BY ENTITY, TO PROVIDE FOR CHANGE OF NAME OR ADDRESS BY NONCOMMERCIAL REGISTERED AGENT, TO PROVIDE FOR CHANGE OF NAME, ADDRESS, TYPE OF ENTITY OR JURISDICTION OF FORMATION BY COMMERCIAL REGISTERED AGENT, TO PROVIDE FOR RESIGNATION OF REGISTERED AGENT, TO PROVIDE FOR DESIGNATION OF REGISTERED AGENT BY NONREGISTERED FOREIGN ENTITY OR NONFILING DOMESTIC ENTITY, TO PROVIDE FOR SERVICE OF PROCESS, NOTICE, OR DEMAND ON ENTITY, TO PROVIDE FOR DUTIES OF REGISTERED AGENT, TO PROVIDE FOR JURISDICTION AND VENUE, TO PROVIDE FOR GOVERNING LAW, TO PROVIDE FOR REGISTRATION TO DO BUSINESS IN THIS STATE, TO PROVIDE FOR FOREIGN REGISTRATION STATEMENT, TO PROVIDE FOR AMENDMENT OF FOREIGN REGISTRATION STATEMENT, TO PROVIDE FOR ACTIVITIES NOT CONSTITUTING DOING BUSINESS, TO PROVIDE FOR NONCOMPLYING NAME OF FOREIGN ENTITY, TO PROVIDE FOR WITHDRAWAL OF REGISTRATION OF REGISTERED FOREIGN ENTITY, TO PROVIDE FOR WITHDRAWAL DEEMED ON CONVERSION OR DOMESTICATION TO DOMESTIC FILING ENTITY OR DOMESTIC LIMITED LIABILITY PARTNERSHIP, TO PROVIDE FOR WITHDRAWAL ON DISSOLUTION OR CONVERSION TO NONFILING ENTITY OTHER THAN LIMITED LIABILITY PARTNERSHIP, TO PROVIDE FOR TRANSFER OF REGISTRATION, TO PROVIDE FOR TERMINATION OF REGISTRATION, TO PROVIDE FOR ACTION BY THE ATTORNEY GENERAL, TO PROVIDE FOR GROUNDS FOR ADMINISTRATIVE DISSOLUTION, TO PROVIDE FOR PROCEDURE AND EFFECT, TO PROVIDE FOR REINSTATEMENT, TO PROVIDE FOR JUDICIAL REVIEW OF DENIAL OF REINSTATEMENT, TO PROVIDE FOR RESERVATION OF POWER TO AMEND OR REPEAL, TO PROVIDE FOR SUPPLEMENTAL PRINCIPLES OF LAW, TO PROVIDE FOR UNIFORMITY OR CONSISTENCY OF APPLICATION AND CONSTRUCTION, TO PROVIDE FOR RELATION TO ELECTRONIC SIGNATURES IN THE GLOBAL AND NATIONAL COMMERCE ACT, TO PROVIDE FOR SAVINGS CLAUSE, TO PROVIDE FOR SEVERABILITY, TO PROVIDE AN EFFECTIVE DATE, TO PROVIDE A SHORT TITLE, TO PROVIDE A PURPOSE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR A NAME USED AS AN ASSUMED BUSINESS NAME, TO PROVIDE FOR THE FILING OF A CERTIFICATE, TO

PROVIDE CONTENTS OF CERTIFICATE, TO PROVIDE EFFECT OF FILING, DURATION AND CONTINUATION, TO PROVIDE AMENDMENT OF CERTIFICATE, TO PROVIDE CANCELLATION OF CERTIFICATE, TO PROVIDE CONSEQUENCES OF NONCOMPLIANCE AND TO PROVIDE FOR PROFESSIONAL ENTITIES; AMENDING TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 22, TITLE 30, IDAHO CODE, RELATING TO ENTITY TRANSACTIONS, TO PROVIDE A SHORT TITLE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR RELATIONSHIP OF THE CHAPTER TO OTHER LAWS, TO PROVIDE FOR REQUIRED NOTICE OR APPROVAL, TO PROVIDE FOR STATUS OF FILINGS, TO PROVIDE FOR NONEXCLUSIVITY, TO PROVIDE FOR REFERENCE TO EXTERNAL FACTS, TO PROVIDE FOR ALTERNATIVE MEANS OF APPROVAL OF TRANSACTIONS, TO PROVIDE FOR APPRAISAL RIGHTS, TO PROVIDE FOR CONFLICT OF LAWS AND EXCLUDED TRANSACTIONS, TO PROVIDE FOR AUTHORIZATION OF MERGER, TO PROVIDE FOR PLAN OF MERGER, TO PROVIDE FOR APPROVAL OF MERGER, TO PROVIDE FOR AMENDMENT OR ABANDONMENT OF PLAN OF MERGER, TO PROVIDE FOR STATEMENT OF MERGER AND EFFECTIVE DATE, TO PROVIDE FOR EFFECT OF MERGER, TO PROVIDE FOR INTEREST EXCHANGE AUTHORIZED, TO PROVIDE FOR PLAN OF INTEREST EXCHANGE, TO PROVIDE FOR APPROVAL OF INTEREST EXCHANGE, TO PROVIDE FOR AMENDMENT OR ABANDONMENT OF PLAN OF INTEREST EXCHANGE, TO PROVIDE FOR STATEMENT OF INTEREST EXCHANGE AND EFFECTIVE DATE OF INTEREST EXCHANGE, TO PROVIDE FOR EFFECT OF INTEREST EXCHANGE, TO PROVIDE FOR CONVERSION AUTHORIZED, TO PROVIDE FOR PLAN OF CONVERSION, TO PROVIDE FOR APPROVAL OF CONVERSION, TO PROVIDE FOR AMENDMENT OR ABANDONMENT OF PLAN OF CONVERSION, TO PROVIDE FOR STATEMENT OF CONVERSION AND EFFECTIVE DATE OF CONVERSION, TO PROVIDE FOR EFFECT OF CONVERSION, TO PROVIDE FOR DOMESTICATION AUTHORIZED, TO PROVIDE FOR PLAN OF DOMESTICATION, TO PROVIDE FOR APPROVAL OF DOMESTICATION, TO PROVIDE FOR AMENDMENT OR ABANDONMENT OF PLAN OF DOMESTICATION, TO PROVIDE FOR STATEMENT OF DOMESTICATION AND EFFECTIVE DATE OF DOMESTICATION AND TO PROVIDE FOR EFFECT OF DOMESTICATION; AMENDING TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 23, TITLE 30, IDAHO CODE, RELATING TO GENERAL PARTNERSHIPS, TO PROVIDE A SHORT TITLE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR KNOWLEDGE AND NOTICE, TO PROVIDE FOR GOVERNING LAW, TO PROVIDE FOR PARTNERSHIP AGREEMENT, SCOPE, FUNCTION AND LIMITATIONS, TO PROVIDE FOR PARTNERSHIP AGREEMENT, EFFECT ON PARTNERSHIP AND PERSON BECOMING PARTNER AND PREFORMATION AGREEMENT, TO PROVIDE FOR PARTNERSHIP AGREEMENT, EFFECT ON THIRD PARTIES AND RELATIONSHIP TO RECORDS EFFECTIVE ON BEHALF OF PARTNERSHIP, TO PROVIDE FOR SIGNING OF RECORDS TO BE DELIVERED FOR FILING TO SECRETARY OF STATE, TO PROVIDE FOR LIABILITY FOR INACCURATE INFORMATION IN FILED RECORD, TO PROVIDE FOR APPLICATION TO EXISTING RELATIONSHIPS, TO PROVIDE FOR SUBJECTS COVERED OUTSIDE CHAPTER, TO PROVIDE



FOR PARTNERSHIP AS ENTITY, TO PROVIDE FOR FORMATION OF PARTNERSHIP, TO PROVIDE FOR PARTNERSHIP PROPERTY, TO PROVIDE FOR WHEN PROPERTY IS PARTNERSHIP PROPERTY, TO PROVIDE FOR PARTNER AGENT OF PARTNERSHIP, TO PROVIDE FOR TRANSFER OF PARTNERSHIP PROPERTY, TO PROVIDE FOR STATEMENT OF PARTNERSHIP AUTHORITY, TO PROVIDE FOR STATEMENT OF DENIAL, TO PROVIDE FOR PARTNERSHIP LIABLE FOR PARTNER'S ACTIONABLE CONDUCT, TO PROVIDE FOR PARTNER'S LIABILITY, TO PROVIDE FOR ACTIONS BY AND AGAINST PARTNERSHIP AND PARTNERS, TO PROVIDE FOR LIABILITY OF PURPORTED PARTNER, TO PROVIDE FOR PARTNER'S RIGHTS AND DUTIES, TO PROVIDE FOR BECOMING PARTNER, TO PROVIDE FOR FORM OF CONTRIBUTION, TO PROVIDE FOR LIABILITY FOR CONTRIBUTION, TO PROVIDE FOR SHARING OF AND RIGHT TO DISTRIBUTIONS BEFORE DISSOLUTION, TO PROVIDE FOR LIMITATIONS ON DISTRIBUTIONS BY LIMITED LIABILITY PARTNERSHIP, TO PROVIDE FOR LIABILITY OF IMPROPER DISTRIBUTIONS BY LIMITED LIABILITY PARTNERSHIP, TO PROVIDE FOR RIGHTS OF PARTNERS AND PERSONS DISSOCIATED AS PARTNER TO INFORMATION, TO PROVIDE FOR STANDARDS OF CONDUCT FOR PARTNERS, TO PROVIDE FOR ACTIONS BY PARTNERSHIP AND PARTNERS, TO PROVIDE FOR CONTINUATION OF PARTNERSHIP BEYOND DEFINITE TERM OR PARTICULAR UNDERTAKING, TO PROVIDE FOR PARTNER NOT CO-OWNER OF PARTNERSHIP PROPERTY, TO PROVIDE FOR NATURE OF TRANSFERABLE INTEREST, TO PROVIDE FOR TRANSFER OF TRANSFERABLE INTEREST, TO PROVIDE FOR CHARGING ORDER, TO PROVIDE FOR POWER OF LEGAL REPRESENTATIVE OF DECEASED PARTNER, TO PROVIDE FOR EVENTS CAUSING DISSOCIATION, TO PROVIDE FOR POWER TO DISSOCIATE AS PARTNER AND WRONGFUL DISSOCIATION, TO PROVIDE FOR EFFECT OF DISSOCIATION, TO PROVIDE FOR PERSONS DISSOCIATED AS A PARTNER WITHOUT DISSOLUTION OF PARTNERSHIP, TO PROVIDE FOR POWER TO BIND AND LIABILITY OF PERSON DISSOCIATED AS PARTNER, TO PROVIDE FOR LIABILITY OF PERSON DISSOCIATED AS PARTNER TO OTHER PERSONS, TO PROVIDE FOR STATEMENT OF DISSOCIATION, TO PROVIDE FOR CONTINUED USE OF PARTNERSHIP NAME, TO PROVIDE FOR EVENTS CAUSING DISSOLUTION, TO PROVIDE FOR WINDING UP, TO PROVIDE FOR RESCINDING DISSOLUTION, TO PROVIDE FOR POWER TO BIND PARTNERSHIP AFTER DISSOLUTION, TO PROVIDE FOR LIABILITY AFTER DISSOLUTION OF PARTNER AND PERSON DISSOCIATED AS GENERAL PARTNER, TO PROVIDE FOR DISPOSITION OF ASSETS IN WINDING UP AND WHEN CONTRIBUTIONS REQUIRED, TO PROVIDE FOR KNOWN CLAIMS AGAINST DISSOLVED LIMITED LIABILITY PARTNERSHIP, TO PROVIDE FOR OTHER CLAIMS AGAINST DISSOLVED LIMITED LIABILITY PARTNERSHIP, TO PROVIDE FOR COURT PROCEEDINGS, TO PROVIDE FOR LIABILITY OF PARTNER AND PERSON DISSOCIATED AS PARTNER WHEN CLAIM AGAINST PARTNERSHIP BARRED, TO PROVIDE FOR STATEMENT OF QUALIFICATION, TO PROVIDE FOR PERMITTED NAMES, TO PROVIDE FOR ADMINISTRATIVE REVOCATION OF STATEMENT OF QUALIFICATION, TO PROVIDE FOR REINSTATEMENT, TO PROVIDE FOR JUDICIAL REVIEW OF DENIAL OF REINSTATEMENT AND TO PROVIDE FOR SUBJECTS

COVERED OUTSIDE CHAPTER; AMENDING TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 24, TITLE 30, IDAHO CODE, RELATING TO LIMITED PARTNERSHIPS, TO PROVIDE A SHORT TITLE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR KNOWLEDGE AND NOTICE, TO PROVIDE FOR GOVERNING LAW, TO PROVIDE FOR PARTNERSHIP AGREEMENT, SCOPE, FUNCTION AND LIMITATIONS, TO PROVIDE FOR PARTNERSHIP AGREEMENT, EFFECT ON LIMITED PARTNERSHIP AND PERSON BECOMING PARTNER AND PREFORMATION AGREEMENT, TO PROVIDE FOR PARTNERSHIP AGREEMENT, EFFECT ON THIRD PARTIES AND RELATIONSHIP TO RECORDS EFFECTIVE ON BEHALF OF LIMITED PARTNERSHIP, TO PROVIDE FOR REQUIRED INFORMATION, TO PROVIDE FOR DUAL CAPACITY, TO PROVIDE FOR NATURE, PURPOSE AND DURATION OF LIMITED PARTNERSHIP, TO PROVIDE FOR POWERS, TO PROVIDE FOR APPLICATION TO EXISTING RELATIONSHIPS, TO PROVIDE FOR SUBJECTS COVERED OUTSIDE CHAPTER, TO PROVIDE FOR FORMATION OF LIMITED PARTNERSHIP AND CERTIFICATE OF LIMITED PARTNERSHIP, TO PROVIDE FOR AMENDMENT OR RESTATEMENT OF CERTIFICATE OF LIMITED PARTNERSHIP, TO PROVIDE FOR SIGNING OF RECORDS TO BE DELIVERED FOR FILING TO SECRETARY OF STATE, TO PROVIDE FOR SUBJECTS COVERED OUTSIDE CHAPTER, TO PROVIDE FOR BECOMING LIMITED PARTNER, TO PROVIDE FOR NO AGENCY POWER OF LIMITED PARTNER AS LIMITED PARTNER, TO PROVIDE FOR NO LIABILITY AS LIMITED PARTNER FOR LIMITED PARTNERSHIP OBLIGATIONS, TO PROVIDE FOR RIGHTS TO INFORMATION OF LIMITED PARTNER AND PERSON DISSOCIATED AS LIMITED PARTNER, TO PROVIDE FOR LIMITED DUTIES OF LIMITED PARTNER, TO PROVIDE FOR LIABILITY FOR INACCURATE INFORMATION IN FILED RECORD, TO PROVIDE FOR BECOMING GENERAL PARTNER, TO PROVIDE FOR NO AGENCY POWER OF GENERAL PARTNER AS LIMITED PARTNER, TO PROVIDE FOR LIMITED PARTNERSHIP LIABLE FOR GENERAL PARTNER'S ACTIONABLE CONDUCT, TO PROVIDE FOR RIGHTS TO INFORMATION OF GENERAL PARTNER AND PERSON DISSOCIATED AS LIMITED PARTNER, TO PROVIDE FOR ACTIONS BY AND AGAINST PARTNERSHIP AND PARTNERS, TO PROVIDE FOR MANAGEMENT RIGHTS OF GENERAL PARTNER, TO PROVIDE FOR RIGHTS TO INFORMATION OF GENERAL PARTNER AND PERSON DISSOCIATED AS GENERAL PARTNER, TO PROVIDE FOR REIMBURSEMENT, INDEMNIFICATION, ADVANCEMENT AND INSURANCE, TO PROVIDE FOR STANDARDS OF CONDUCT FOR GENERAL PARTNERS, TO PROVIDE FOR FORM OF CONTRIBUTION, TO PROVIDE FOR LIABILITY FOR CONTRIBUTION, TO PROVIDE FOR SHARING OF AND RIGHT TO DISTRIBUTIONS BEFORE DISSOLUTION, TO PROVIDE FOR LIMITATIONS ON DISTRIBUTIONS, TO PROVIDE FOR LIABILITY FOR IMPROPER DISTRIBUTIONS, TO PROVIDE FOR DISSOCIATION AS LIMITED PARTNER, TO PROVIDE FOR EFFECT OF DISSOCIATION AS LIMITED PARTNER, TO PROVIDE FOR DISSOCIATION AS GENERAL PARTNER, TO PROVIDE FOR POWER TO DISSOCIATE AS GENERAL PARTNER AND WRONGFUL DISSOCIATION, TO PROVIDE FOR EFFECT OF DISSOCIATION AS GENERAL PARTNER, TO PROVIDE FOR POWER TO BIND AND LIABILITY OF PERSON DISSOCIATED AS GENERAL PARTNER, TO

PROVIDE FOR LIABILITY OF PERSON DISSOCIATED AS GENERAL PARTNER TO OTHER PERSONS, TO PROVIDE FOR NATURE OF TRANSFERABLE INTEREST, TO PROVIDE FOR TRANSFER OF TRANSFERABLE INTEREST, TO PROVIDE FOR CHARGING ORDER, TO PROVIDE FOR POWER OF LEGAL REPRESENTATIVE OF DECEASED PARTNER, TO PROVIDE FOR EVENTS CAUSING DISSOLUTION, TO PROVIDE FOR WINDING UP, TO PROVIDE FOR RESCINDING DISSOLUTION, TO PROVIDE FOR POWER TO BIND PARTNERSHIP AFTER DISSOLUTION, TO PROVIDE FOR LIABILITY AFTER DISSOLUTION OF GENERAL PARTNER AND PERSON DISSOCIATED AS GENERAL PARTNER, TO PROVIDE FOR KNOWN CLAIMS AGAINST DISSOLVED LIMITED PARTNERSHIP, TO PROVIDE FOR OTHER CLAIMS AGAINST DISSOLVED LIMITED PARTNERSHIP, TO PROVIDE FOR COURT PROCEEDINGS, TO PROVIDE FOR LIABILITY OF GENERAL PARTNER AND PERSON DISSOCIATED AS GENERAL PARTNER WHEN CLAIM AGAINST LIMITED PARTNERSHIP BARRED, TO PROVIDE FOR DISPOSITION OF ASSETS IN WINDING UP AND WHEN CONTRIBUTIONS REQUIRED, TO PROVIDE FOR SUBJECTS COVERED OUTSIDE CHAPTER, TO PROVIDE FOR DIRECT ACTION BY A PARTNER, TO PROVIDE FOR DERIVATIVE ACTION, TO PROVIDE FOR PROPER PLAINTIFF, TO PROVIDE FOR PLEADING, TO PROVIDE FOR SPECIAL LITIGATION COMMITTEE AND TO PROVIDE FOR PROCEEDS AND EXPENSES; AMENDING TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 25, TITLE 30, IDAHO CODE, RELATING TO LIMITED LIABILITY COMPANIES, TO PROVIDE SHORT TITLE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR KNOWLEDGE AND NOTICE, TO PROVIDE FOR GOVERNING LAW, TO PROVIDE FOR OPERATING AGREEMENT, SCOPE, FUNCTION AND LIMITATIONS, TO PROVIDE FOR OPERATING AGREEMENT, EFFECT ON LIMITED LIABILITY COMPANY AND PERSON BECOMING MEMBER AND PREFORMATION AGREEMENT, TO PROVIDE FOR OPERATING AGREEMENT, EFFECT ON THIRD PARTIES AND RELATIONSHIP TO RECORDS EFFECTIVE ON BEHALF OF LIMITED LIABILITY COMPANY, TO PROVIDE FOR THE NATURE, PURPOSE AND DURATION OF LIMITED LIABILITY COMPANY, TO PROVIDE POWERS, TO PROVIDE FOR APPLICATION TO EXISTING RELATIONSHIPS, TO PROVIDE FOR SUBJECTS COVERED OUTSIDE CHAPTER, TO PROVIDE FOR FORMATION OF LIMITED LIABILITY COMPANY AND CERTIFICATE OF ORGANIZATION, TO PROVIDE FOR AMENDMENT OR RESTATEMENT OF CERTIFICATE OF ORGANIZATION, TO PROVIDE FOR SIGNING OF RECORDS TO BE DELIVERED FOR FILING TO SECRETARY OF STATE, TO PROVIDE FOR LIABILITY FOR INACCURATE INFORMATION IN FILED RECORDS, TO PROVIDE FOR SUBJECTS COVERED OUTSIDE CHAPTER, TO PROVIDE FOR NO AGENCY POWER OF MEMBER AS MEMBER, TO PROVIDE FOR STATEMENT OF AUTHORITY, TO PROVIDE FOR STATEMENT OF DENIAL, TO PROVIDE FOR LIABILITY OF MEMBERS AND MANAGERS, TO PROVIDE FOR BECOMING A MEMBER, TO PROVIDE FOR FORM OF CONTRIBUTION, TO PROVIDE FOR LIABILITY FOR CONTRIBUTIONS, TO PROVIDE FOR SHARING OF AND RIGHT TO DISTRIBUTIONS BEFORE DISSOLUTION, TO PROVIDE FOR LIMITATIONS ON DISTRIBUTIONS, TO PROVIDE FOR LIABILITY FOR IMPROPER DISTRIBUTIONS, TO

PROVIDE FOR MANAGEMENT OF A LIMITED LIABILITY COMPANY, TO PROVIDE FOR REIMBURSEMENT, INDEMNIFICATION, ADVANCEMENT AND INSURANCE, TO PROVIDE FOR STANDARDS OF CONDUCT FOR MEMBERS AND MANAGERS, TO PROVIDE FOR RIGHTS TO INFORMATION OF MEMBER, MANAGER AND PERSON DISSOCIATED AS MEMBER, TO PROVIDE FOR NATURE OF TRANSFERABLE INTEREST, TO PROVIDE FOR TRANSFER OF TRANSFERABLE INTEREST, TO PROVIDE FOR CHARGING ORDER, TO PROVIDE FOR POWER OF LEGAL REPRESENTATIVE OF DECEASED MEMBER, TO PROVIDE FOR POWER TO DISSOCIATE AS MEMBER AND WRONGFUL DISSOCIATION, TO PROVIDE FOR EVENTS CAUSING DISSOCIATION, TO PROVIDE FOR EFFECT OF DISSOCIATION, TO PROVIDE FOR EVENTS CAUSING DISSOLUTION, TO PROVIDE FOR WINDING UP, TO PROVIDE FOR RESCINDING DISSOLUTION, TO PROVIDE FOR KNOWN CLAIMS AGAINST DISSOLVED LIMITED LIABILITY COMPANY, TO PROVIDE FOR OTHER CLAIMS AGAINST DISSOLVED LIMITED LIABILITY COMPANY, TO PROVIDE FOR COURT PROCEEDINGS, TO PROVIDE FOR DISPOSITION OF ASSETS IN WINDING UP, TO PROVIDE FOR SUBJECTS COVERED OUTSIDE CHAPTER, TO PROVIDE FOR DIRECT ACTION BY MEMBER, TO PROVIDE FOR DERIVATIVE ACTION, TO PROVIDE FOR PROPER PLAINTIFF, TO PROVIDE FOR PLEADING, TO PROVIDE FOR SPECIAL LITIGATION COMMITTEE AND TO PROVIDE FOR PROCEEDS AND EXPENSES; AMENDING TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 27, TITLE 30, IDAHO CODE, RELATING TO UNINCORPORATED NONPROFIT ASSOCIATIONS; TO PROVIDE A SHORT TITLE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR RELATION TO OTHER LAWS, TO PROVIDE FOR GOVERNING LAW, TO PROVIDE FOR ENTITY, PERPETUAL EXISTENCE AND POWERS, TO PROVIDE FOR OWNERSHIP AND TRANSFER OF PROPERTY, TO PROVIDE FOR STATEMENT OF AUTHORITY AS TO REAL PROPERTY, TO PROVIDE FOR LIABILITY, TO PROVIDE FOR ASSERTION AND DEFENSE OF CLAIMS, TO PROVIDE FOR EFFECT OF JUDGMENT OR ORDER, TO PROVIDE FOR SERVICE OF PROCESS, TO PROVIDE FOR ACTION OR PROCEEDING NOT ABATED BY CHANGE, TO PROVIDE FOR VENUE, TO PROVIDE FOR MEMBER NOT AGENT, TO PROVIDE FOR DISTRIBUTIONS PROHIBITED, COMPENSATION AND OTHER PERMITTED PAYMENTS, TO PROVIDE FOR DISSOLUTION, TO PROVIDE FOR WINDING UP AND TERMINATION, TO PROVIDE FOR APPOINTMENT OF REGISTERED AGENT AND TO PROVIDE FOR TRANSITION CONCERNING REAL AND PERSONAL PROPERTY; AMENDING TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 29, TITLE 30, IDAHO CODE, RELATING TO GENERAL BUSINESS CORPORATIONS, TO PROVIDE A SHORT TITLE, TO PROVIDE FOR REQUIREMENTS FOR DOCUMENTS AND EXTRINSIC FACTS, TO PROVIDE FOR CHAPTER DEFINITIONS, TO PROVIDE FOR NOTICE, TO PROVIDE FOR INCORPORATORS, TO PROVIDE FOR ARTICLES OF INCORPORATION, TO PROVIDE FOR INCORPORATION, TO PROVIDE FOR LIABILITY FOR PREINCORPORATION TRANSACTIONS, TO PROVIDE FOR ORGANIZATION OF CORPORATION, TO PROVIDE FOR BYLAWS, TO PROVIDE FOR EMERGENCY BYLAWS, TO PROVIDE FOR PURPOSES, TO PROVIDE FOR GENERAL POWERS, TO PROVIDE FOR EMERGENCY POWERS, TO PROVIDE

FOR ULTRA VIRES, TO PROVIDE FOR AUTHORIZED SHARES, TO PROVIDE FOR TERMS OF CLASS OR SERIES DETERMINED BY BOARD OF DIRECTORS, TO PROVIDE FOR ISSUED AND OUTSTANDING SHARES, TO PROVIDE FOR FRACTIONAL SHARES, TO PROVIDE FOR SUBSCRIPTION FOR SHARES BEFORE INCORPORATION, TO PROVIDE FOR ISSUANCE OF SHARES, TO PROVIDE FOR LIABILITY OF SHAREHOLDERS, TO PROVIDE FOR SHARE DIVIDENDS, TO PROVIDE FOR SHARE OPTIONS, TO PROVIDE FOR FORM AND CONTENT OF CERTIFICATES, TO PROVIDE FOR SHARES WITHOUT CERTIFICATES, TO PROVIDE FOR RESTRICTION ON TRANSFER OF SHARES AND OTHER SECURITIES, TO PROVIDE FOR EXPENSE OF ISSUE, TO PROVIDE FOR SHAREHOLDERS' PREEMPTIVE RIGHTS, TO PROVIDE FOR CORPORATION'S ACQUISITION OF ITS OWN SHARES, TO PROVIDE FOR DISTRIBUTIONS TO SHAREHOLDERS, TO PROVIDE FOR AN ANNUAL MEETING, TO PROVIDE FOR A SPECIAL MEETING, TO PROVIDE FOR A COURT-ORDERED MEETING, TO PROVIDE FOR ACTION WITHOUT MEETING, TO PROVIDE FOR NOTICE OF MEETING, TO PROVIDE FOR WAIVER OF NOTICE, TO PROVIDE FOR RECORD DATE, TO PROVIDE FOR CONDUCT OF THE MEETING, TO PROVIDE FOR SHAREHOLDERS' LIST FOR MEETING, TO PROVIDE FOR VOTING ENTITLEMENT OF SHARES, TO PROVIDE FOR PROXIES, TO PROVIDE FOR SHARES HELD BY NOMINEES, TO PROVIDE FOR CORPORATION'S ACCEPTANCE OF VOTES, TO PROVIDE FOR QUORUM AND VOTING REQUIREMENTS FOR VOTING GROUPS, TO PROVIDE FOR ACTION BY SINGLE AND MULTIPLE VOTING GROUPS, TO PROVIDE FOR GREATER QUORUM OR VOTING REQUIREMENTS, TO PROVIDE FOR VOTING FOR DIRECTORS AND CUMULATIVE VOTING, TO PROVIDE FOR INSPECTORS OF ELECTION, TO PROVIDE FOR VOTING TRUSTS, TO PROVIDE FOR VOTING AGREEMENTS, TO PROVIDE FOR SHAREHOLDER AGREEMENTS, TO PROVIDE FOR DEFINITIONS, TO PROVIDE FOR STANDING, TO PROVIDE FOR A DEMAND, TO PROVIDE FOR A STAY OF PROCEEDINGS, TO PROVIDE FOR DISMISSAL, TO PROVIDE FOR DISCONTINUANCE OR SETTLEMENT, TO PROVIDE FOR PAYMENT OF EXPENSES, TO PROVIDE FOR APPLICABILITY TO FOREIGN CORPORATIONS, TO PROVIDE FOR REQUIREMENT FOR AND DUTIES OF BOARD OF DIRECTORS, TO PROVIDE FOR QUALIFICATIONS OF DIRECTORS, TO PROVIDE FOR NUMBER AND ELECTION OF DIRECTORS, TO PROVIDE FOR ELECTION OF DIRECTORS BY CERTAIN CLASSES OF SHAREHOLDERS, TO PROVIDE FOR TERMS OF DIRECTORS GENERALLY, TO PROVIDE FOR STAGGERED TERMS FOR DIRECTORS, TO PROVIDE FOR RESIGNATION OF DIRECTORS, TO PROVIDE FOR REMOVAL OF DIRECTORS BY SHAREHOLDERS, TO PROVIDE FOR REMOVAL OF DIRECTORS BY JUDICIAL PROCEEDING, TO PROVIDE FOR VACANCY ON BOARD, TO PROVIDE FOR COMPENSATION OF DIRECTORS, TO PROVIDE FOR MEETINGS, TO PROVIDE FOR ACTION WITHOUT MEETING, TO PROVIDE FOR NOTICE OF MEETING, TO PROVIDE FOR WAIVER OF NOTICE, TO PROVIDE FOR QUORUM AND VOTING, TO PROVIDE FOR COMMITTEES, TO PROVIDE FOR STANDARDS FOR DIRECTORS, TO PROVIDE FOR STANDARDS OF LIABILITY FOR DIRECTORS, TO PROVIDE FOR DIRECTORS' LIABILITY FOR UNLAWFUL DISTRIBUTIONS, TO PROVIDE FOR REQUIRED

OFFICERS, TO PROVIDE FOR DUTIES OF OFFICERS, TO PROVIDE FOR STANDARDS OF CONDUCT FOR OFFICERS, TO PROVIDE FOR RESIGNATION AND REMOVAL OF OFFICERS, TO PROVIDE FOR CONTRACT RIGHTS OF OFFICERS, TO PROVIDE DEFINITIONS, TO PROVIDE FOR PERMISSIBLE INDEMNIFICATION, TO PROVIDE FOR MANDATORY INDEMNIFICATION, TO PROVIDE FOR ADVANCE FOR EXPENSES, TO PROVIDE FOR COURT-ORDERED INDEMNIFICATION AND ADVANCE FOR EXPENSES, TO PROVIDE FOR DETERMINATION AND AUTHORIZATION OF INDEMNIFICATION, TO PROVIDE FOR OFFICERS, TO PROVIDE FOR INSURANCE, TO PROVIDE FOR VARIATION BY CORPORATE ACTION AND APPLICATION OF INDEMNIFICATION PROVISIONS, TO PROVIDE FOR EXCLUSIVITY, TO PROVIDE DEFINITIONS, TO PROVIDE FOR JUDICIAL ACTION, TO PROVIDE FOR DIRECTORS' ACTION, TO PROVIDE FOR SHAREHOLDERS' ACTION, TO PROVIDE FOR AUTHORITY TO AMEND ARTICLES OF INCORPORATION, TO PROVIDE FOR AMENDMENT BEFORE ISSUANCE OF SHARES, TO PROVIDE FOR AMENDMENT BY BOARD OF DIRECTORS AND SHAREHOLDERS, TO PROVIDE FOR VOTING ON AMENDMENTS BY VOTING GROUPS, TO PROVIDE FOR AMENDMENT BY BOARD OF DIRECTORS, TO PROVIDE FOR ARTICLES OF AMENDMENT, TO PROVIDE FOR RESTATED ARTICLES OF INCORPORATION, TO PROVIDE FOR AMENDMENT PURSUANT TO REORGANIZATION, TO PROVIDE FOR EFFECT OF AMENDMENT, TO PROVIDE FOR AMENDMENT BY BOARD OF DIRECTORS OR SHAREHOLDERS, TO PROVIDE FOR A BYLAW INCREASING QUORUM OR VOTING REQUIREMENT FOR DIRECTORS, TO PROVIDE FOR ACTION ON A PLAN OF MERGER OR SHARE EXCHANGE, TO PROVIDE FOR MERGER BETWEEN PARENT AND SUBSIDIARY OR BETWEEN SUBSIDIARIES, TO PROVIDE FOR DISPOSITION OF ASSETS NOT REQUIRING SHAREHOLDER APPROVAL, TO PROVIDE FOR SHAREHOLDER APPROVAL OF CERTAIN DISPOSITIONS, TO PROVIDE DEFINITIONS, TO PROVIDE FOR RIGHT TO APPRAISAL, TO PROVIDE FOR ASSERTION OF RIGHTS BY NOMINEES AND BENEFICIAL OWNERS, TO PROVIDE FOR NOTICE OF APPRAISAL RIGHTS, TO PROVIDE FOR NOTICE OF INTENT TO DEMAND PAYMENT, TO PROVIDE FOR APPRAISAL NOTICE AND FORM, TO PROVIDE FOR PERFECTION OF RIGHTS AND RIGHT TO WITHDRAW, TO PROVIDE FOR PAYMENT, TO PROVIDE FOR AFTER ACQUIRED SHARES, TO PROVIDE FOR PROCEDURE IF SHAREHOLDER DISSATISFIED WITH PAYMENT OR OFFER, TO PROVIDE FOR COURT ACTION, TO PROVIDE FOR COURT COSTS AND COUNSEL FEES, TO PROVIDE FOR DISSOLUTION BY INCORPORATORS OR INITIAL DIRECTORS, TO PROVIDE FOR DISSOLUTION BY BOARD OF DIRECTORS AND SHAREHOLDERS, TO PROVIDE FOR ARTICLES OF DISSOLUTION, TO PROVIDE FOR REVOCATION OF DISSOLUTION, TO PROVIDE FOR EFFECT OF DISSOLUTION, TO PROVIDE FOR KNOWN CLAIMS AGAINST DISSOLVED CORPORATION, TO PROVIDE FOR OTHER CLAIMS AGAINST DISSOLVED CORPORATION, TO PROVIDE FOR COURT PROCEEDING, TO PROVIDE FOR DIRECTOR DUTIES, TO PROVIDE FOR GROUNDS FOR JUDICIAL DISSOLUTION, TO PROVIDE FOR PROCEDURE FOR JUDICIAL DISSOLUTION, TO PROVIDE FOR RECEIVERSHIP OR CUSTODIANSHIP, TO PROVIDE FOR DECREE OF DISSOLUTION, TO

PROVIDE FOR ELECTION TO PURCHASE IN LIEU OF DISSOLUTION, TO PROVIDE FOR DEPOSIT WITH THE STATE TREASURER, TO PROVIDE FOR CORPORATE RECORDS, TO PROVIDE FOR INSPECTION OF RECORDS BY SHAREHOLDERS, TO PROVIDE FOR SCOPE OF INSPECTION RIGHT, TO PROVIDE FOR COURT-ORDERED INSPECTION, TO PROVIDE FOR INSPECTION OF RECORDS BY DIRECTORS, TO PROVIDE FOR EXCEPTION TO NOTICE REQUIREMENT, TO PROVIDE FOR FINANCIAL STATEMENTS FOR SHAREHOLDERS, TO PROVIDE FOR OTHER REPORTS TO SHAREHOLDERS, TO PROVIDE FOR APPLICATION OF CHAPTER TO EXISTING DOMESTIC CORPORATIONS, TO PROVIDE FOR APPLICATION TO QUALIFIED FOREIGN CORPORATIONS, TO PROVIDE FOR SAVING PROVISIONS AND TO PROVIDE FOR SEVERABILITY; AMENDING TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 30, TITLE 30, IDAHO CODE, RELATING TO THE IDAHO NONPROFIT CORPORATION ACT, TO PROVIDE A SHORT TITLE, TO PROVIDE FOR FILING REQUIREMENTS, TO PROVIDE DEFINITIONS, TO PROVIDE FOR NOTICE, TO PROVIDE FOR A PRIVATE FOUNDATION, TO PROVIDE FOR JUDICIAL RELIEF, TO PROVIDE FOR RELIGIOUS CORPORATIONS AND CONSTITUTIONAL PROTECTIONS, TO PROVIDE FOR INCORPORATORS, TO PROVIDE FOR ARTICLES OF INCORPORATION, TO PROVIDE FOR INCORPORATION, TO PROVIDE FOR LIABILITY, TO PROVIDE FOR ORGANIZATION OF CORPORATION, TO PROVIDE FOR BYLAWS, TO PROVIDE FOR EMERGENCY BYLAWS AND POWERS, TO PROVIDE FOR PURPOSES, TO PROVIDE FOR GENERAL POWERS, TO PROVIDE FOR EMERGENCY POWERS, TO PROVIDE FOR ULTRA VIRES, TO PROVIDE FOR ADMISSION OF MEMBERS, TO PROVIDE FOR CONSIDERATION, TO PROVIDE FOR NO REQUIREMENT OF MEMBERS, TO PROVIDE FOR DIFFERENCES IN RIGHTS AND OBLIGATIONS OF MEMBERS, TO PROVIDE FOR TRANSFERS, TO PROVIDE FOR MEMBER'S LIABILITY TO THIRD PARTIES, TO PROVIDE FOR MEMBER'S LIABILITY FOR DUES, ASSESSMENTS AND FEES, TO PROVIDE FOR RESIGNATION, TO PROVIDE FOR TERMINATION, EXPULSION AND SUSPENSION, TO PROVIDE FOR PURCHASE OF MEMBERSHIPS, TO PROVIDE FOR DERIVATIVE SUITS, TO PROVIDE FOR DELEGATES, TO PROVIDE FOR ANNUAL AND REGULAR MEETINGS, TO PROVIDE FOR A SPECIAL MEETING, TO PROVIDE FOR COURT-ORDERED MEETINGS, TO PROVIDE FOR ACTION BY WRITTEN CONSENT, TO PROVIDE FOR NOTICE OF MEETING, TO PROVIDE FOR WAIVER OF NOTICE, TO PROVIDE FOR RECORD DATE FOR DETERMINING MEMBERS ENTITLED TO NOTICE AND VOTE, TO PROVIDE FOR ACTION BY MAILED WRITTEN BALLOT OR ABSENTEE BALLOT, TO PROVIDE FOR MEMBERS' LIST FOR MEETING, TO PROVIDE FOR VOTING ENTITLEMENT GENERALLY, TO PROVIDE FOR QUORUM REQUIREMENTS, TO PROVIDE FOR VOTING REQUIREMENTS, TO PROVIDE FOR PROXIES, TO PROVIDE FOR CUMULATIVE VOTING FOR DIRECTORS, TO PROVIDE FOR OTHER METHODS OF ELECTING DIRECTORS, TO PROVIDE FOR CORPORATION'S ACCEPTANCE OF VOTES, TO PROVIDE FOR VOTING AGREEMENTS, TO PROVIDE FOR REQUIREMENT FOR AND DUTIES OF BOARD, TO PROVIDE FOR QUALIFICATIONS OF DIRECTORS, TO PROVIDE FOR NUMBER OF DIRECTORS, TO PROVIDE FOR ELECTION, DESIGNATION AND APPOINTMENT OF

DIRECTORS, TO PROVIDE FOR TERMS OF DIRECTORS GENERALLY, TO PROVIDE FOR STAGGERED TERMS FOR DIRECTORS, TO PROVIDE FOR RESIGNATION OF DIRECTORS, TO PROVIDE FOR REMOVAL OF DIRECTORS ELECTED BY MEMBERS OR DIRECTORS, TO PROVIDE FOR REMOVAL OF DESIGNATED OR APPOINTED DIRECTORS, TO PROVIDE FOR VACANCY ON BOARD, TO PROVIDE FOR COMPENSATION OF DIRECTORS, TO PROVIDE FOR REGULAR AND SPECIAL MEETINGS, TO PROVIDE FOR ACTION WITHOUT MEETING, TO PROVIDE FOR CALL AND NOTICE OF MEETINGS, TO PROVIDE FOR WAIVER OF NOTICE, TO PROVIDE FOR QUORUM AND VOTING, TO PROVIDE FOR COMMITTEES OF THE BOARD, TO PROVIDE FOR GENERAL STANDARDS FOR DIRECTORS, TO PROVIDE FOR DIRECTOR AND CONFLICT OF INTEREST, TO PROVIDE FOR LOANS TO OR GUARANTEES FOR DIRECTORS AND OFFICERS, TO PROVIDE FOR REQUIRED OFFICERS, TO PROVIDE FOR DUTIES AND AUTHORITY OF OFFICERS, TO PROVIDE FOR STANDARDS OF CONDUCT FOR OFFICERS, TO PROVIDE FOR RESIGNATION AND REMOVAL OF OFFICERS, TO PROVIDE FOR OFFICERS' AUTHORITY TO EXECUTE DOCUMENTS, TO PROVIDE FOR INDEMNIFICATION OF OFFICERS, DIRECTORS, EMPLOYEES AND AGENTS, TO PROVIDE FOR AUTHORITY TO AMEND ARTICLES, TO PROVIDE FOR AMENDMENT OF ARTICLES BY DIRECTORS, TO PROVIDE FOR AMENDMENT OF ARTICLES BY DIRECTORS AND MEMBERS, TO PROVIDE FOR CLASS VOTING BY MEMBERS ON AMENDMENTS TO ARTICLES, TO PROVIDE FOR ARTICLES OF AMENDMENT, TO PROVIDE FOR RESTATED ARTICLES OF INCORPORATION, TO PROVIDE FOR EFFECT OF AMENDMENT AND RESTATEMENT OF ARTICLES, TO PROVIDE FOR AMENDMENT OF BYLAWS BY DIRECTORS, TO PROVIDE FOR AMENDMENT OF BYLAWS BY DIRECTORS AND MEMBERS, TO PROVIDE FOR CLASS VOTING BY MEMBERS ON AMENDMENTS TO BYLAWS, TO PROVIDE FOR APPROVAL BY THIRD PERSONS, TO PROVIDE FOR APPROVAL OF PLAN OF MERGER, TO PROVIDE FOR ACTION ON PLAN BY BOARD, MEMBERS AND THIRD PERSONS, TO PROVIDE FOR BEQUESTS, DEVISES AND GIFTS, TO PROVIDE FOR THE SALE OF ASSETS IN THE REGULAR COURSE OF ACTIVITIES AND THE MORTGAGE OF ASSETS, TO PROVIDE FOR THE SALE OF ASSETS OTHER THAN IN THE REGULAR COURSE OF ACTIVITIES, TO PROVIDE FOR PROHIBITED DISTRIBUTIONS, TO PROVIDE FOR AUTHORIZED DISTRIBUTIONS, TO PROVIDE FOR THE DISSOLUTION BY INCORPORATORS OR DIRECTORS AND THIRD PERSONS, TO PROVIDE FOR THE DISSOLUTION BY DIRECTORS, MEMBERS AND THIRD PERSONS, TO PROVIDE FOR ARTICLES OF DISSOLUTION, TO PROVIDE FOR THE EFFECT OF DISSOLUTION, TO PROVIDE FOR KNOWN CLAIMS AGAINST A DISSOLVED CORPORATION, TO PROVIDE FOR UNKNOWN CLAIMS AGAINST A DISSOLVED CORPORATION, TO PROVIDE FOR CORPORATE RECORDS, TO PROVIDE FOR THE INSPECTION OF RECORDS BY MEMBERS, TO PROVIDE FOR THE SCOPE OF INSPECTION RIGHTS, TO PROVIDE FOR LIMITATIONS ON THE USE OF A MEMBERSHIP LIST, TO PROVIDE FOR FINANCIAL STATEMENTS FOR MEMBERS, TO PROVIDE FOR A REPORT OF INDEMNIFICATION TO MEMBERS, TO PROVIDE FOR THE APPLICATION OF LAWS TO EXISTING DOMESTIC NONPROFIT CORPORATIONS,

TO PROVIDE FOR THE APPLICATION OF LAWS TO A QUALIFIED FOREIGN NONPROFIT CORPORATION, TO PROVIDE FOR THE APPLICATION OF LAWS TO CANAL COMPANIES AND CAREY ACT COMPANIES AND TO PROVIDE FOR SAVING PROVISIONS.

**S 1026**

**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO DRIVING UNDER THE INFLUENCE; AMENDING SECTION 18-8005, IDAHO CODE, TO REVISE A PROVISION RELATING TO THE SUSPENSION OF DRIVING PRIVILEGES FOLLOWING CONVICTION FOR FELONY DUI AND TO MAKE TECHNICAL CORRECTIONS.

**S 1027**

**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO JUDGES; AMENDING SECTION 1-2005, IDAHO CODE, TO REVISE A PROVISION RELATING TO THE ELIGIBILITY OF A SENIOR JUDGE; AND AMENDING SECTION 1-2221, IDAHO CODE, TO REVISE A PROVISION RELATING TO THE ELIGIBILITY OF A SENIOR JUDGE.

**S 1028**

**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO SPEED LIMITS; AMENDING SECTION 49-654, IDAHO CODE, TO PROVIDE FOR CERTAIN SPEED LIMITS ON INTERSTATE HIGHWAYS AND STATE HIGHWAYS UNLESS OTHERWISE POSTED.

**S 1029**

**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO FRAUDULENT TRANSACTIONS; AMENDING SECTION 18-3125, IDAHO CODE, TO PROVIDE FOR INTENT TO USE TO DEFRAUD WHEN ACQUIRING A FINANCIAL TRANSACTION CARD OR FINANCIAL TRANSACTION CARD NUMBER.

**S 1030**

**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO CODIFIER'S CORRECTIONS; AMENDING SECTION 18-3309, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 19-853, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION; REPEALING SECTION 22-4721, IDAHO CODE, RELATING TO TEMPORARY LINES OF CREDIT FOR START-UP COSTS; AMENDING SECTION 23-1002, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 25-232, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 25-3102, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 25-4014, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 26-104, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION; AMENDING SECTION 26-2239, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 26-31-102, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING

SECTION 26-31-105, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 27-121, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 27-503, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 28-8-402, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 28-41-106, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-4206, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-133, IDAHO CODE, AS ENACTED BY SECTION 2, CHAPTER 350, LAWS OF 2014, TO REDESIGNATE THE SECTION; AMENDING SECTION 33-133, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 145, LAWS OF 2014, TO REDESIGNATE THE SECTION; AMENDING SECTION 33-518, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-1629, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 33-2303, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1402, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-4431, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 40-528, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 44-2013, IDAHO CODE, AS AMENDED BY SECTION 2, CHAPTER 32, LAWS OF 2011, TO REDESIGNATE THE SECTION; AMENDING SECTION 45-517, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 45-1604, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 46-1110, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 46-1178, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-420G, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 50-1321, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 51-105, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 51-113, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 51-114, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-5003, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 56-609, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-2443, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-3022S, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 85, LAWS OF 2014, TO REDESIGNATE THE SECTION; AMENDING SECTION 66-324, IDAHO CODE, TO REMOVE A CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-450B, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-808, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION 67-808a, IDAHO CODE, RELATING TO THE PURCHASE OF FURNISHINGS AND ACCESSORIES FOR THE GOVERNOR'S RESIDENCE; REPEALING SECTION 67-808b, IDAHO CODE, RELATING TO MAINTENANCE AND UPKEEP OF THE GOVERNOR'S

RESIDENCE; AMENDING SECTION 67-908, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-1401, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-1405, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-1704, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 67-2325, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 67-2338, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-2601A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 67-2603, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION; AMENDING SECTION 67-2724, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-3002, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 67-3531, IDAHO CODE, TO PROVIDE A CORRECT CITATION REFERENCE; AMENDING SECTION 67-4308, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-4501, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-4504, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-5714, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-6603, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6621, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-7010, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7016, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 72-519, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 72-1461, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION.

[S 1025](#), [S 1026](#), [S 1027](#), [S 1028](#), [S 1029](#), and [S 1030](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 15](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 10](#), [H 11](#), [H 12](#), [H 13](#), [H 34](#), [H 36](#), and [H 37](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 41](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

#### Second Reading of Bills

[H 40](#), by Appropriations Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

#### Third Reading of Bills

[H 26](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Tippets, Ward-Engelking, Werk, Winder. Total - 32.

NAYS—None.

Absent and excused—McKenzie, Siddoway, Vick. Total - 3.

Total - 35.

Whereupon the President declared [H 26](#) passed, title was approved, and the bill ordered returned to the House.

[S 1013](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Tippets, Ward-Engelking, Werk, Winder. Total - 32.

NAYS—None.

Absent and excused—McKenzie, Siddoway, Vick. Total - 3.

Total - 35.

Whereupon the President declared [S 1013](#) passed, title was approved, and the bill ordered transmitted to the House.

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

#### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12 noon until the hour of 11:30 a.m., Tuesday, February 3, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**TWENTY-THIRD LEGISLATIVE DAY**  
**TUESDAY, FEBRUARY 3, 2015**

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senators Brackett, Den Hartog, McKenzie, and Thayn, absent and formally excused by the Chair; and Senator Rice, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

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

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 2, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senator Rice was recorded present at this order of business.

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

### Reports of Standing Committees

February 3, 2015

The JUDICIARY AND RULES Committee reports that [S 1025](#), [S 1026](#), [S 1027](#), [S 1028](#), [S 1029](#), and [S 1030](#) have been correctly printed.

HAGEDORN, Vice-Chairman

[S 1025](#), [S 1026](#), [S 1027](#), and [S 1029](#) were referred to the Judiciary and Rules Committee.

[S 1028](#) was referred to the Transportation Committee.

[S 1030](#) was referred to the State Affairs Committee.

February 2, 2015

The FINANCE Committee reports out [H 41](#) with the recommendation that it do pass.

CAMERON, Chairman

[H 41](#) was filed for second reading.

February 2, 2015

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

Deborah Critchfield to the State Board of Education, term to expire July 1, 2018.

MORTIMER, Chairman

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

February 3, 2015

The AGRICULTURAL AFFAIRS Committee reports out [SCR 101](#) with the recommendation that it do pass.

RICE, Chairman

[SCR 101](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

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

### Messages from the Governor

February 2, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jim Yost of Meridian, Idaho, was reappointed as a member of the Northwest Power and Conservation Council to serve a term commencing January 15, 2015, and expiring January 15, 2018.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Resources and Environment Committee.

The Senate advanced to the Ninth Order of Business.

### Messages from the House

February 2, 2015

Dear Mr. President:

I transmit herewith [H 14](#), [H 20](#), [H 21](#), [H 22](#), and [H 16](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 14](#), [H 20](#), [H 21](#), [H 22](#), and [H 16](#) were filed for first reading.

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

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1031**

**BY RESOURCES AND ENVIRONMENT COMMITTEE**  
AN ACT  
RELATING TO FISH AND GAME; AMENDING SECTION 36-202, IDAHO CODE, TO REVISE A DEFINITION; AND AMENDING SECTION 36-404, IDAHO CODE, TO REVISE RESIDENCY REQUIREMENTS RELATING TO SENIOR RESIDENT COMBINATION LICENSES.

**S 1032**

**BY JUDICIARY AND RULES COMMITTEE**  
AN ACT  
RELATING TO MOTOR VEHICLE FINANCIAL RESPONSIBILITY; AMENDING SECTION 49-1229, IDAHO CODE, TO INCREASE A FINE AMOUNT.

**S 1033**

**BY JUDICIARY AND RULES COMMITTEE**  
AN ACT  
RELATING TO CRIMINAL HISTORY RECORDS; AMENDING SECTION 67-3001, IDAHO CODE, TO DEFINE A TERM; AND AMENDING SECTION 67-3008, IDAHO CODE, TO PROVIDE FOR THE RETENTION AND EXPUNGEMENT OF FINGERPRINT RECORDS IN CERTAIN INSTANCES.

**S 1034**

**BY JUDICIARY AND RULES COMMITTEE**  
AN ACT  
RELATING TO ESCAPE OF PRISONERS; AMENDING SECTION 18-2505, IDAHO CODE, TO PROVIDE FOR PERSONS WHO HAVE REACHED EIGHTEEN YEARS OF AGE AND ESCAPE OR ATTEMPT TO ESCAPE FROM A JUVENILE FACILITY; AND AMENDING SECTION 18-2506, IDAHO CODE, TO PROVIDE FOR PERSONS WHO HAVE REACHED EIGHTEEN YEARS OF AGE AND ESCAPE OR ATTEMPT TO ESCAPE FROM A JUVENILE FACILITY.

**S 1035**

**BY JUDICIARY AND RULES COMMITTEE**  
AN ACT  
RELATING TO JUVENILE CORRECTIONS; REPEALING SECTION 18-216, IDAHO CODE, RELATING TO CRIMINAL TRIAL OF JUVENILES BARRED, EXCEPTIONS, JURISDICTIONAL HEARING AND TRANSFER OF DEFENDANT TO DISTRICT COURT; AMENDING SECTION 19-2601, IDAHO CODE, TO REMOVE REFERENCE TO JUVENILE PRISONERS, TO PROVIDE CODE REFERENCES, TO PROVIDE THAT THE STATE BOARD OF CORRECTION MAY MAKE RECOMMENDATIONS TO THE COURT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 26, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-2601A, IDAHO CODE, TO AUTHORIZE A BLENDED SENTENCE FOR A CONVICTED JUVENILE; AMENDING SECTION 19-2604, IDAHO CODE, TO PROVIDE A CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 20-219, IDAHO CODE, TO PROVIDE FOR THE BLENDED SENTENCE OF A CONVICTED JUVENILE; AMENDING SECTION 20-508, IDAHO CODE, TO PROVIDE

FOR THE BLENDED SENTENCE AND DUAL CUSTODY OF A CONVICTED JUVENILE AND TO PROVIDE A CODE REFERENCE; AMENDING SECTION 20-509, IDAHO CODE, TO PROVIDE FOR THE BLENDED SENTENCE AND DUAL CUSTODY OF A CONVICTED JUVENILE AND TO PROVIDE A CODE REFERENCE; AND AMENDING SECTION 20-520, IDAHO CODE, TO PROVIDE THAT CONVICTED JUVENILES WITH A BLENDED SENTENCE ARE NOT WITHIN THE PURVIEW OF THE CUSTODY REVIEW BOARD AND TO MAKE TECHNICAL CORRECTIONS.

**S 1036**

**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT  
RELATING TO DENTISTRY; AMENDING SECTION 54-923, IDAHO CODE, TO REQUIRE LICENSEES TO PROVIDE NOTICE OF FELONY CONVICTIONS.

**S 1037**

**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT  
RELATING TO DENTISTRY; AMENDING SECTION 54-920, IDAHO CODE, TO REMOVE LANGUAGE AND CLARIFY LICENSE STATUS AFTER A FAILURE TO RENEW AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 54-921, IDAHO CODE, TO CLARIFY THE LICENSE REINSTATEMENT PROCESS.

**S 1038**

**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT  
RELATING TO PUBLIC ASSISTANCE; AMENDING SECTION 56-203B, IDAHO CODE, TO PROHIBIT PUBLIC ASSISTANCE RECIPIENTS FROM ACCEPTING DIRECT PAYMENT OF CHILD SUPPORT OR FORGIVING UNPAID CHILD SUPPORT AND TO MAKE TECHNICAL CORRECTIONS.

[S 1031](#), [S 1032](#), [S 1033](#), [S 1034](#), [S 1035](#), [S 1036](#), [S 1037](#), and [S 1038](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 14](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 20](#), [H 21](#), and [H 22](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

[H 16](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

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

**Third Reading of Bills**

[H 40](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"



Roll call resulted as follows:

AYES—Bayer, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 30.

NAYS—None.

Absent and excused—Bair, Brackett, Den Hartog, McKenzie, Thayn. Total - 5.

Total - 35.

Whereupon the President declared [H 40](#) passed, title was approved, and the bill ordered returned to the House.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:55 a.m. until the hour of 11:30 a.m., Wednesday, February 4, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

---

**TWENTY-FOURTH LEGISLATIVE DAY**  
**WEDNESDAY, FEBRUARY 4, 2015**

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senator McKenzie, absent and formally excused by the Chair; and Senator Schmidt, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Karessa Love, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 3, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

February 4, 2015

The JUDICIARY AND RULES Committee reports that [S 1031](#), [S 1032](#), [S 1033](#), [S 1034](#), [S 1035](#), [S 1036](#), [S 1037](#), and [S 1038](#) have been correctly printed.

HAGEDORN, Vice-Chairman

Senator Schmidt was recorded present at this order of business.

[S 1031](#) was referred to the Resources and Environment Committee.

[S 1032](#), [S 1033](#), [S 1034](#), and [S 1035](#) were referred to the Judiciary and Rules Committee.

[S 1036](#), [S 1037](#), and [S 1038](#) were referred to the Health and Welfare Committee.

February 3, 2015

The TRANSPORTATION Committee reports out [S 1015](#) and [S 1016](#) with the recommendation that they do pass.

BRACKETT, Chairman

[S 1015](#) and [S 1016](#) were filed for second reading.

February 3, 2015

The EDUCATION Committee reports out [S 1018](#), [S 1019](#), and [S 1021](#) with the recommendation that they do pass.

MORTIMER, Chairman

[S 1018](#), [S 1019](#), and [S 1021](#) were filed for second reading.

February 4, 2015

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

Ruthie Johnson to the Idaho Commission on Human Rights, term to expire July 1, 2017.

Sheila Olsen to the Idaho Commission on Human Rights, term to expire July 1, 2017.

MCKENZIE, Chairman

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

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

### Messages from the House

February 3, 2015

Dear Mr. President:

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

ALEXANDER, Chief Clerk

[H 31](#) was filed for first reading.

February 3, 2015

Dear Mr. President:

I return herewith [S 1002](#) and [S 1003](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1002](#) and [S 1003](#) were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of John Chatburn retained its place on the calendar for Thursday, February 5, 2015.

On request by Senator Davis, granted by unanimous consent, [SCR 101](#) retained its place on the calendar for Monday, February 9, 2015.

The President announced that the Education Committee report relative to the Gubernatorial appointment of Deborah Critchfield was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Cameron, seconded by Senator Werk, the Gubernatorial appointment of Deborah Critchfield as a member of the State Board of Education was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1039**

**BY TRANSPORTATION COMMITTEE**

**AN ACT**

RELATING TO EMINENT DOMAIN; AMENDING SECTION 7-711, IDAHO CODE, TO PROVIDE THAT PROPERTY VALUE SHOULD BE ASSESSED BY THE TRIER OF FACT, TO CLARIFY CRITERIA FOR ASSESSMENT OF PROPERTY VALUE AND TO MAKE TECHNICAL CORRECTIONS.

**S 1039** was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

**H 31**, by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

**H 41**, by Appropriations Committee, was read the second time at length and filed for third reading.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:55 a.m. until the hour of 11:30 a.m., Thursday, February 5, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

---

TWENTY-FIFTH LEGISLATIVE DAY  
THURSDAY, FEBRUARY 5, 2015

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senator Davis, absent and formally excused by the Chair; and Senator Cameron, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Miles Madden, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 4, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

February 5, 2015

The JUDICIARY AND RULES Committee reports that [S 1039](#) has been correctly printed.

HAGEDORN, Vice-Chairman

[S 1039](#) was referred to the Transportation Committee.

February 4, 2015

The JUDICIARY AND RULES Committee reports that [S 1002](#) and [S 1003](#) have been correctly enrolled.

HAGEDORN, Vice-Chairman

The President signed Enrolled [S 1002](#) and [S 1003](#) and ordered them transmitted to the House for the signature of the Speaker.

February 4, 2015

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

Cassandra Jones as the Executive Director of the Commission on Pardons and Parole, term to continue at the pleasure of the Governor.

HAGEDORN, Vice-Chairman

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

February 5, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 27](#) and [H 28](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 27](#) and [H 28](#) were filed for second reading.

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

### Messages from the House

February 4, 2015

Dear Mr. President:

I return herewith [S 1012](#), which has passed the House.

ALEXANDER, Chief Clerk

[S 1012](#) was referred to the Judiciary and Rules Committee for enrolling.

February 4, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 26](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 26](#) and ordered it returned to the House.

Senator Cameron was recorded present at this order of business.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of John Chatburn was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator McKenzie, seconded by Senator Werk, the Gubernatorial reappointment of John Chatburn as the Administrator of the Office of Energy Resources was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmations of Ruthie Johnson and Sheila Olsen retained its place on the calendar for Friday, February 6, 2015.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1040**

**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO CRIMINAL PROCEDURE; AMENDING SECTION 19-2719, IDAHO CODE, TO CLARIFY LANGUAGE REGARDING FILING REQUIREMENTS OF CERTAIN APPEALS WHEN PUNISHMENT OF DEATH HAS BEEN IMPOSED.

**S 1041**

**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO THE SEXUAL OFFENDER REGISTRATION AND NOTIFICATION ACT; AMENDING SECTION 18-8312, IDAHO CODE, TO PROVIDE AN ADDITIONAL MEMBER TO THE SEXUAL OFFENDER MANAGEMENT BOARD WHO HAS EXPERTISE IN SEXUAL OFFENDER POLYGRAPH EXAMINATION.

**S 1042**

**BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO RESIDENTIAL CARE; AMENDING SECTION 39-3340, IDAHO CODE, TO PROVIDE THAT A CHANGE OF LEASE DOES NOT REQUIRE FACILITY RELICENSING AND TO MAKE TECHNICAL CORRECTIONS.

**S 1043**

**BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO CERTIFIED FAMILY HOMES; AMENDING SECTION 39-3502, IDAHO CODE, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 39-3512, IDAHO CODE, TO PROVIDE THAT MEDICAL FOSTER HOMES ARE EXEMPT FROM CERTIFICATION REQUIREMENTS UNDER CERTAIN CIRCUMSTANCES AND TO MAKE TECHNICAL CORRECTIONS.

**S 1044**

**BY LOCAL GOVERNMENT AND TAXATION  
COMMITTEE**

AN ACT

RELATING TO EMINENT DOMAIN; AMENDING SECTION 7-701A, IDAHO CODE, TO PROVIDE ADDITIONAL RESTRICTIONS ON THE USE OF EMINENT DOMAIN AND TO MAKE TECHNICAL CORRECTIONS.

**S 1045**

**BY LOCAL GOVERNMENT AND TAXATION  
COMMITTEE**

AN ACT

RELATING TO PORT DISTRICTS; AMENDING SECTION 70-1715, IDAHO CODE, TO REVISE REQUIREMENTS FOR AUDITS OF PORT DISTRICTS AND TO MAKE A TECHNICAL CORRECTION.

[S 1040](#), [S 1041](#), [S 1042](#), [S 1043](#), [S 1044](#), and [S 1045](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[S 1015](#) and [S 1016](#), by Transportation Committee, were read the second time at length and filed for third reading.

[S 1018](#), [S 1019](#), and [S 1021](#), by Education Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

[H 41](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 31.

NAYS—None.

Absent and excused—Bair, Davis, Nonini, Thayn. Total - 4.

Total - 35.

Whereupon the President declared [H 41](#) passed, title was approved, and the bill ordered returned to the House.

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

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12 noon until the hour of 11 a.m., Friday, February 6, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

---

**TWENTY-SIXTH LEGISLATIVE DAY**  
**FRIDAY, FEBRUARY 6, 2015**

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senator Davis, absent and formally excused by the Chair.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Brooke Chick, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 5, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Fourth Order of Business.

### Reading of Communications

January 21, 2015

The Honorable Brad Little  
Lieutenant Governor

Dear Lieutenant Governor Little:

This is to advise you that the Idaho Fish and Game Commission, at its meeting in Lewiston on May 15, 2014 appointed Bob Barowsky to serve as its representative to the Idaho Outfitters and Guides Licensing Board (IOGLB), subject to Senate approval. The term of appointment is May 31, 2014 to May 31, 2017.

Bob is from Fruitland and was the Commissioner representing the Southwest Region. He was appointed July 17, 2006 and served two terms on the Commission ending June 30, 2014.

Bob's experience on the Idaho Fish and Game Commission will serve him well in this assignment. I am confident that Bob's service on the Board will promote an excellent relationship and communications among IOGLB, the Idaho Fish and Game Commission and the Department of Fish and Game.

Sincerely,

/s/ Fred Trevey  
Chairman, Idaho Fish and Game  
Commission

/s/ Virgil Moore  
Secretary, Idaho Fish and Game  
Commission

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

The Idaho Outfitters and Guides Licensing Board appointment was referred to the Resources and Environment Committee.

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

### Reports of Standing Committees

February 6, 2015

The JUDICIARY AND RULES Committee reports that [S 1040](#), [S 1041](#), [S 1042](#), [S 1043](#), [S 1044](#), and [S 1045](#) have been correctly printed.

HAGEDORN, Vice-Chairman

[S 1040](#) and [S 1041](#) were referred to the Judiciary and Rules Committee.

[S 1042](#) and [S 1043](#) were referred to the Health and Welfare Committee.

[S 1044](#) and [S 1045](#) were referred to the Local Government and Taxation Committee.

February 5, 2015

The JUDICIARY AND RULES Committee reports that [S 1012](#) has been correctly enrolled.

HAGEDORN, Vice-Chairman

The President signed Enrolled [S 1012](#) and ordered it transmitted to the House for the signature of the Speaker.

February 5, 2015

The TRANSPORTATION Committee reports out [H 16](#) and [S 1028](#) with the recommendation that they do pass.

BRACKETT, Chairman

[H 16](#) and [S 1028](#) were filed for second reading.

February 5, 2015

The TRANSPORTATION Committee reports out [H 15](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, [H 15](#) was referred to the Fourteenth Order of Business, General Calendar.

February 6, 2015

The STATE AFFAIRS Committee reports out [S 1024](#) with the recommendation that it do pass.

MCKENZIE, Chairman

[S 1024](#) was filed for second reading.

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

#### Messages from the House

February 5, 2015

Dear Mr. President:

I transmit herewith [HCR 2](#), [H 66](#), [H 43](#), and [H 44](#), which have passed the House.

ALEXANDER, Chief Clerk

[HCR 2](#), [H 66](#), [H 43](#), and [H 44](#) were filed for first reading.

February 5, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 40](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 40](#) and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Ruthie Johnson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Nonini, seconded by Senator Werk, the Gubernatorial reappointment of Ruthie Johnson as a member of the Idaho Commission on Human Rights was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Sheila Olsen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by President Pro Tempore Hill, seconded by Senator Stennett, the Gubernatorial reappointment of Sheila Olsen as a member of the Idaho Commission on Human Rights was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Cassandra Jones retained its place on the calendar for Monday, February 9, 2015.

The Senate advanced to the Eleventh Order of Business.

#### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

##### S 1046

#### BY COMMERCE AND HUMAN RESOURCES COMMITTEE

##### AN ACT

RELATING TO ENGINEERS AND LAND SURVEYORS; AMENDING SECTION 54-1203, IDAHO CODE, TO REVISE THE NUMBER OF MEMBERS OF THE BOARD, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-1204, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-1207, IDAHO CODE, TO REVISE THE NUMBER OF MEMBERS NECESSARY FOR A QUORUM; AMENDING SECTION 54-1216, IDAHO CODE, TO REVISE PROVISIONS RELATING TO RENEWAL OF LICENSES, TO REVISE THE PENALTY FOR FAILURE TO RENEW A LICENSE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 54-1220, IDAHO CODE, TO PROVIDE A PENALTY FOR FAILURE TO COMPLETE CERTAIN PROFESSIONAL REQUIREMENTS AND TO MAKE A TECHNICAL CORRECTION.

##### S 1047

#### BY COMMERCE AND HUMAN RESOURCES COMMITTEE

##### AN ACT

RELATING TO STATE PURCHASING; AMENDING SECTION 67-5716, IDAHO CODE, TO ALPHABETIZE DEFINITIONS.

##### S 1048

#### BY STATE AFFAIRS COMMITTEE

##### AN ACT

RELATING TO HORSE RACING; AMENDING SECTION 54-2512A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO WAGERING ON AN HISTORICAL HORSE RACE; AND DECLARING AN EMERGENCY.

##### S 1049

#### BY STATE AFFAIRS COMMITTEE

##### AN ACT

RELATING TO PRIMARY ELECTIONS; AMENDING SECTION 34-102, IDAHO CODE, TO REVISE LANGUAGE RELATING TO PRIMARY ELECTIONS AND TO DEFINE A TERM; AMENDING SECTION 34-106, IDAHO CODE, TO PROVIDE THAT PRESIDENTIAL PRIMARIES SHALL BE HELD ON THE SECOND TUESDAY IN MARCH IN PRESIDENTIAL ELECTION YEARS, TO PROVIDE THAT PRESIDENTIAL PRIMARIES SHALL BE HELD SEPARATELY FROM OTHER PRIMARIES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-204, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AMENDING SECTION 34-601, IDAHO CODE, TO PROVIDE THAT PRESIDENTIAL PRIMARIES SHALL BE HELD ON THE SECOND TUESDAY IN MARCH IN PRESIDENTIAL ELECTION YEARS; AMENDING SECTION 34-713, IDAHO

CODE, TO REVISE LANGUAGE RELATING TO PRIMARY BALLOTS; AMENDING CHAPTER 7, TITLE 34, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 34-731 THROUGH 34-738, IDAHO CODE, TO PROVIDE THAT A PRESIDENTIAL PRIMARY SHALL BE HELD ON THE SECOND TUESDAY IN MARCH IN PRESIDENTIAL ELECTION YEARS, TO PROVIDE THAT THE NAME OF A CANDIDATE SHALL APPEAR ON A PRESIDENTIAL PRIMARY BALLOT ONLY IF THE CANDIDATE FILES A DECLARATION OF CANDIDACY AND PAYS A FEE, TO PROVIDE THAT CANDIDATES MAY BE REMOVED FROM THE PRESIDENTIAL PRIMARY BALLOT IN CASES OF DEATH, INCAPACITY OR WITHDRAWAL, TO PROVIDE THAT ELECTORS AT A PRESIDENTIAL PRIMARY MAY VOTE FROM AMONG THE CANDIDATES OF ONE PARTY ONLY, TO PROVIDE THAT THE SECRETARY OF STATE SHALL CERTIFY PRIMARY RESULTS TO STATE PARTY CHAIRS AND TO PROVIDE THAT THE PRIMARY WINNER SHALL BE DECLARED ACCORDING TO PARTY RULES, TO PROVIDE THAT DELEGATES AND ALTERNATES TO THE NATIONAL CONVENTION SHALL BE SELECTED ACCORDING TO PARTY RULES, TO PROVIDE THAT PRESIDENTIAL PRIMARIES SHALL BE CONDUCTED LIKE OTHER PRIMARIES WHERE PRACTICABLE AND TO PROVIDE THAT THE STATE SHALL BEAR THE COSTS OF THE PRESIDENTIAL PRIMARY; AMENDING SECTION 34-740, IDAHO CODE, TO REVISE LANGUAGE RELATING TO RULES; AND AMENDING SECTION 34-1205, IDAHO CODE, TO REVISE LANGUAGE RELATING TO THE COUNTY BOARD OF CANVASSERS.

**S 1050**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO ADVANCED OPPORTUNITIES; REPEALING SECTION 33-1620, IDAHO CODE, RELATING TO THE MASTERY ADVANCEMENT PROGRAM; REPEALING SECTION 33-1621, IDAHO CODE, RELATING TO APPLICATION TO PARTICIPATE IN PROGRAM; REPEALING SECTION 33-1622, IDAHO CODE, RELATING TO PROGRAM ASSESSMENT AND STUDENT ASSESSMENT; REPEALING SECTION 33-1623, IDAHO CODE, RELATING TO STUDENT ADVANCEMENT, DUAL CREDIT, EARLY GRADUATION, MASTERY ADVANCEMENT SCHOLARSHIP AND RESIDUAL SAVINGS; REPEALING SECTION 33-1626, IDAHO CODE, RELATING TO ADVANCED OPPORTUNITIES; REPEALING SECTION 33-1628, IDAHO CODE, RELATING TO THE "8 IN 6 PROGRAM"; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 46, TITLE 33, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR ADVANCED OPPORTUNITIES, TO PROVIDE FOR THE "8 IN 6 PROGRAM," TO PROVIDE FOR THE MASTERY ADVANCEMENT PROGRAM AND TO PROVIDE RULEMAKING AUTHORITY; AND AMENDING SECTION 33-1002, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS.

[S 1046](#), [S 1047](#), [S 1048](#), [S 1049](#), and [S 1050](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HCR 2](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 66](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 43](#) and [H 44](#), by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[H 27](#) and [H 28](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

On request by Senator Winder, granted by unanimous consent, [S 1015](#) retained its place on the Third Reading Calendar for Monday, February 9, 2015.

[S 1016](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Davis, Hill. Total - 2.

Total - 35.

Whereupon the President declared [S 1016](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1018](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [S 1018](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1019](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"



Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Heider, Hill, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 32.

NAYS—Hagedorn, Johnson. Total - 2.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [S 1019](#) passed, title was approved, and the bill ordered transmitted to the House.

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

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:40 a.m. until the hour of 11 a.m., Monday, February 9, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**TWENTY-NINTH LEGISLATIVE DAY**  
**MONDAY, FEBRUARY 9, 2015**

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senator Cameron, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Cameron Floyd, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 6, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

February 9, 2015

The JUDICIARY AND RULES Committee reports that [S 1046](#), [S 1047](#), [S 1048](#), [S 1049](#), and [S 1050](#) have been correctly printed.

HAGEDORN, Vice-Chairman

[S 1046](#) and [S 1047](#) were referred to the Commerce and Human Resources Committee.

[S 1048](#) and [S 1049](#) were referred to the State Affairs Committee.

[S 1050](#) was referred to the Education Committee.

February 6, 2015

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

Sharon Harrigfeld as the Director of the Department of Juvenile Corrections, term to expire January 7, 2019.

HAGEDORN, Vice-Chairman

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

February 6, 2015

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

Michael Gibson to the Commission for the Blind and Visually Impaired, term to expire July 1, 2017.

Travis Beck to the Commission for the Blind and Visually Impaired, term to expire July 1, 2016.

HEIDER, Chairman

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

February 6, 2015

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

Charles Cuddy to the Idaho Water Resource Board, term to expire January 1, 2019.

Dale Van Stone to the Idaho Water Resource Board, term to expire January 1, 2019.

Jeffery Raybould to the Idaho Water Resource Board, term to expire January 1, 2019.

Peter Van Der Meulen to the Idaho Water Resource Board, term to expire January 1, 2019.

BAIR, Chairman

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

Senator Cameron was recorded present at this order of business.

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

### Messages from the Governor

February 5, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Curt Fransen of Garden City, Idaho, was reappointed Director of the Department of Environmental Quality to serve a term commencing January 5, 2015, and expiring January 7, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Health and Welfare Committee.

February 5, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Gavin Gee of Boise, Idaho, was reappointed Director of the Department of Finance to serve a term commencing January 5, 2015, and expiring January 7, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Commerce and Human Resources Committee.

February 5, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jeffery Sayer of Eagle, Idaho, was reappointed Director of the Department of Commerce to serve a term commencing January 5, 2015, and expiring January 7, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Commerce and Human Resources Committee.

February 5, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Shane Gehring of Nampa, Idaho, was appointed as a member of the Bingo-Raffle Advisory Board to serve a term commencing January 21, 2015, and expiring January 7, 2018.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

February 5, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Janet Gallimore of Boise, Idaho, was reappointed State Historic Preservation Officer to serve a term commencing January 5, 2015, and expiring January 7, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the State Affairs Committee.

February 5, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Joy Fisher of Moscow, Idaho, was reappointed as a member of the Public Employee Retirement System of Idaho Board to serve a term commencing July 1, 2014, and expiring July 1, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Commerce and Human Resources Committee.

The Senate advanced to the Ninth Order of Business.

#### **Messages from the House**

February 6, 2015

Dear Mr. President:

I transmit herewith [H 55](#), [H 42](#), and [H 47](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 55](#), [H 42](#), and [H 47](#) were filed for first reading.

February 6, 2015

Dear Mr. President:

I return herewith [S 1013](#), which has passed the House.

ALEXANDER, Chief Clerk

[S 1013](#) was referred to the Judiciary and Rules Committee for enrolling.

February 6, 2015

Dear Mr. President:

I return herewith Enrolled [S 1002](#) and [S 1003](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1002](#) and [S 1003](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

#### **Motions and Resolutions**

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Cassandra Jones was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Martin, seconded by Senator Buckner-Webb, the Gubernatorial appointment of Cassandra Jones as the Executive Director of the Commission on Pardons and Parole was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that [SCR 101](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Rice, seconded by Senator Ward-Engelking, [SCR 101](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

#### **Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials**

##### **S 1051**

##### **BY JUDICIARY AND RULES COMMITTEE**

##### **AN ACT**

RELATING TO INFORMAL PROBATE AND APPOINTMENT PROCEEDINGS; AMENDING SECTION 15-3-304, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE UNAVAILABILITY OF INFORMAL PROBATE IN CERTAIN CASES AND TO MAKE A TECHNICAL CORRECTION.

##### **S 1052**

##### **BY JUDICIARY AND RULES COMMITTEE**

##### **AN ACT**

RELATING TO SPENDTHRIFT TRUSTS; AMENDING SECTION 15-7-502, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION.

##### **S 1053**

##### **BY JUDICIARY AND RULES COMMITTEE**

##### **AN ACT**

RELATING TO THE PROTECTION OF PERSONS UNDER DISABILITY AND THEIR PROPERTY; AMENDING SECTION 15-5-316, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE RIGHTS AND POWERS OF GUARDIANS AD LITEM; AND AMENDING SECTION 15-5-435, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE RIGHTS AND POWERS OF GUARDIANS AD LITEM.

##### **S 1054**

##### **BY JUDICIARY AND RULES COMMITTEE**

##### **AN ACT**

RELATING TO THE UNIFORM RECOGNITION OF SUBSTITUTE DECISION-MAKING DOCUMENTS ACT; AMENDING TITLE 15, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 15, TITLE 15, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE FOR THE VALIDITY OF A SUBSTITUTE DECISION-MAKING DOCUMENT, TO PROVIDE MEANING AND EFFECT OF A SUBSTITUTE DECISION-MAKING DOCUMENT, TO AUTHORIZE RELIANCE UPON A SUBSTITUTE DECISION-MAKING DOCUMENT UNDER CERTAIN CONDITIONS, TO PROVIDE FOR AN OBLIGATION TO ACCEPT A SUBSTITUTE DECISION-MAKING DOCUMENT UNDER CERTAIN CONDITIONS, TO PROVIDE FOR REMEDIES UNDER OTHER LAW, TO PROVIDE FOR UNIFORMITY OF APPLICATION AND CONSTRUCTION, TO PROVIDE FOR RELATION TO THE ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT AND TO PROVIDE APPLICABILITY.

##### **S 1055**

##### **BY JUDICIARY AND RULES COMMITTEE**

##### **AN ACT**

RELATING TO THE UNIFORM FIDUCIARY ACCESS TO DIGITAL ASSETS ACT; AMENDING TITLE 15, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 14, TITLE 15, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE

APPLICABILITY, TO AUTHORIZE ACCESS BY A PERSONAL REPRESENTATIVE TO A DIGITAL ASSET OF A DECEDENT, TO AUTHORIZE ACCESS BY A CONSERVATOR TO A DIGITAL ASSET OF A PROTECTED PERSON, TO AUTHORIZE ACCESS BY AN AGENT TO A DIGITAL ASSET OF A PRINCIPAL, TO AUTHORIZE ACCESS BY A TRUSTEE TO A DIGITAL ASSET, TO PROVIDE AUTHORITY FOR A FIDUCIARY UNDER CERTAIN CONDITIONS, TO PROVIDE FOR COMPLIANCE WITH THE UNIFORM FIDUCIARY ACCESS TO DIGITAL ASSETS ACT FOR CERTAIN PERSONS, TO PROVIDE IMMUNITY FOR A CUSTODIAN, TO PROVIDE FOR UNIFORMITY OF APPLICATION AND CONSTRUCTION, TO PROVIDE FOR RELATION TO THE ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT AND TO PROVIDE SEVERABILITY.

**S 1056**

**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO NONPROBATE TRANSFERS; AMENDING CHAPTER 6, TITLE 15, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 15-6-403, IDAHO CODE, TO PROVIDE FOR A RIGHT OF SURVIVORSHIP FOR PERSONAL PROPERTY HELD AS COMMUNITY PROPERTY; AND AMENDING CHAPTER 6, TITLE 15, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 15-6-404, IDAHO CODE, TO PROVIDE THAT THE RIGHT OF SURVIVORSHIP IS EXTINGUISHED IN CERTAIN INSTANCES.

**S 1057**

**BY RESOURCES AND ENVIRONMENT COMMITTEE**

AN ACT

RELATING TO IRRIGATION DISTRICTS; AMENDING SECTION 43-303, IDAHO CODE, TO PROVIDE FOR ALTERNATIVE MEETING LOCATIONS.

**S 1058**

**BY RESOURCES AND ENVIRONMENT COMMITTEE**

AN ACT

RELATING TO IRRIGATION DISTRICTS; AMENDING SECTION 43-707A, IDAHO CODE, TO REMOVE CERTAIN REFERENCES TO BANK DRAFTS AND CHECKS, TO PROVIDE FOR ACCEPTANCE OF ADDITIONAL METHODS OF PERSONAL OR OTHER NONGUARANTEED FORMS OF PAYMENT RELATING TO ASSESSMENTS, TO PROVIDE FOR ENTRY OF THE ASSESSMENT NUMBER ON THE TRANSACTION RECEIPT, TO PROVIDE FOR CERTAIN RECEIPTS UPON REQUEST, TO PROVIDE FOR INVALIDITY OF A RECEIPT IF PAYMENT IS REFUSED BY A FINANCIAL INSTITUTION, TO REVISE PROVISIONS RELATING TO THE REDEMPTION OF FAILED PAYMENTS, TO PROVIDE FOR ADDITIONAL TRANSACTION, PROCESSING AND CONVENIENCE FEES AND TO MAKE TECHNICAL CORRECTIONS.

**S 1059**

**BY RESOURCES AND ENVIRONMENT COMMITTEE**

AN ACT

RELATING TO IRRIGATION DISTRICTS; AMENDING CHAPTER 7, TITLE 43, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 43-733, IDAHO CODE, TO PROVIDE FOR SPECIAL ASSESSMENTS TO PAY FOR PHYSICAL STRUCTURES OR OTHER WORK NECESSARY TO

PROTECT IRRIGATION DISTRICT FACILITIES FROM HARM CAUSED BY CERTAIN RUNOFF OR DRAINAGE, TO PROVIDE A CONDITION OF ISSUANCE OF SUCH SPECIAL ASSESSMENT, TO PROVIDE FOR THE ASSESSMENT OF INDIVIDUAL LANDS THAT ARE THE SOURCE OF RUNOFF OR DRAINAGE, TO PROVIDE THAT ASSESSMENTS SHALL BE FOR CERTAIN COSTS, TO PROVIDE THAT ASSESSMENTS SHALL BE IN ADDITION TO ASSESSMENTS FOR THE DELIVERY OF WATER, TO PROVIDE FOR THE APPLICABILITY OF CERTAIN PROVISIONS RELATING TO DELINQUENT ASSESSMENTS AND TO PROVIDE THAT SPECIAL ASSESSMENTS SHALL BE SUBJECT TO REVIEW PURSUANT TO SPECIFIED LAW.

[S 1051](#), [S 1052](#), [S 1053](#), [S 1054](#), [S 1055](#), [S 1056](#), [S 1057](#), [S 1058](#), and [S 1059](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 55](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 42](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 47](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[H 16](#), by Transportation and Defense Committee, was read the second time at length and filed for third reading.

[S 1028](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1024](#), by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

On request by Senator Winder, granted by unanimous consent, [S 1015](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1021](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 33.

NAYS—Bair, Cameron. Total - 2.

Total - 35.

Whereupon the President declared [S 1021](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 27](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Werk arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 35.

Whereupon the President declared [H 27](#) passed, title was approved, and the bill ordered returned to the House.

[H 28](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 35.

Whereupon the President declared [H 28](#) passed, title was approved, and the bill ordered returned to the House.

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

#### **Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12 noon until the hour of 11 a.m., Tuesday, February 10, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**THIRTIETH LEGISLATIVE DAY  
TUESDAY, FEBRUARY 10, 2015**

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senator Lacey, absent and formally excused by the Chair; and Senator Lee, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Haley Fronk, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 9, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

February 10, 2015

The JUDICIARY AND RULES Committee reports that [S 1051](#), [S 1052](#), [S 1053](#), [S 1054](#), [S 1055](#), [S 1056](#), [S 1057](#), [S 1058](#), and [S 1059](#) have been correctly printed.

HAGEDORN, Vice-Chairman

[S 1051](#), [S 1052](#), [S 1053](#), [S 1054](#), [S 1055](#), and [S 1056](#) were referred to the Judiciary and Rules Committee.

[S 1057](#), [S 1058](#), and [S 1059](#) were referred to the Resources and Environment Committee.

February 9, 2015

The JUDICIARY AND RULES Committee reports that [S 1013](#) has been correctly enrolled.

HAGEDORN, Vice-Chairman

The President signed Enrolled [S 1013](#) and ordered it transmitted to the House for the signature of the Speaker.

February 9, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [S 1002](#) and [S 1003](#) were delivered to the Office of the Governor at 11:40 a.m., February 9, 2015.

HAGEDORN, Vice-Chairman

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

February 9, 2015

The EDUCATION Committee reports out [H 20](#), [H 21](#), and [H 22](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 20](#), [H 21](#), and [H 22](#) were filed for second reading.

Senator Lee was recorded present at this order of business.

February 10, 2015

The HEALTH AND WELFARE Committee reports out [S 1036](#) and [S 1037](#) with the recommendation that they do pass.

HEIDER, Chairman

[S 1036](#) and [S 1037](#) were filed for second reading.

February 10, 2015

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

Celia Gould as the Director of the Department of Agriculture, term to expire January 7, 2019.

RICE, Chairman

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

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

### Messages from the Governor

February 5, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Gary Saylor of Kuna, Idaho, was reappointed Adjutant General of the Idaho Military Division to serve a term commencing January 17, 2015, and continuing at the pleasure of the Governor.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the State Affairs Committee.

February 5, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Wendy Lively of Ammon, Idaho, was reappointed as a member of the Bingo-Raffle Advisory Board to serve a term commencing January 7, 2015, and expiring January 7, 2018.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the State Affairs Committee.

February 6, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Debra Field of Meridian, Idaho, was appointed as a member of the State Board of Correction to serve a term commencing January 15, 2015, and expiring January 1, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

The Senate advanced to the Ninth Order of Business.

#### Messages from the House

February 9, 2015

Dear Mr. President:

I transmit herewith [H 5](#), [H 7](#), [H 9](#), [H 48](#), and [H 49](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 5](#), [H 7](#), [H 9](#), [H 48](#), and [H 49](#) were filed for first reading.

February 9, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 41](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 41](#) and ordered it returned to the House.

February 9, 2015

Dear Mr. President:

I return herewith Enrolled [S 1012](#), which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1012](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Sharon Harrigfeld was before the Senate for final consideration, the question being, "Shall the report be adopted?"

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

On motion by Senator Buckner-Webb, seconded by Senator Hagedorn, the Gubernatorial reappointment of Sharon Harrigfeld as the Director of the Department of Juvenile Corrections was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Charles Cuddy was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Nuxoll, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Charles Cuddy as a member of the Idaho Water Resource Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Dale Van Stone was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Keough, seconded by Senator Buckner-Webb, the Gubernatorial appointment of Dale Van Stone as a member of the Idaho Water Resource Board was confirmed by voice vote.



The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Jeffery Raybould was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Siddoway, seconded by Senator Werk, the Gubernatorial reappointment of Jeffery Raybould as a member of the Idaho Water Resource Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of Peter Van Der Meulen retained its place on the calendar for Wednesday, February 11, 2015.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Michael Gibson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lakey, seconded by Senator Burgoyne, the Gubernatorial reappointment of Michael Gibson as a member of the Commission for the Blind and Visually Impaired was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial appointment of Travis Beck was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Martin, seconded by Senator Werk, the Gubernatorial appointment of Travis Beck as a member of the Commission for the Blind and Visually Impaired was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1060**

**BY HEALTH AND WELFARE COMMITTEE**

**AN ACT**

RELATING TO PSYCHOLOGISTS; AMENDING SECTION 54-2302, IDAHO CODE, TO DEFINE A TERM; AMENDING

SECTION 54-2305, IDAHO CODE, TO GRANT SPECIFIC RULEMAKING AUTHORITY TO THE BOARD OF PSYCHOLOGIST EXAMINERS; AMENDING CHAPTER 23, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2316, IDAHO CODE, TO PROVIDE THAT SOME PSYCHOLOGISTS MAY ISSUE CERTAIN PRESCRIPTIONS, TO PROVIDE THAT PRESCRIBING PSYCHOLOGISTS SHALL CONSULT WITH PATIENTS' MEDICAL PROVIDERS AND TO PROVIDE THAT PSYCHOLOGICAL PRESCRIPTIONS COMPLY WITH APPLICABLE LAWS AND REGULATIONS; AND AMENDING CHAPTER 23, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2317, IDAHO CODE, TO PROVIDE THAT PSYCHOLOGISTS MUST HAVE CERTAIN QUALIFICATIONS TO OBTAIN A CERTIFICATE OF PRESCRIPTIVE AUTHORITY, TO PROVIDE THAT THE BOARD SHALL DEVELOP RULES RELATING TO CERTIFICATES OF PRESCRIPTIVE AUTHORITY AND TO PROVIDE THAT THE BOARD SHALL ESTABLISH AN ADVISORY PANEL.

**S 1060** was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

**H 5, H 7, and H 9**, by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

**H 48 and H 49**, by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

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

**Third Reading of Bills**

On request by Senator Hagedorn, granted by unanimous consent, **S 1015** was referred to the Fourteenth Order of Business, General Calendar.

**H 16** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bayer, Brackett, Cameron, Davis, Guthrie, Hagedorn, Heider, Keough, Lakey, Johnson (Lodge), Nonini, Nuxoll, Patrick, Rice, Souza, Tippetts, Vick, Winder. Total - 18.

NAYS—Bair, Buckner-Webb, Burgoyne, Den Hartog, Hill, Johnson, Lee, Martin, McKenzie, Mortimer, Schmidt, Siddoway, Thayn, Ward-Engelking, Werk. Total - 15.

Absent and excused—Lacey, Stennett. Total - 2.

Total - 35.

Whereupon the President declared **H 16** passed, title was approved, and the bill ordered returned to the House.

**S 1028** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Thayn, Tippets, Ward-Engelking, Werk, Winder. Total - 31.

NAYS—Siddoway, Vick. Total - 2.

Absent and excused—Lacey, Stennett. Total - 2.

Total - 35.

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

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

#### **Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Werk, by voice vote, the Senate adjourned at 12:10 p.m. until the hour of 11 a.m., Wednesday, February 11, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

**THIRTY-FIRST LEGISLATIVE DAY  
WEDNESDAY, FEBRUARY 11, 2015**

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senator Lacey, absent and formally excused by the Chair; and Senators Cameron, and Lakey, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Laura Hahn, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 10, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Petitions, Resolutions, and Memorials

#### SCR 102

#### BY TRANSPORTATION COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REQUESTING THAT THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE DIRECT THE OFFICE OF PERFORMANCE EVALUATIONS TO MANAGE AN INDEPENDENT EVALUATION OF THE LOCAL HIGHWAY TECHNICAL ASSISTANCE COUNCIL BY A QUALIFIED, OUT-OF-STATE CONSULTANT OR CONSULTANTS.

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

WHEREAS, the Local Highway Technical Assistance Council (LHTAC) was established under Chapter 24, Title 40, Idaho Code, by the Idaho Legislature in 1994; and

WHEREAS, twenty years have passed since the creation of LHTAC and many of the factors that lead to its establishment may have evolved; and

WHEREAS, the mission of LHTAC is to assist Idaho's local highway jurisdictions, including the cities, counties and highway districts across the state, with utilizing the available resources for

maintenance and construction of Idaho's local highway system in the most efficient and effective manner possible; and

WHEREAS, LHTAC is entrusted to cooperate with, and receive and expend aid and donations from, the federal government and the state government; and

WHEREAS, LHTAC has been granted the authority to act for local jurisdictions, including the execution of contracts and the expenditure of funds; and

WHEREAS, LHTAC is bound by state contracting and purchasing statutes, procedures and rules; and

WHEREAS, LHTAC is required by Idaho law to have conducted annual fiscal audits, albeit such audits are limited in scope; and

WHEREAS, the Legislature has the responsibility to ensure that all resources expended by agencies to which it has granted authority are spent appropriately.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Joint Legislative Oversight Committee is requested to direct the Office of Performance Evaluations to manage an independent evaluation of LHTAC by a qualified, out-of-state consultant or consultants without current contractual relationships with LHTAC, any of the local highway jurisdictions served by LHTAC, the Idaho Transportation Department (ITD) or any consultant or contractor that works for or with LHTAC, any of the local highway jurisdictions served by LHTAC or ITD and without any other conflict of interest. The evaluation shall, at a minimum, address the following:

(1) Whether the manner in which LHTAC awards contracts complies with all applicable state statutes, procedures and policies.

(2) Under what circumstances, if any, has LHTAC awarded no-bid contracts and, if so, whether LHTAC violated any state statute, procedure or policy.

(3) Whether LHTAC, in its normal course of operation, meets industry standards with respect to its review of contractor work, certification of completed projects, resolution of disputes and prompt payment of contractors.

(4) Determine the portion of LHTAC funds that are consumed by administrative overhead, staff salaries and other non-construction and maintenance activities.

(5) Whether the size of the LHTAC staff meets industry standards for the volume and type of work it conducts.

(6) Whether all resources including, but not limited to, federal and state funds, have been properly accounted for, and over the last two state fiscal years, have been expended in compliance with all state and federal requirements.

BE IT FURTHER RESOLVED that the independent evaluation shall address the advantages, disadvantages, practicality and costs of possible alternatives to delivering services currently being provided by LHTAC including:

(1) Having local highway jurisdictions complete the work themselves or through the use of contractors;

(2) Having ITD assume responsibility for the work; or

(3) Other alternatives.

BE IT FURTHER RESOLVED that the independent evaluation shall address how similar services are provided in other states with similarly sized local highway jurisdiction arrangements and budgets.

BE IT FURTHER RESOLVED that the Joint Legislative Oversight Committee is requested to direct the Office of Performance Evaluations to develop a scope of study to address the issues set forth herein. As part of this study, the Office of Performance Evaluations shall develop and submit a report to the Legislature not later than the First Regular Session of

the Sixty-fourth Idaho Legislature, on findings concerning best practices and appropriate performance measures. At the conclusion of each phase of the consultant's work, the Joint Legislative Oversight Committee is requested to submit a report of the completed results of the independent evaluation to the Legislature. The results so reported are to include action-item recommendations upon which the Legislature can act to improve the operation of LHTAC.

[SCR 102](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

Senators Cameron and Lakey were recorded present at this order of business.

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

February 11, 2015

The JUDICIARY AND RULES Committee reports that [S 1060](#) has been correctly printed.

HAGEDORN, Vice-Chairman

[S 1060](#) was referred to the Health and Welfare Committee.

February 10, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [S 1012](#) was delivered to the Office of the Governor at 2 p.m., February 10, 2015.

HAGEDORN, Vice-Chairman

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

February 10, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 14](#) with the recommendation that it be referred to a different committee.

TIPPETS, Chairman

There being no objection, [H 14](#) was referred to the Transportation Committee.

February 10, 2015

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

Julie DeLorenzo to the Idaho Transportation Board, term to expire January 31, 2021.

BRACKETT, Chairman

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

February 10, 2015

The RESOURCES AND ENVIRONMENT Committee reports out [S 1020](#) and [S 1031](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1020](#) and [S 1031](#) were filed for second reading.

February 10, 2015

The HEALTH AND WELFARE Committee reports out [S 1042](#) and [S 1043](#) with the recommendation that they do pass.

HEIDER, Chairman

[S 1042](#) and [S 1043](#) were filed for second reading.

February 10, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 10](#), [H 11](#), [H 12](#), [H 13](#), [H 34](#), [H 36](#), and [H 37](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 10](#), [H 11](#), [H 12](#), [H 13](#), [H 34](#), [H 36](#), and [H 37](#) were filed for second reading.

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

### Messages from the Governor

February 9, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Ken Edmunds of Twin Falls, Idaho, was reappointed Director of the Department of Labor to serve a term commencing January 5, 2015, and expiring January 7, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Commerce and Human Resources Committee.

The Senate advanced to the Ninth Order of Business.

### Messages from the House

February 10, 2015

Dear Mr. President:

I transmit herewith [H 50](#), [H 24](#), [H 25](#), [H 4](#), [H 6](#), [H 8](#), [HCR 4](#), and [H 77](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 50](#), [H 24](#), [H 25](#), [H 4](#), [H 6](#), [H 8](#), [HCR 4](#), and [H 77](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Peter Van Der Meulen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Stennett, seconded by Senator Hagedorn, the Gubernatorial reappointment of Peter Van Der Meulen as a member of the Idaho Water Resource Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Agricultural Affairs Committee report relative to the Gubernatorial reappointment of Celia Gould was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Brackett, seconded by Senator Burgoyne, the Gubernatorial reappointment of Celia Gould as the Director of the Department of Agriculture was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1061**

**BY TRANSPORTATION COMMITTEE  
AN ACT**

RELATING TO HIGHWAY DISTRICTS; AMENDING SECTION 40-1305, IDAHO CODE, TO REVISE PROVISIONS RELATING TO TERMS OF OFFICE AND ELECTIONS OF HIGHWAY COMMISSIONERS; AND DECLARING AN EMERGENCY.

**S 1062**

**BY COMMERCE AND HUMAN RESOURCES  
COMMITTEE  
AN ACT**

RELATING TO HEALTH CARE; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 92, TITLE 39, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DECLARE PUBLIC POLICY AND TO PROVIDE THAT DIRECT CARE AGREEMENTS DO NOT CONSTITUTE INSURANCE, TO DEFINE TERMS, TO SPECIFY THAT DIRECT CARE AGREEMENTS INCLUDE CERTAIN PROVISIONS, TO PROHIBIT MEDICAL PROVIDERS FROM BILLING INSURERS FOR DIRECT MEDICAL SERVICES, TO PROVIDE THAT DIRECT CARE AGREEMENTS SHALL NOT BE REGULATED AS INSURANCE, TO PROVIDE THAT DIRECT CARE AGREEMENTS INCLUDE A DISCLAIMER AND TO RESTRICT SALES OR TRANSFERS OF DIRECT CARE AGREEMENTS.

**S 1063**

**BY COMMERCE AND HUMAN RESOURCES  
COMMITTEE  
AN ACT**

RELATING TO LAND SURVEYING; AMENDING SECTION 54-1202, IDAHO CODE, TO REVISE DEFINITIONS; AND AMENDING SECTION 54-1227, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE A CODE REFERENCE.

**S 1064**

**BY COMMERCE AND HUMAN RESOURCES  
COMMITTEE  
AN ACT**

RELATING TO COSMETICIANS; AMENDING SECTION 54-805, IDAHO CODE, TO REVISE REQUIREMENTS FOR LICENSURE AS A REGISTERED COSMETOLOGIST.

**S 1065**

**BY LOCAL GOVERNMENT AND TAXATION  
COMMITTEE  
AN ACT**

RELATING TO ANNEXATION; AMENDING CHAPTER 2, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-221A, IDAHO CODE, TO PROVIDE A NOTICE OF INTENT TO ANNEX AND TO PROVIDE PROCEDURES FOR AN ELECTION FOR CERTAIN PARCELS; AMENDING SECTION 50-222, IDAHO CODE, TO PROVIDE WHEN ELECTION PROVISIONS APPLY FOR CERTAIN PARCELS AND TO MAKE TECHNICAL CORRECTIONS; AND PROVIDING AN EFFECTIVE DATE.

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

[H 50](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 24](#), [H 25](#), [H 4](#), [H 6](#), and [H 8](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[HCR 4](#), by Revenue and Taxation Committee, was introduced, read at length, and referred to the Local Government and Taxation Committee.

[H 77](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[H 20](#), [H 21](#), and [H 22](#), by Education Committee, were read the second time at length and filed for third reading.

[S 1036](#) and [S 1037](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

[S 1024](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Werk, Winder. Total - 31.

NAYS—None.

Absent and excused—Buckner-Webb, Lacey, Patrick, Ward-Engelking. Total - 4.

Total - 35.

Whereupon the President declared [S 1024](#) passed, title was approved, and the bill ordered transmitted to the House.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12 noon until the hour of 11 a.m., Thursday, February 12, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**THIRTY-SECOND LEGISLATIVE DAY  
THURSDAY, FEBRUARY 12, 2015**

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senators Burgoyne and Lacey, absent and formally excused by the Chair.

Prayer was offered by Senator Winder.

The Pledge of Allegiance was led by Paul Kennedy, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 11, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Petitions, Resolutions, and Memorials

#### SCR 103

#### BY JUDICIARY AND RULES 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 POTENTIAL APPROACHES TO PUBLIC DEFENSE REFORM.

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

WHEREAS, the Public Defense Reform Interim Committee was authorized by the Legislative Council at the recommendation of the members of the Second Regular Session of the Sixty-second Idaho Legislature for the purpose of undertaking and completing a study of potential approaches to the public defense system; and

WHEREAS, the Public Defense Reform Interim Committee committed itself to the task of identifying potential necessary improvements in Idaho's public defense system and developing recommendations for public defense reform; and

WHEREAS, the Public Defense Reform Interim Committee identified areas that need to be addressed in Idaho's public defense system. Such areas include, but are not limited to: public

defense contracting practices and data reporting; caseloads and workloads; training and resources for public defense attorneys; and qualifications and experience standards for public defense attorneys; and

WHEREAS, the Public Defense Reform Interim Committee has sought to address such areas through legislation that include a public defense model where, although public defense delivery at the trial level would remain primarily funded and administered at the county level, certain oversight and administration authority would be statutorily delegated to the State Public Defense Commission authorized to promulgate certain rules with which counties are required to comply, including statewide training and continuing legal education requirements for public defense attorneys and uniform data reporting requirements. In addition, the State Public Defense Commission was statutorily required to make recommendations to the First Regular Session of the Sixty-third Idaho Legislature, and may make recommendations during the regular sessions of the Legislature thereafter as deemed necessary, for legislation relating to certain requirements for public defense contracts; standards for the qualification and experience of public defense attorneys; enforcement mechanisms; funding issues; and reclassifying certain misdemeanors as infractions; and

WHEREAS, the legislation recommended by the Public Defense Reform Interim Committee also provided for a public defense model where the counties' statutory duty to provide for counsel at public expense is accomplished by one of the following: (1) establish an office of public defender; (2) establish a joint office of public defender with one or more other counties; (3) contract with an existing office of public defender; or (4) contract with a defending attorney provided that no such contract shall include a flat fee pricing structure; and

WHEREAS, during the course of its study, the Public Defense Reform Interim Committee identified additional issues in need of further study. Such issues include: reclassifying certain misdemeanors as infractions; funding issues; and effective mechanisms to ensure compliance with public defense system standards and requirements.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislative Council is authorized to appoint a committee to continue the efforts to undertake and complete a study of potential approaches to public defense reform including, but not limited to: funding issues; public defense contracting practices; data reporting; standards for training and experience of public defense attorneys; and effective enforcement mechanisms to ensure compliance with public defense system standards and requirements. The committee shall consist of ten legislators, with five from the Senate and five from the House of Representatives. The Legislative Council 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 the cochairmen of the committee are authorized to appoint advisors with technical expertise in the area of public defense and are expected to receive input from stakeholders in the criminal justice system of Idaho.

BE IT FURTHER RESOLVED that any advisors to the committee who are not legislative members shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges.

BE IT FURTHER RESOLVED that the commission shall report its findings, recommendations and proposed legislation, if any, to the Second Regular Session of the Sixty-third Idaho Legislature.

[SCR 103](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

February 12, 2015

The JUDICIARY AND RULES Committee reports that [SCR 102](#), [S 1061](#), [S 1062](#), [S 1063](#), [S 1064](#), and [S 1065](#) have been correctly printed.

HAGEDORN, Vice-Chairman

[S 1061](#) was referred to the Transportation Committee.

[S 1062](#), [S 1063](#), and [S 1064](#) were referred to the Commerce and Human Resources Committee.

[S 1065](#) was referred to the Local Government and Taxation Committee.

On request by Senator Brackett, granted by unanimous consent, [SCR 102](#) was referred to the Transportation Committee.

February 11, 2015

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

Gary Spackman as the Director of the Idaho Department of Water Resources, term to continue at the pleasure of the Governor.

BAIR, Chairman

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

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

### Messages from the Governor

February 10, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Sid Cellan of Soda Springs, Idaho, was reappointed as a member of the Oil and Gas Commission to serve a term commencing July 1, 2014, and expiring July 1, 2018.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Resources and Environment Committee.

February 11, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that William Wellman of Nampa, Idaho, was appointed as a member of the State Public Defense Commission to serve a term commencing July 1, 2014, and expiring July 1, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

February 11, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kermit Kiebert of Hope, Idaho, was reappointed as a member of the Board of Environmental Quality to serve a term commencing July 1, 2014, and expiring July 1, 2018.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Health and Welfare Committee.

February 11, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1002](#), [S 1003](#), and [S 1012](#)

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

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

The Senate advanced to the Ninth Order of Business.



**Messages from the House**

February 11, 2015

Dear Mr. President:

I transmit herewith [H 23](#), which has passed the House.

ALEXANDER, Chief Clerk

[H 23](#) was filed for first reading.

February 11, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 27](#) and [H 28](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 27](#) and [H 28](#) and ordered them returned to the House.

February 11, 2015

Dear Mr. President:

I return herewith Enrolled [S 1013](#), which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1013](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

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

**Motions and Resolutions**

The President announced that the Transportation Committee report relative to the Gubernatorial reappointment of Julie DeLorenzo was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Brackett, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Julie DeLorenzo as a member of the Idaho Transportation Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials****S 1066****BY STATE AFFAIRS COMMITTEE**

## AN ACT

RELATING TO PRIMARY ELECTIONS; AMENDING SECTION 34-102, IDAHO CODE, TO REVISE LANGUAGE RELATING TO PRIMARY ELECTIONS AND TO DEFINE A TERM; AMENDING SECTION 34-106, IDAHO CODE, TO PROVIDE THAT PRESIDENTIAL PRIMARIES SHALL BE HELD ON THE SECOND TUESDAY IN MARCH IN PRESIDENTIAL ELECTION YEARS, TO PROVIDE THAT PRESIDENTIAL PRIMARIES SHALL BE HELD SEPARATELY FROM OTHER PRIMARIES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION

34-204, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AMENDING SECTION 34-601, IDAHO CODE, TO PROVIDE THAT PRESIDENTIAL PRIMARIES SHALL BE HELD ON THE SECOND TUESDAY IN MARCH IN PRESIDENTIAL ELECTION YEARS; AMENDING SECTION 34-713, IDAHO CODE, TO REVISE LANGUAGE RELATING TO PRIMARY BALLOTS; AMENDING CHAPTER 7, TITLE 34, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 34-731 THROUGH 34-738, IDAHO CODE, TO ESTABLISH A PRESIDENTIAL PRIMARY, TO PROVIDE THAT THE NAME OF A CANDIDATE SHALL APPEAR ON A PRESIDENTIAL PRIMARY BALLOT ONLY IF THE CANDIDATE FILES A DECLARATION OF CANDIDACY AND PAYS A FEE, TO PROVIDE THAT CANDIDATES MAY BE REMOVED FROM THE PRESIDENTIAL PRIMARY BALLOT IN CASES OF DEATH, INCAPACITY OR WITHDRAWAL, TO PROVIDE THAT ELECTORS AT A PRESIDENTIAL PRIMARY MAY VOTE FROM AMONG THE CANDIDATES OF ONE PARTY ONLY, TO PROVIDE THAT THE SECRETARY OF STATE SHALL CERTIFY PRIMARY RESULTS TO STATE PARTY CHAIRS AND TO PROVIDE THAT THE PRIMARY WINNER SHALL BE DECLARED ACCORDING TO PARTY RULES, TO PROVIDE THAT DELEGATES AND ALTERNATES TO THE NATIONAL CONVENTION SHALL BE SELECTED ACCORDING TO PARTY RULES, TO PROVIDE THAT PRESIDENTIAL PRIMARIES SHALL BE CONDUCTED LIKE OTHER PRIMARIES WHERE PRACTICABLE AND TO PROVIDE THAT THE STATE SHALL BEAR THE COSTS OF THE PRESIDENTIAL PRIMARY; AMENDING SECTION 34-740, IDAHO CODE, TO REVISE LANGUAGE RELATING TO RULES; AMENDING SECTION 34-904A, IDAHO CODE, TO REVISE LANGUAGE RELATING TO ELIGIBILITY TO VOTE IN PRIMARY ELECTIONS; AND AMENDING SECTION 34-1205, IDAHO CODE, TO REVISE LANGUAGE RELATING TO THE COUNTY BOARD OF CANVASSERS.

**S 1067****BY JUDICIARY AND RULES COMMITTEE**

## AN ACT

RELATING TO THE UNIFORM INTERSTATE FAMILY SUPPORT ACT; AMENDING SECTION 7-1002, IDAHO CODE, TO REVISE DEFINITIONS, TO DEFINE TERMS AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1003, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND WELFARE IS THE SUPPORT ENFORCEMENT AGENCY; AMENDING SECTION 7-1004, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1004A, IDAHO CODE, TO PROVIDE FOR THE APPLICATION OF THE CHAPTER TO RESIDENT OF FOREIGN COUNTRY AND FOREIGN SUPPORT PROCEEDINGS; AMENDING SECTION 7-1005, IDAHO CODE, TO REVISE TERMINOLOGY, TO REVISE A CODE REFERENCE AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1007, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE REFERENCE TO A FOREIGN COUNTRY; AMENDING SECTION 7-1008, IDAHO CODE, TO PROVIDE REFERENCE TO A FOREIGN COUNTRY; AMENDING SECTION 7-1010, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1011, IDAHO CODE, TO REVISE TERMINOLOGY, TO PROVIDE REFERENCE TO A FOREIGN COUNTRY, TO

REVISE A PROVISION RELATING TO RECOGNITION OF A CHILD-SUPPORT ORDER, TO REVISE A CODE REFERENCE AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1012, IDAHO CODE, TO PROVIDE REFERENCE TO A FOREIGN COUNTRY AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1013, IDAHO CODE, TO REVISE TERMINOLOGY, TO PROVIDE REFERENCE TO A FOREIGN COUNTRY AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1014, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 7-1015, IDAHO CODE, TO PROVIDE REFERENCE TO A FOREIGN COUNTRY; AMENDING SECTION 7-1016, IDAHO CODE, TO PROVIDE REFERENCE TO A FOREIGN COUNTRY; AMENDING SECTION 7-1019, IDAHO CODE, TO REVISE TERMINOLOGY AND TO REMOVE REFERENCE TO A POLITICAL SUBDIVISION; AMENDING SECTION 7-1020, IDAHO CODE, TO REVISE TERMINOLOGY, TO PROVIDE REFERENCE TO ELECTRONIC MAIL AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1021, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 7-1022, IDAHO CODE, TO REVISE TERMINOLOGY, TO PROVIDE REFERENCE TO A FOREIGN COUNTRY AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1023, IDAHO CODE, TO REMOVE REFERENCE TO A POLITICAL SUBDIVISION; AMENDING SECTION 7-1025, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE REFERENCE TO A FOREIGN COUNTRY; AMENDING SECTION 7-1026, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE REFERENCE TO A FOREIGN COUNTRY; AMENDING SECTION 7-1028, IDAHO CODE, TO REVISE TERMINOLOGY, TO PROVIDE REFERENCE TO A FOREIGN COUNTRY AND TO REVISE A CODE REFERENCE; AMENDING SECTION 7-1031, IDAHO CODE, TO REVISE TERMINOLOGY, TO PROVIDE REFERENCE TO ELECTRONIC COMMUNICATION AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1032, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE REFERENCE TO ELECTRONIC COMMUNICATION; AMENDING SECTION 7-1033, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 7-1034, IDAHO CODE, TO PROVIDE REFERENCE TO A FOREIGN COUNTRY; AMENDING SECTION 7-1035, IDAHO CODE, TO PROVIDE FOR PERSONAL JURISDICTION OVER THE PARTIES WHEN A TRIBUNAL ESTABLISHES A SUPPORT ORDER IN THIS STATE, TO PROVIDE A CODE REFERENCE, TO REVISE TERMINOLOGY AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1035A, IDAHO CODE, TO PROVIDE FOR A PROCEEDING TO DETERMINE PARENTAGE; AMENDING SECTION 7-1039, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 7-1040, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 7-1042, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE REFERENCE TO A FOREIGN SUPPORT ORDER; AMENDING SECTION 7-1043, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE REFERENCE TO A FOREIGN SUPPORT ORDER; AMENDING SECTION 7-1044, IDAHO CODE, TO PROVIDE A CODE REFERENCE, TO PROVIDE REFERENCE TO A FOREIGN SUPPORT ORDER, TO REVISE TERMINOLOGY AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1045, IDAHO CODE, TO PROVIDE REFERENCE TO A

FOREIGN SUPPORT ORDER AND A FOREIGN COUNTRY, TO REVISE TERMINOLOGY AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 7-1046, IDAHO CODE, TO PROVIDE REFERENCE TO A FOREIGN COUNTRY; AMENDING SECTION 7-1047, IDAHO CODE, TO PROVIDE REFERENCE TO A FOREIGN SUPPORT ORDER, TO REVISE TERMINOLOGY, TO PROVIDE A CODE REFERENCE, TO PROVIDE THAT THE SUPPORT ENFORCEMENT AGENCY SHALL NOTIFY AN OBLIGOR'S EMPLOYER UPON REGISTRATION OF AN INCOME-WITHHOLDING ORDER AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1048, IDAHO CODE, TO REVISE TERMINOLOGY, TO REMOVE REFERENCE TO A DEADLINE AND TO PROVIDE A CODE REFERENCE; AMENDING SECTION 7-1049, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1050, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 7-1051, IDAHO CODE, TO REVISE A CODE REFERENCE AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1052, IDAHO CODE, TO REVISE TERMINOLOGY, TO REVISE A CODE REFERENCE AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1053, IDAHO CODE, TO REMOVE CODE REFERENCES, TO REVISE TERMINOLOGY, TO PROVIDE THAT A TRIBUNAL OF THIS STATE RETAINS JURISDICTION TO MODIFY AN ORDER UNDER CERTAIN CONDITIONS AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1055, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1057, IDAHO CODE, TO REMOVE REFERENCE TO POLITICAL SUBDIVISIONS, TO PROVIDE A CODE REFERENCE, TO REVISE LANGUAGE REGARDING A FOREIGN COUNTRY THAT DOES NOT MODIFY ITS CHILD-SUPPORT ORDER, TO CLARIFY LANGUAGE REGARDING AN ORDER ISSUED AND TO PROVIDE CONSISTENT LANGUAGE; REPEALING SECTION 7-1058, IDAHO CODE, RELATING TO PROCEEDING TO DETERMINE PARENTAGE; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1058, IDAHO CODE, TO PROVIDE A PROCEDURE TO REGISTER A CHILD-SUPPORT ORDER OF A FOREIGN COUNTRY FOR MODIFICATION; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1059, IDAHO CODE, TO DEFINE TERMS; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1060, IDAHO CODE, TO PROVIDE FOR APPLICABILITY; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1061, IDAHO CODE, TO PROVIDE FOR THE RELATIONSHIP OF THE DEPARTMENT OF HEALTH AND WELFARE TO THE UNITED STATES CENTRAL AUTHORITY; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1062, IDAHO CODE, TO PROVIDE FOR AN INITIATION OF A SUPPORT PROCEEDING BY THE DEPARTMENT OF HEALTH AND WELFARE UNDER THE CONVENTION; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1063, IDAHO CODE, TO PROVIDE FOR A DIRECT REQUEST REGARDING SUPPORT ORDERS, SUPPORT AGREEMENTS OR DETERMINATION OF PARENTAGE; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1064, IDAHO

CODE, TO PROVIDE FOR THE REGISTRATION OF A CONVENTION SUPPORT ORDER; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1065, IDAHO CODE, TO PROVIDE FOR THE CONTEST OF A REGISTERED CONVENTION SUPPORT ORDER; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1066, IDAHO CODE, TO PROVIDE FOR THE RECOGNITION AND ENFORCEMENT OF A REGISTERED CONVENTION SUPPORT ORDER; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1067, IDAHO CODE, TO PROVIDE FOR PARTIAL ENFORCEMENT OF A CONVENTION SUPPORT ORDER; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1068, IDAHO CODE, TO PROVIDE FOR FOREIGN SUPPORT AGREEMENTS; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1069, IDAHO CODE, TO PROVIDE FOR THE MODIFICATION OF A CONVENTION CHILD-SUPPORT ORDER; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1070, IDAHO CODE, TO PROVIDE A LIMITATION ON THE USE OF PERSONAL INFORMATION; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1071, IDAHO CODE, TO PROVIDE FOR THE ORIGINAL LANGUAGE AND ENGLISH TRANSLATION FOR CERTAIN RECORDS; AMENDING SECTION 7-1059, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 7-1060, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1061, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE TERMINOLOGY; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1075, IDAHO CODE, TO PROVIDE A TRANSITIONAL PROVISION; AND AMENDING SECTION 7-1062, IDAHO CODE, TO REDESIGNATE THE SECTION.

**S 1068****BY JUDICIARY AND RULES COMMITTEE**  
AN ACT

RELATING TO RENEWAL OF JUDGMENTS; AMENDING SECTION 11-105, IDAHO CODE, TO INCREASE THE PERIOD OF TIME THAT A CERTAIN JUDGMENT MAY BE ENFORCED; PROVIDING AN EFFECTIVE DATE AND PROVIDING APPLICATION.

**S 1069****BY JUDICIARY AND RULES COMMITTEE**  
AN ACT

RELATING TO RENEWAL OF JUDGMENTS; AMENDING SECTION 11-105, IDAHO CODE, TO INCREASE THE PERIOD OF TIME THAT A CERTAIN JUDGMENT MAY BE ENFORCED; PROVIDING AN EFFECTIVE DATE AND PROVIDING APPLICATION.

**S 1070****BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO GRADUATION REQUIREMENTS; AMENDING SECTION 33-119, IDAHO CODE, TO PROVIDE FOR AN ALTERNATE ROUTE TO QUALIFY FOR GRADUATION FROM AN ACCREDITED SECONDARY SCHOOL; AND DECLARING AN EMERGENCY.

**S 1071****BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO COURSES OF INSTRUCTION; AMENDING SECTION 33-1602, IDAHO CODE, TO PROVIDE THAT CERTAIN PUPILS MUST PASS A CERTAIN CIVICS TEST IN ORDER TO QUALIFY FOR GRADUATION FROM A SECONDARY SCHOOL AND TO PROVIDE RELATED PROVISIONS.

**S 1072****BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO ELECTIONS OF SCHOOL DISTRICT TRUSTEES; AMENDING SECTION 33-503, IDAHO CODE, TO PROVIDE THAT CERTAIN CODE SECTIONS SHALL APPLY TO ALL ELECTIONS OF SCHOOL DISTRICT TRUSTEES AND TO PROVIDE RELATED PROVISIONS; AND DECLARING AN EMERGENCY.

[S 1066](#), [S 1067](#), [S 1068](#), [S 1069](#), [S 1070](#), [S 1071](#), and [S 1072](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 23](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[S 1020](#) and [S 1031](#), by Resources and Environment Committee, were read the second time at length and filed for third reading.

[S 1042](#) and [S 1043](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 10](#), [H 11](#), [H 12](#), [H 13](#), [H 34](#), [H 36](#), and [H 37](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

On request by Senator Davis, granted by unanimous consent, [H 20](#) retained its place on the Third Reading Calendar for one legislative day.

[H 21](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Burgoyne, Lacey. Total - 2.

Total - 35.

Whereupon the President declared [H 21](#) passed, title was approved, and the bill ordered returned to the House.

**H 22** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Burgoyne, Lacey. Total - 2.

Total - 35.

Whereupon the President declared **H 22** passed, title was approved, and the bill ordered returned to the House.

**S 1036** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Burgoyne, Lacey. Total - 2.

Total - 35.

Whereupon the President declared **S 1036** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Martin, granted by unanimous consent, **S 1037** retained its place on the Third Reading Calendar for one legislative day.

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

#### Motions and Resolutions

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

The Lincoln Day Program was presented to the members of the Senate with Co-chairman Senator Souza providing opening remarks. The Prayer was offered by Senator Winder.

"America the Beautiful" was performed by Ashley Smith, accompanied by Whitney Payne on piano. The Senate pages offered their favorite Lincoln quotes.

Closing remarks were provided by Co-chairman Senator Lee. She extended gratitude to all who helped with the program and the Lincoln Day Service was dissolved.

On request by Senator Davis, granted by unanimous consent, the names of the Senate pages, their hometowns and favorite Lincoln quotes was ordered spread upon the pages of the Senate Journal.

Brooke Chick, Plummer: "Always bear in mind that your own resolution to succeed is more important than any other."

Cameron Floyd, Boise: "Nearly all men can stand adversity, but if you want to test a man's character, give him power."

Haley Fronk, Boise: "You cannot escape the responsibility of tomorrow by evading it today."

Laura Hahn, Meridian: "Intelligence, patriotism, Christianity, and a firm reliance on Him who has never yet forsaken this favored land, are still competent to adjust, in the best way, all our present difficulty."

Paul Kennedy, Boise: "Those who deny freedom to others deserve it not for themselves."

Brenton Kloepfer, Rupert: "We can complain because rose bushes have thorns, or rejoice because thorn bushes have roses."

Jameson Lake, Eagle: "Stand with anybody that stands right. Stand with him while he is right and part with him when he goes wrong."

Karessa Love, Malad: "I will prepare and someday my chance will come."

Miles Madden, Kuna: "Beavers build houses; but they build them in nowise differently, or better now, than they did, five thousand years ago. Ants, and honeybees provide food for winter; but just in the same way they did, when Solomon referred the sluggard to them as patterns of prudence. Man is not the only animal who labors; but he is the only one who improves his workmanship."

Mariem Mastouri, Manouba, Tunisia: "I am a slow walker, but I never walk back."

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

#### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:50 a.m. until the hour of 11 a.m., Friday, February 13, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**THIRTY-THIRD LEGISLATIVE DAY**  
**FRIDAY, FEBRUARY 13, 2015**

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senator Lacey, absent and formally excused by the Chair; and Senators Cameron, and Keough, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

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

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 12, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Petitions, Resolutions, and Memorials

#### SCR 104

#### BY HEALTH AND WELFARE COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE HEALTH QUALITY PLANNING COMMISSION TO PREPARE A PLAN FOR A COMPREHENSIVE SUICIDE PREVENTION PROGRAM IN IDAHO.

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

WHEREAS, suicide is a leading cause of death among Idahoans; and

WHEREAS, Idaho has one of the highest suicide rates in the nation; and

WHEREAS, the difference between Idaho deaths by suicide and the national average continues to increase; and

WHEREAS, certain suicide risk factors have been identified by the Centers for Disease Control and Prevention; and

WHEREAS, the members of certain population groups in Idaho are at high risk of suicide; and

WHEREAS, the Health Quality Planning Commission is tasked with promoting the health and safety of Idahoans; and

WHEREAS, the Health Quality Planning Commission is tasked with making recommendations to the Legislature.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Health Quality Planning Commission prepare an implementation plan for a comprehensive suicide prevention program such as the Idaho Suicide Prevention Plan published by the Idaho Council on Suicide Prevention.

BE IT FURTHER RESOLVED that the plan include the involvement of the Idaho Council on Suicide Prevention and other stakeholders, and that it give special consideration to the institutional changes necessary to better prevent suicide, to training for state, educational, health care and public safety personnel and others likely to be able to prevent suicide through their interaction with persons at risk, and to programs and policies designed to serve those most at risk of suicide.

BE IT FURTHER RESOLVED that the commission report its findings and recommendations, including proposals for policy or statutory changes, to the Second Regular Session of the Sixty-third Idaho Legislature.

[SCR 104](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

February 13, 2015

The JUDICIARY AND RULES Committee reports that [SCR 103](#), [S 1066](#), [S 1067](#), [S 1068](#), [S 1069](#), [S 1070](#), [S 1071](#), and [S 1072](#) have been correctly printed.

HAGEDORN, Vice-Chairman

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

[S 1066](#) was referred to the State Affairs Committee.

[S 1067](#), [S 1068](#), and [S 1069](#) were referred to the Judiciary and Rules Committee.

[S 1070](#), [S 1071](#), and [S 1072](#) were referred to the Education Committee.

February 12, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [S 1013](#) was delivered to the Office of the Governor at 2:03 p.m., February 12, 2015.

HAGEDORN, Vice-Chairman

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

February 12, 2015

The STATE AFFAIRS Committee reports out [S 1011](#) with the recommendation that it do pass.

MCKENZIE, Chairman

[S 1011](#) was filed for second reading.

February 12, 2015

The TRANSPORTATION Committee reports out [H 44](#) with the recommendation that it do pass.

BRACKETT, Chairman

[H 44](#) was filed for second reading.

February 13, 2015

The STATE AFFAIRS Committee reports out [HCR 2](#) with the recommendation that it do pass.

MCKENZIE, Chairman

[HCR 2](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 13, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 42](#), [H 77](#), and [S 1045](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 42](#), [H 77](#), and [S 1045](#) were filed for second reading.

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

#### Messages from the Governor

February 12, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Darrell Kerby of Bonners Ferry, Idaho, was reappointed as a member of the State Board of Health and Welfare to serve a term commencing January 7, 2015, and expiring January 7, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Health and Welfare Committee.

February 12, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jim V. Giuffre of Boise, Idaho, was reappointed as a member of the State Board of Health and Welfare to serve a term commencing January 7, 2015, and expiring January 7, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Health and Welfare Committee.

February 12, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Richard Roberge of Caldwell, Idaho, was reappointed as a member of the State Board of Health and Welfare to serve a term commencing January 7, 2015, and expiring January 7, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Health and Welfare Committee.

February 12, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Stephen Weeg of Pocatello, Idaho, was reappointed as a member of the State Board of Health and Welfare to serve a term commencing January 7, 2015, and expiring January 7, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Health and Welfare Committee.

The Senate advanced to the Ninth Order of Business.

#### Messages from the House

February 12, 2015

Dear Mr. President:

I transmit herewith [H 46](#), [HJM 1](#), [HJM 2](#), and [H 59](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 46](#), [HJM 1](#), [HJM 2](#), and [H 59](#) were filed for first reading.

Senator Keough was recorded present at this order of business.

February 12, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 16](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 16](#) and ordered it returned to the House.

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

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1073  
BY AGRICULTURAL AFFAIRS COMMITTEE  
AN ACT**

RELATING TO NOXIOUS WEEDS; AMENDING SECTION 22-2402, IDAHO CODE, TO DEFINE TERMS AND TO REVISE A DEFINITION; AND AMENDING SECTION 22-2404, IDAHO CODE, TO AUTHORIZE THE DIRECTOR OF THE IDAHO STATE DEPARTMENT OF AGRICULTURE TO ALLOW THE COLLECTION, REMOVAL AND MOVEMENT OF NOXIOUS WEEDS FROM AN INFESTED AREA TO A FACILITY WITHIN THE STATE FOR PURPOSES OF BIOLOGICAL CONTROL RESEARCH AND TO PROVIDE CONDITIONS.

**S 1074  
BY AGRICULTURAL AFFAIRS COMMITTEE  
AN ACT**

RELATING TO THE IDAHO HONEY COMMISSION; AMENDING SECTION 22-2803, IDAHO CODE, TO REVISE THE NAME OF THE COMMISSION; REPEALING SECTION 22-2804, IDAHO CODE, RELATING TO MEMBERS OF THE IDAHO HONEY ADVERTISING COMMISSION; AMENDING CHAPTER 28, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-2804, IDAHO CODE, TO PROVIDE FOR THE IDAHO HONEY COMMISSION, TO PROVIDE FOR MEMBERS, TO PROVIDE QUALIFICATIONS, TO PROVIDE THAT THE IDAHO HONEY INDUSTRY ASSOCIATION MAY REQUEST THE REMOVAL OF A MEMBER, TO PROVIDE FOR NOMINATION AND APPOINTMENT OF MEMBERS, TO PROVIDE FOR TERMS, TO PROVIDE FOR THE ELECTION OF A CHAIRMAN AND DELEGATION OF THE FUNCTION OF THE COMMISSION, TO PROVIDE FOR A QUORUM, TO PROVIDE FOR OATHS, TO PROVIDE FOR COMPENSATION AND TO PROVIDE FOR MEETINGS; AMENDING SECTION 22-2806, IDAHO CODE, TO REVISE THE NAME OF THE COMMISSION; AMENDING SECTION 22-2809, IDAHO CODE, TO PROVIDE THAT CERTAIN REGISTERED BEEKEEPERS SHALL NOT VOTE AT REFERENDUMS AND TO REVISE THE NAME OF A FUND; AMENDING SECTIONS 22-2813 AND 22-2814, IDAHO CODE, TO REVISE THE NAME OF A FUND; AND AMENDING SECTIONS 67-450D AND 67-5303, IDAHO CODE, TO REVISE THE NAME OF THE COMMISSION; AND DECLARING AN EMERGENCY.

**S 1075  
BY COMMERCE AND HUMAN RESOURCES  
COMMITTEE  
AN ACT**

RELATING TO CORRECTIONAL INDUSTRIES; AMENDING SECTION 20-412, IDAHO CODE, TO REVISE A PROVISION RELATING TO PRISONERS ENGAGED IN PRODUCTIVE WORK, TO PROVIDE THAT CERTAIN INMATES WHO ARE COMPENSATED SHALL NOT BE CONSIDERED TO BE AN EMPLOYEE OF OR EMPLOYED BY CERTAIN EMPLOYERS AND TO PROVIDE THAT AN INMATE ENGAGED IN PRODUCTIVE WORK SHALL NOT BE ENTITLED TO WORKER'S COMPENSATION OR UNEMPLOYMENT BENEFITS.

**S 1076  
BY COMMERCE AND HUMAN RESOURCES  
COMMITTEE  
AN ACT**

RELATING TO BENEFIT CORPORATIONS; AMENDING TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 20, TITLE 30, IDAHO CODE, TO PROVIDE A SHORT TITLE AND STATE THE APPLICATION AND EFFECT OF THIS CHAPTER, TO DEFINE TERMS, TO ESTABLISH INCORPORATION REQUIREMENTS FOR BENEFIT CORPORATIONS, TO ESTABLISH THE PROCESS UNDER WHICH BENEFIT CORPORATION STATUS IS ADOPTED, TO ESTABLISH THE PROCESS UNDER WHICH BENEFIT CORPORATION STATUS IS TERMINATED, TO DESCRIBE THE PURPOSES OF BENEFIT CORPORATIONS, TO ESTABLISH STANDARDS OF CONDUCT FOR DIRECTORS, TO PROVIDE THAT CERTAIN BENEFIT CORPORATIONS SHALL HAVE AND OTHERS MAY HAVE A BENEFIT DIRECTOR AND TO ESTABLISH RULES RELATING TO THE BENEFIT DIRECTOR, TO ESTABLISH STANDARDS OF CONDUCT FOR OFFICERS, TO PROVIDE THAT BENEFIT CORPORATIONS MAY HAVE A BENEFIT OFFICER WHO PERFORMS CERTAIN DUTIES, TO PROVIDE RULES FOR BRINGING AN ACTION AGAINST A BENEFIT CORPORATION, TO REQUIRE AN ANNUAL BENEFIT REPORT AND TO REQUIRE THE BENEFIT REPORT BE MADE AVAILABLE TO CERTAIN PERSONS AND THE PUBLIC.

**S 1077  
BY COMMERCE AND HUMAN RESOURCES  
COMMITTEE  
AN ACT**

RELATING TO DEATH CERTIFICATES; AMENDING SECTION 54-1142, IDAHO CODE, TO PROVIDE THAT CERTAIN PERSONS HAVE A DIRECT AND TANGIBLE INTEREST IN DEATH CERTIFICATES AND TO MAKE A TECHNICAL CORRECTION.

**S 1078  
BY COMMERCE AND HUMAN RESOURCES  
COMMITTEE  
AN ACT**

RELATING TO MORTGAGE INSURANCE; AMENDING SECTION 41-2653, IDAHO CODE, TO REMOVE LANGUAGE RELATING TO COVERAGE LIMITS AND TO MAKE TECHNICAL CORRECTIONS.

**S 1079**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**  
AN ACT

RELATING TO ENGINEERS AND SURVEYORS; AMENDING SECTION 50-1304, IDAHO CODE, TO REVISE THE REQUIRED FORM OF A PLAT OFFERED FOR RECORD AND TO PROVIDE FOR NEW REQUIREMENTS ON WHAT SHALL BE DISPLAYED ON A PLAT; AMENDING SECTION 50-1310, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO PROVIDE A CODE REFERENCE; AMENDING SECTION 54-1212, IDAHO CODE, TO REVISE TERMINOLOGY RELATING TO CERTIFICATION AS AN INTERN AND ASSIGNMENT TO PROFESSIONAL EXAMINATIONS AND TO REVISE THE QUALIFICATIONS FOR CERTIFICATION AS AN ENGINEER INTERN OR LAND SURVEY INTERN; AMENDING SECTION 54-1214, IDAHO CODE, TO CLARIFY LANGUAGE RELATING TO FAILURE OF ALL OR PART OF AN EXAMINATION; AMENDING SECTION 54-1234, IDAHO CODE, TO CLARIFY LANGUAGE RELATING TO THE DEFACING OF MONUMENTATION; AMENDING SECTION 55-1905, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE, TO PROVIDE A CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 55-1906, IDAHO CODE, TO REVISE LANGUAGE RELATING TO REQUIRED CONTENT FOR A RECORD OF SURVEY.

**S 1080**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**  
AN ACT

RELATING TO GENETIC COUNSELORS; AMENDING TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 56, TITLE 54, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE A SCOPE OF PRACTICE FOR GENETIC COUNSELORS, TO PROVIDE EXEMPTIONS FOR LICENSURE, TO REQUIRE A LICENSE TO PRACTICE GENETIC COUNSELING, TO ESTABLISH THE GENETIC COUNSELORS LICENSING BOARD, TO PROVIDE FOR POWERS OF THE BOARD, TO SPECIFY REQUIREMENTS FOR LICENSURE, TO PROVIDE FOR ENDORSEMENT LICENSURE, TO PROVIDE FOR A PROVISIONAL LICENSE, TO PROVIDE FOR THE LICENSING OF EXISTING GENETIC COUNSELORS, TO PROVIDE FOR LICENSE RENEWAL, TO ESTABLISH FEES FOR LICENSURE, TO PROVIDE FOR DENIAL OF A LICENSE AND DISCIPLINE, TO PROVIDE FOR CONFIDENTIALITY BY LICENSEES AND TO PROHIBIT CERTAIN ACTS.

**S 1081**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**  
AN ACT

RELATING TO SELF-FUNDED HEALTH CARE PLANS; AMENDING SECTION 41-4002, IDAHO CODE, TO DEFINE A TERM AND TO REVISE DEFINITIONS; AMENDING SECTION 41-4010, IDAHO CODE, TO PROVIDE RESERVES AND SURPLUS REQUIREMENTS OF PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTIONS WITH A PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTION PLAN.

**S 1082**  
**BY TRANSPORTATION COMMITTEE**  
AN ACT

RELATING TO HIGHWAY DISTRICT RECORDS; AMENDING CHAPTER 13, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-1337A, IDAHO CODE, TO PROVIDE FOR THE REPRODUCTION AND RETENTION OF DOCUMENTS IN PHOTOGRAPHIC, DIGITAL AND OTHER NONPAPER MEDIUM, TO PROVIDE CONDITIONS RELATING TO THE MEDIUM CHOSEN FOR REPRODUCTION AND RETENTION, TO PROVIDE THAT DOCUMENTS RETAINED PURSUANT TO SPECIFIED LAW SHALL BE CONSIDERED ORIGINAL PUBLIC RECORDS, TO PROVIDE THAT CERTAIN CERTIFIED COPIES SHALL BE DEEMED TRANSCRIPTS, TO PROVIDE FOR THE DISPOSAL OR RETURN OF ORIGINAL PAPER DOCUMENTS, TO PROVIDE FOR TREATMENT OF REQUISITE DUPLICATE COPIES AND TO PROVIDE THAT HIGHWAY DISTRICTS MAY INCORPORATE ELECTRONIC VERSIONS OF AGREEMENTS BY REFERENCE INTO CONTRACTS IF CERTAIN CONDITIONS ARE MET.

**S 1083**  
**BY TRANSPORTATION COMMITTEE**  
AN ACT

RELATING TO LICENSE PLATES; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE A CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-420N, IDAHO CODE, TO PROVIDE FOR AMERICA THE BEAUTIFUL® PLATES.

**S 1084**  
**BY TRANSPORTATION COMMITTEE**  
AN ACT

RELATING TO SUPPORT OUR TROOPS LICENSE PLATES; AMENDING SECTION 49-415D, IDAHO CODE, TO REVISE THE NAME AND LOCATION DESIGNATION OF A CERTAIN ORGANIZATION AND TO PROVIDE FOR SUPPORT AND ASSISTANCE TO SPECIFIED MILITARY SERVICE MEMBERS AND THEIR FAMILIES.

**S 1085**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-125B, IDAHO CODE, TO PROVIDE DUTIES OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION RELATING TO THE SMARTER BALANCED ASSESSMENT CONSORTIUM; AND DECLARING AN EMERGENCY.

**S 1086**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO PROFESSIONAL-TECHNICAL EDUCATION; AMENDING SECTION 33-2205, IDAHO CODE, TO CLARIFY PROVISIONS RELATING TO THE DIVISION OF PROFESSIONAL-TECHNICAL EDUCATION, TO PROVIDE DUTIES AND POWERS OF THE DIVISION OF PROFESSIONAL-TECHNICAL EDUCATION AND TO GRANT CERTAIN RULEMAKING AUTHORITY TO THE STATE BOARD OF EDUCATION.



**S 1087**  
**BY EDUCATION COMMITTEE**  
 AN ACT

RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING SECTION 33-5205, IDAHO CODE, TO PROVIDE AN ADDITIONAL PREFERENCE IN ADMISSION TO PUBLIC CHARTER SCHOOLS.

**S 1088**  
**BY EDUCATION COMMITTEE**  
 AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-522A, IDAHO CODE, TO SPECIFY WHEN A REDUCTION IN FORCE MAY OCCUR AND TO DEFINE REDUCTION IN FORCE; REPEALING SECTION 3, CHAPTER 353, LAWS OF 2013, RELATING TO THE REPEAL OF CERTAIN CODE SECTIONS; REPEALING SECTION 33-514, IDAHO CODE, AS ENACTED BY SECTION 4, CHAPTER 353, LAWS OF 2013, RELATING TO INSURANCE OF ANNUAL CONTRACTS, SUPPORT PROGRAMS, CATEGORIES OF CONTRACTS AND OPTIONAL PLACEMENT; REPEALING SECTION 33-515, IDAHO CODE, AS ENACTED BY SECTION 5, CHAPTER 353, LAWS OF 2013, RELATING TO ISSUANCE OF RENEWABLE CONTRACTS; AMENDING SECTION 2, CHAPTER 144, LAWS OF 2014, TO REMOVE AN EFFECTIVE DATE; AND PROVIDING AN EFFECTIVE DATE.

**S 1089**  
**BY STATE AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO BEER AND WINE LICENSES; AMENDING SECTION 23-942, IDAHO CODE, TO REVISE THE DEFINITIONS OF "LICENSEE" AND "PLACE"; AMENDING SECTION 23-1001, IDAHO CODE, TO REVISE THE DEFINITION OF "PREMISES" AND TO ADD A DEFINITION OF "MOBILE OR TEMPORARY FOOD COURT"; AMENDING SECTION 23-1010, IDAHO CODE, TO PROVIDE REFERENCE TO MOBILE OR TEMPORARY FOOD COURT AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 10, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-1011C, IDAHO CODE, TO PROVIDE FOR A LICENSE TO SELL BEER AT A PLACE; AMENDING SECTION 23-1303, IDAHO CODE, TO ADD A DEFINITION OF "MOBILE OR TEMPORARY FOOD COURT," TO REVISE THE DEFINITION OF "WINE BY-THE-DRINK LICENSE" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 13, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-1307B, IDAHO CODE, TO PROVIDE FOR A LICENSE TO SELL WINE BY-THE-DRINK AT A PLACE; AND DECLARING AN EMERGENCY.

**S 1090**  
**BY STATE AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO CONCEALED WEAPONS; AMENDING SECTION 18-3302, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO DEFINE TERMS AND TO REVISE PROVISIONS RELATING TO POLICIES AND PROCEDURES IN THE ISSUANCE OF A LICENSE TO CARRY CONCEALED WEAPONS; AMENDING SECTION 18-3302I, IDAHO CODE, TO REMOVE A DEFINITION;

AMENDING SECTION 18-3302K, IDAHO CODE, TO REVISE PROVISIONS RELATING TO POLICIES AND PROCEDURES IN THE ISSUANCE OF AN ENHANCED LICENSE TO CARRY CONCEALED WEAPONS; AMENDING SECTION 18-3316, IDAHO CODE, TO REMOVE A DEFINITION; AMENDING SECTION 31-870, IDAHO CODE, TO PROVIDE THAT A BOARD OF COUNTY COMMISSIONERS SHALL NOT IMPOSE OR COLLECT A FEE FOR LICENSES TO CARRY CONCEALED WEAPONS; AND AMENDING SECTION 9-340B, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

**S 1091**  
**BY STATE AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO CHALLENGES TO APPORTIONMENT PLANS; AMENDING CHAPTER 15, TITLE 72, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 72-1509, IDAHO CODE, TO PROVIDE THAT WITHIN THE TIME AND IN THE MANNER PRESCRIBED BY RULE OF THE SUPREME COURT, ANY REGISTERED VOTER, INCORPORATED CITY OR COUNTY IN THIS STATE MAY APPEAL TO THE SUPREME COURT A CONGRESSIONAL OR LEGISLATIVE REDISTRICTING PLAN ADOPTED BY THE REAPPORTIONMENT COMMISSION AND TO PROVIDE DUTIES OF THE COMMISSION; AND AMENDING CHAPTER 15, TITLE 72, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 72-1510, IDAHO CODE, TO PROVIDE THAT PRIOR TO OCTOBER 1 OF A YEAR ENDING IN ONE, IN WHICH A NEW FEDERAL CENSUS IS AVAILABLE, ANY REGISTERED VOTER, INCORPORATED CITY OR COUNTY IN THIS STATE MAY CHALLENGE AN EXISTING LEGISLATIVE APPORTIONMENT BASED UPON THE NEW FEDERAL CENSUS BY FILING A PETITION IN THE SUPREME COURT INVOKING ITS ORIGINAL JURISDICTION IN SUCH MANNER AS PRESCRIBED BY RULE OF THE SUPREME COURT.

**S 1092**  
**BY LOCAL GOVERNMENT AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO KNIVES; AMENDING CHAPTER 33, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-3326, IDAHO CODE, TO PROVIDE THAT A POLITICAL SUBDIVISION SHALL NOT ENACT CERTAIN RULES, ORDINANCES OR TAXES RELATING TO KNIVES AND TO PROVIDE THAT CERTAIN RULES AND ORDINANCES FROM A POLITICAL SUBDIVISION SHALL BE NULL AND VOID.

**S 1093**  
**BY LOCAL GOVERNMENT AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO ANNEXATION; AMENDING CHAPTER 2, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-221A, IDAHO CODE, TO PROVIDE A NOTICE OF INTENT TO ANNEX AND TO PROVIDE PROCEDURES FOR AN ELECTION FOR CERTAIN PARCELS; AMENDING SECTION 50-222, IDAHO CODE, TO PROVIDE WHEN ELECTION PROVISIONS APPLY FOR CERTAIN PARCELS AND TO MAKE TECHNICAL CORRECTIONS; AND PROVIDING AN EFFECTIVE DATE.

**S 1094**  
**BY HEALTH AND WELFARE COMMITTEE**  
 AN ACT

RELATING TO ABORTION; AMENDING SECTION 18-604, IDAHO CODE, TO DEFINE A TERM; AMENDING SECTION 18-608, IDAHO CODE, TO PROVIDE THAT ABORTIONS SHALL ONLY BE LAWFUL WHEN PERFORMED BY A PHYSICIAN WITH ADMITTING PRIVILEGES AT A HOSPITAL WITHIN TWENTY MILES OF WHERE THE PHYSICIAN PERFORMS ABORTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-608A, IDAHO CODE, TO PROVIDE THAT A PHYSICIAN WHO PERFORMS ABORTIONS MUST HAVE ADMITTING PRIVILEGES AT A HOSPITAL WITHIN TWENTY MILES OF WHERE THE PHYSICIAN PERFORMS ABORTIONS; AND PROVIDING SEVERABILITY.

[S 1073](#), [S 1074](#), [S 1075](#), [S 1076](#), [S 1077](#), [S 1078](#), [S 1079](#), [S 1080](#), [S 1081](#), [S 1082](#), [S 1083](#), [S 1084](#), [S 1085](#), [S 1086](#), [S 1087](#), [S 1088](#), [S 1089](#), [S 1090](#), [S 1091](#), [S 1092](#), [S 1093](#), and [S 1094](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 46](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[HJM 1](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

[HJM 2](#), by Resources and Conservation Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

[H 59](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

Senator Cameron was recorded present at this order of business.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:25 a.m. until the hour of 10:30 a.m., Monday, February 16, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**THIRTY-SIXTH LEGISLATIVE DAY**  
**MONDAY, FEBRUARY 16, 2015**

Senate Chamber

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

Roll call showed all members present except Senators Bair and Martin, absent and formally excused by the Chair.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Brenton Kleopfer, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 13, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Petitions, Resolutions, and Memorials

#### **SJM 101** **BY STATE AFFAIRS COMMITTEE** A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES, THE UNITED STATES SECRETARY OF THE INTERIOR, 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 Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Sixty-third Idaho Legislature, do hereby respectfully represent that:

WHEREAS, maintaining a healthy suite of economic, environmental and social ecosystem services in aquatic systems is integral to the quality of life in the State of Idaho; and

WHEREAS, healthy aquatic habitats provide clean drinking water, flood control, transportation, recreation, purification of human and industrial wastes, power generation, habitat for native plants and animals, production of fish and other foods, marketable goods, and cultural benefits; and

WHEREAS, aquatic invasive species, including mussels such as dreissenids, cause irreparable ecological damage to many waters in the United States; and

WHEREAS, dreissenids have not yet been detected in the Pacific NorthWest. The estimated cost to address established populations of dreissenids in the Pacific NorthWest Economic Region is almost \$500 million annually; and

WHEREAS, the Water Resources Reform and Development Act was signed in June 2014 and authorizes \$20 million for Columbia River Basin dreissenid efforts through the Secretary of the Army.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we respectfully request Congress expedite appropriation of these funds to significantly enhance monitoring and prevention efforts and to implement the intent of the Act.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States Barack Obama, the United States Secretary of the Interior Sally Jewell, the President of the Senate and the Speaker of the House of Representatives of Congress, and to the congressional delegation representing the State of Idaho in the Congress of the United States.

[SJM 101](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

February 16, 2015

The JUDICIARY AND RULES Committee reports that [SCR 104](#), [S 1073](#), [S 1074](#), [S 1075](#), [S 1076](#), [S 1077](#), [S 1078](#), [S 1079](#), [S 1080](#), [S 1081](#), [S 1082](#), [S 1083](#), [S 1084](#), [S 1085](#), [S 1086](#), [S 1087](#), [S 1088](#), [S 1089](#), [S 1090](#), [S 1091](#), [S 1092](#), [S 1093](#), and [S 1094](#) have been correctly printed.

HAGEDORN, Vice-Chairman

[SCR 104](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1073](#) and [S 1074](#) were referred to the Agricultural Affairs Committee.

[S 1075](#), [S 1076](#), [S 1077](#), [S 1078](#), [S 1079](#), [S 1080](#), and [S 1081](#) were referred to the Commerce and Human Resources Committee.

[S 1082](#), [S 1083](#), and [S 1084](#) were referred to the Transportation Committee.

[S 1085](#), [S 1086](#), [S 1087](#), and [S 1088](#) were referred to the Education Committee.

[S 1089](#), [S 1090](#), [S 1091](#), [S 1092](#), and [S 1094](#) were referred to the State Affairs Committee.

[S 1093](#) was referred to the Local Government and Taxation Committee.

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

**Messages from the House**

February 13, 2015

Dear Mr. President:

I transmit herewith [H 78](#), [H 82](#), [H 33](#), [H 76](#), [H 85](#), [HCR 3](#), [H 17](#), and [H 52](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 78](#), [H 82](#), [H 33](#), [H 76](#), [H 85](#), [HCR 3](#), [H 17](#), and [H 52](#) were filed for first reading.

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

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1095**

**BY JUDICIARY AND RULES COMMITTEE  
AN ACT**

RELATING TO SEXUAL OFFENDER REGISTRATION; AMENDING SECTION 9-340B, IDAHO CODE, TO PROVIDE THAT CERTAIN RECORDS SHALL BE EXEMPT FROM DISCLOSURE; AMENDING SECTION 18-8303, IDAHO CODE, TO DEFINE TERMS AND TO REVISE DEFINITIONS; AMENDING CHAPTER 83, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-8306A, IDAHO CODE, TO PROVIDE FOR THE DETERMINATION OF RISK-BASED SEXUAL OFFENDER REGISTRATION LEVELS; AMENDING SECTION 18-8307, IDAHO CODE, TO REVISE THE REGISTRATION FEE, TO REVISE FREQUENCY OF REGISTRATION FOR LEVELS OF REGISTRATION, TO REVISE LENGTH OF REGISTRATION TERMS FOR LEVELS OF REGISTRATION AND TO REVISE TERMINOLOGY; AMENDING SECTION 18-8308, IDAHO CODE, TO REVISE ADDRESS VERIFICATION PROCEDURES, TO REVISE ELECTRONIC MONITORING REQUIREMENTS FOR CERTAIN SEXUAL OFFENDERS AND TO REVISE TERMINOLOGY; AMENDING SECTION 18-8310, IDAHO CODE, TO REVISE THE TERM OF ELIGIBILITY TO PETITION FOR RELEASE FROM REGISTRATION REQUIREMENTS, TO PROVIDE FOR ADDITIONAL DOCUMENTATION TO BE SUBMITTED TO THE COURTS FOR RELEASE FROM REGISTRATION CONSIDERATION, TO PROVIDE NOTIFICATION TO THE SEXUAL OFFENDER MANAGEMENT BOARD AND TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION 18-8310, IDAHO CODE, RELATING TO RELEASE FROM REGISTRATION REQUIREMENTS AND EXPUNGEMENT; AMENDING CHAPTER 83, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-8310, IDAHO CODE, TO PROVIDE THAT CERTAIN OFFENDERS MAY BE RELEASED FROM REGISTRATION REQUIREMENTS, TO PROVIDE FOR THE REQUIREMENTS OF A PETITION FOR RELEASE FROM REGISTRATION AND TO PROVIDE PROCEDURES FOR DETERMINING IF AN OFFENDER SHALL BE RELEASED FROM REGISTRATION AND FOR EXPUNGEMENT; AMENDING SECTION 18-8314, IDAHO CODE, TO AUTHORIZE CERTAIN POWERS AND DUTIES FOR THE SEXUAL OFFENDER MANAGEMENT BOARD AND TO PROVIDE FOR THE TRANSFER OF RECORDS OF THE SEXUAL OFFENDER CLASSIFICATION BOARD TO THE SEXUAL OFFENDER MANAGEMENT BOARD; AMENDING SECTION 18-8318, IDAHO CODE, TO REVISE CODE REFERENCES AND TO PROVIDE THAT AN

OFFENDER SHALL PAY CERTAIN COSTS; AMENDING SECTION 18-8323, IDAHO CODE, TO PROVIDE THAT CERTAIN SEXUAL OFFENDER REGISTRY INFORMATION SHALL NOT BE DISCLOSED; AMENDING SECTION 18-8324, IDAHO CODE, TO PROVIDE THAT CERTAIN SEXUAL OFFENDER REGISTRY INFORMATION SHALL BE AVAILABLE TO CERTAIN PARTIES; AMENDING SECTION 18-8328, IDAHO CODE, TO REMOVE REFERENCE TO JUVENILE OFFENDERS; AMENDING CHAPTER 83, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-8332, IDAHO CODE, TO PROVIDE AUTHORIZATION FOR CRIMINAL HISTORY CHECKS BY THE BOARD; AMENDING SECTION 20-219, IDAHO CODE, TO REVISE PROVISIONS RELATING TO ELECTRONIC MONITORING OF CERTAIN SEXUAL OFFENDERS UNDER FELONY SUPERVISION BY THE BOARD OF CORRECTION; AMENDING SECTION 16-1602, IDAHO CODE, TO REMOVE A CODE REFERENCE AND TO REVISE A DEFINITION; AMENDING SECTION 16-2005, IDAHO CODE, TO REMOVE A CODE REFERENCE AND TO PROVIDE THAT TERMINATION OF PARENTAL RIGHTS IS IN THE BEST INTERESTS OF THE CHILD UNDER CERTAIN CIRCUMSTANCES; AND PROVIDING AN EFFECTIVE DATE.

[S 1095](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 78](#), by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 82](#), by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 33](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 76](#) and [H 85](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[HCR 3](#), by Education Committee, was introduced, read at length, and referred to the Education Committee.

[H 17](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 52](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[S 1011](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 44](#) and [H 42](#), by Transportation and Defense Committee, were read the second time at length and filed for third reading.

[H 77](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[S 1045](#), by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 77](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Bair, Martin. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 77](#) was before the Senate for final consideration.

[H 77](#) was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Bair, Martin. Total - 2.

Total - 35.

Whereupon the President declared [H 77](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

### Motions and Resolutions

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Gary Spackman was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heider, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Gary Spackman as the Director of the Idaho Department of Water Resources was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that [SCR 103](#) was before the Senate for final consideration.

Moved by Senator Lakey, seconded by Senator Burgoyne, that [SCR 103](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Bair, Martin. Total - 2.

Total - 35.

Whereupon the President declared [SCR 103](#) adopted, title was approved, and the resolution ordered transmitted to the House.

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

### MEMORIAL SERVICE

The Service was conducted by Memorial Service Committee Co-chairmen Senator Abby Lee and Senator Mary Souza. The Invocation was delivered by Senator Nuxoll. "Battle Hymn of the Republic" was performed by Trey Nattress, Dylan Lloyd and Ben Hinatsu accompanied by Kelli Hinatsu. The Service was coordinated by Jan Snell, Secretary to the Secretary of the Senate.

### IN THE SENATE A SENATE MEMORIAL

WHEREAS, the late Senator F. EDWARD OSBORNE passed on since the close of the Second Regular Session of the Sixty-second Legislature to wit, March 3, 2014.

WHEREAS, the late Senator F. EDWARD OSBORNE served in the interest of Ada County during the Fifty-first Legislature of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the First Regular Session of the Sixty-third Legislature of the State of Idaho draws public attention by this Memorial to the life and works of the late Senator F. EDWARD OSBORNE; and

BE IT FURTHER RESOLVED that the Senate of the First Regular Session of the Sixty-third Legislature extends to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby instructed to spread this Memorial upon the Journal of the Senate and to mail copies to the F. EDWARD OSBORNE family.

On motion by Senator Winder, seconded by Senator Buckner-Webb, the Memorial to the late Senator Osborne was adopted by voice vote.

**IN THE SENATE  
A SENATE MEMORIAL**

WHEREAS, the late Senator and Governor JOHN V. EVANS passed on since the close of the Second Regular Session of the Sixty-second Legislature to wit, July 8, 2014.

WHEREAS, the late Senator and Governor JOHN V. EVANS served in the interest of Oneida and Bannock Counties during the Thirty-second through the Thirty-fourth Legislatures and the Thirty-ninth through the Forty-second Legislatures of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the First Regular Session of the Sixty-third Legislature of the State of Idaho draws public attention by this Memorial to the life and works of the late Senator and Governor JOHN V. EVANS; and

BE IT FURTHER RESOLVED that the Senate of the First Regular Session of the Sixty-third Legislature extends to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby instructed to spread this Memorial upon the Journal of the Senate and to mail copies to the JOHN V. EVANS family.

On motion by Senator Cameron, seconded by Senator Stennett, the Memorial to the late Senator Evans was adopted by voice vote.

**IN THE SENATE  
A SENATE MEMORIAL**

WHEREAS, the late Senator RALPH "MOON" WHEELER passed on since the close of the Second Regular Session of the Sixty-second Legislature to wit, July 2, 2014.

WHEREAS, the late Senator RALPH "MOON" WHEELER served in the interest of Power, Bingham and Bannock Counties during the Fifty-third through the Fifty-sixth Legislatures of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the First Regular Session of the Sixty-third Legislature of the State of Idaho draws public attention by this Memorial to the life and works of the late Senator RALPH "MOON" WHEELER; and

BE IT FURTHER RESOLVED that the Senate of the First Regular Session of the Sixty-third Legislature extends to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby instructed to spread this Memorial upon the Journal of the Senate and to mail copies to the RALPH "MOON" WHEELER family.

On motion by Senator Guthrie, seconded by Senator Burgoyne, the Memorial to the late Senator Wheeler was adopted by voice vote.

**IN THE SENATE  
A SENATE MEMORIAL**

WHEREAS, the late Senator MELVIN M. RICHARDSON passed on since the close of the Second Regular Session of the Sixty-second Legislature to wit, December 11, 2014.

WHEREAS, the late Senator MELVIN M. RICHARDSON served in the interest of Bonneville County during the Fifty-second through the Fifty-ninth Legislatures of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the First Regular Session of the Sixty-third Legislature of the State of Idaho draws public attention by this Memorial to the life and works of the late Senator MELVIN M. RICHARDSON; and

BE IT FURTHER RESOLVED that the Senate of the First Regular Session of the Sixty-third Legislature extends to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby instructed to spread this Memorial upon the Journal of the Senate and to mail copies to the MELVIN M. RICHARDSON family.

On motion by Senator Davis, seconded by Senator Mortimer, the Memorial to the late Senator Richardson was adopted by voice vote.

"Be Still My Soul" was performed by Trey Nattress, Dylan Lloyd and Ben Hinatsu accompanied by Kelli Hinatsu. The Benediction was offered by Senator Mortimer and the Memorial Service was dissolved.

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

**Petitions, Resolutions, and Memorials**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:45 p.m. until the hour of 4 p.m. of this day.

**RECESS  
AFTERNOON SESSION**

The Senate reconvened at 4 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senator Bair, absent and formally excused by the Chair; and President Pro Tempore Hill and Senators Bayer, Brackett, Buckner-Webb, Cameron, Den Hartog, Keough, Mortimer, Nonini, Patrick, Rice, Souza, Stennett, Thayn, Vick, and Ward-Engelking, absent and excused.

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

**SCR 105  
BY EDUCATION COMMITTEE  
A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE, DIRECTING THE STATE DEPARTMENT OF EDUCATION AND STATE BOARD OF EDUCATION TO CONVERT THE CURRENT IDAHO CORE STANDARDS INTO MORE IDAHO-SPECIFIC STANDARDS, DECLARING THAT THE IDAHO CORE MATH AND ENGLISH LANGUAGE STANDARDS BE REVIEWED, THAT STANDARDS SHOULD NEVER BE USED AS A RIGID SCRIPT AND DIRECTING THAT MATH AND ENGLISH LANGUAGE STANDARDS BE REVIEWED IN 2015.

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

WHEREAS, the State of Idaho has adopted academic standards and standards are valuable in providing a guideline for what should be taught in each grade level; the standards are named the Idaho Core Standards and are currently identical to Common Core State Standards; and

WHEREAS, students mature at different times and each child learns at a different pace; and

WHEREAS, young children think concretely before they are able to think abstractly; and

WHEREAS, standards have a great impact on curriculum, for curriculum aligns with standards; and

WHEREAS, Idahoans, parents of Idaho children, the State Board of Education and the State Department of Education must maintain control of the curriculum and what is taught in Idaho schools; and

WHEREAS, Common Core State Standards were developed outside the State of Idaho and contain several areas of concern including, but not limited to, abstractness of math principles in the early grades, concerns on how some math concepts are taught and a heavy reliance on modern technical writings with less exposure to historical literature, and include other concerns that may be raised by parents and educators.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the State Department of Education and the State Board of Education are directed to convert the current Idaho Core Standards into more Idaho-specific standards addressing the issues with abstractness, age appropriateness and literature content.

BE IT FURTHER RESOLVED that the Idaho core math and English language standards be reviewed on the normal rotation of reviewing standards already in place by the Standards of Professional Review Committee using Idaho educators and content experts and that those who review the standards seek the input and address the concerns that parents, teachers, administrators and legislators have with the present Idaho Core Standards.

BE IT FURTHER RESOLVED that standards should never be used as a rigid script to determine what and when children should learn specific concepts; but rather, teachers be encouraged to individualize instruction based upon the needs and abilities of each child.

BE IT FURTHER RESOLVED that math and English language standards be reviewed in 2015.

**SCR 106**  
**BY EDUCATION COMMITTEE**  
**A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE AND STATING POLICY OF THE STATE OF IDAHO REGARDING THE RESPONSIBILITY FOR TESTING AND FOR TEACHER AND STUDENT ACCOUNTABILITY, STATING THE POLICY OF THE STATE OF IDAHO REGARDING THE LENGTH OF TESTING TIME, AND DIRECTING THE STATE DEPARTMENT OF EDUCATION TO PRESENT SUITABLE ALTERNATIVES TO THE SMARTER BALANCED ASSESSMENT CONSORTIUM TO THE LEGISLATURE.

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

WHEREAS, testing is an important activity in an education system to formulate instruction, to hold students accountable for learning, and to provide a tool to compare the efficacy of different education systems; and

WHEREAS, overtesting and poorly designed tests can be detrimental to student learning; and

WHEREAS, it is in the best interest of the students, parents, teachers, administrators, and taxpayers that the proper quantity and type of tests be administered; and

WHEREAS, the proper balance between testing and learning is critical; and

WHEREAS, there are at least three major reasons to test: to help formulate instruction, create accountability for learning and teaching, and, finally, systems accountability; and

WHEREAS, testing needs to be done in a way that creates the least amount of instructional disruption and cost; and

WHEREAS, the best tests are designed and used for multiple purposes, to create feedback to students and parents, to help teachers see what students have learned or have not learned, and used by the principal to see where support of teaching is needed; and

WHEREAS, each category of testing is best designed and administered by different entities, formative tests by local teachers and districts, student accountability tests by teacher or local districts, teacher accountability by the school district such as end-of-course assessments, and comparability between education systems in different states by out-of-state entities; and

WHEREAS, a clear vision of the future of testing would help the State of Idaho create policy, improve student learning outcomes and save tax dollars; and

WHEREAS, a state-to-state comparison test delivers more accurate results if the state education system does not test itself, a third-party evaluation is best; however, a state-to-state comparison test does not need to be given to each student each year, all that is required is a statistically large, random sample of students who take the test; and

WHEREAS, there are other tests being used by other states to fulfill the ESEA waiver other than the Smarter Balanced Assessment Consortium (SBAC).

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that it is the policy of the State of Idaho that the choice, selection and administration of formative tests be the responsibility of the local school districts, trustees, administrators and teachers.

BE IT FURTHER RESOLVED that the responsibility for student accountability test/quizzes be chosen, selected and/or created and be administered under the direction of local school boards, superintendents, teachers and principals and that this does not prohibit a local school district from choosing tests created by entities outside the school district or state.

BE IT FURTHER RESOLVED that teacher accountability should take place at the district level under district control and if the State of Idaho provides end-of-course assessments, the local school district can decide if they should be used for teacher accountability.

BE IT FURTHER RESOLVED that statewide assessments of student learning be less than three hours in length per student per year in elementary school, recognizing that some students require accommodations that may require more time, and be less than four and one-half hours per student per year in secondary school, and that statewide assessments of student learning be used by the state mainly for policy consideration and that local school districts may use the data for other purposes.

BE IT FURTHER RESOLVED that the SBAC test or the Idaho Standards Achievement Test 2.0 (ISAT) is probably a poor fit for the State of Idaho because of its length and cost, that the State Department of Education is directed to present suitable alternatives to the SBAC to the Legislature which could be used by the state in the 2016 spring testing window and report to the

Legislature by January 15, 2016, about the feasibility of using a different test, and that this alternative test must have reading, math and writing components.

**SCR 107**

**BY RESOURCES AND ENVIRONMENT COMMITTEE**

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING AND URGING THE STATE BOARD OF LAND COMMISSIONERS, WHEN IN THE STATE'S BEST INTEREST, TO EXERCISE ITS AUTHORITY IN ENTERING INTO LAND EXCHANGES, INCLUDING MULTIPARTY EXCHANGES.

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

WHEREAS, pursuant to the provisions of Section 8, Article IX, of the Constitution of the State of Idaho, the Legislature has the power to authorize the State Board of Land Commissioners to exchange granted or acquired lands of the state on an equal value basis for other lands under agreement with the United States, local units of government, corporations, companies, individuals or combinations thereof; and

WHEREAS, pursuant to the provisions of Section 58-138, Idaho Code, the state has, subject to specified conditions, authorized the State Board of Land Commissioners, in its discretion, when in the state's best interest, to exchange state lands for lands of equal value, public or private; and

WHEREAS, land exchanges are not limited to two-way exchanges and afford the state the opportunity to enter into multiparty land exchanges; and

WHEREAS, Section 8, Article IX, of the Constitution of the State of Idaho provides that no more than one hundred sections of state lands shall be sold in any one year and that no more than three hundred and twenty acres of land shall be sold to any one individual, company or corporation; and

WHEREAS, due to such limitations relating to sales, without land exchanges, the interests of the endowments are being harmed; and

WHEREAS, the Legislature encourages and urges the State Board of Land Commissioners, when in the state's best interest, to exercise its authority in entering into land exchanges, including multiparty exchanges; and

WHEREAS, the Legislature supports exploring the potential of devoting a specific division within the Idaho Department of Lands that would be dedicated to efforts associated with all land exchanges, including multiparty land exchanges.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we encourage and urge the State Board of Land Commissioners, when in the state's best interest, to exercise its authority in entering into land exchanges, including multiparty exchanges.

**SCR 108**

**BY RESOURCES AND ENVIRONMENT 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 PROCESS FOR THE STATE OF IDAHO TO ACQUIRE TITLE TO AND CONTROL OF PUBLIC LANDS NOW CONTROLLED BY THE FEDERAL GOVERNMENT.

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

WHEREAS, accurate information is needed by the Idaho Legislature before it can properly address the issue of the management and control of public lands, now controlled by the federal government in Idaho, should title to those public lands be transferred to the State of Idaho; and

WHEREAS, a process for the State of Idaho to receive title to public lands from the United States and a process of how the state may transfer title to any public lands that it receives need to be developed; and

WHEREAS, management priorities on public lands need to be developed for both the State of Idaho and local entities; and

WHEREAS, legislation may need to be drafted to accomplish the above purposes; and

WHEREAS, the Federal Lands Interim Committee met during calendar years 2013 and 2014 and reported as an outcome: its findings and recommendations that the state continue in its process of studying to take back federally owned public lands and continue to increase state management of federal lands through trusts, projects and collaboration; and

WHEREAS, the following Western states: Arizona, Colorado, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming are also reviewing federal lands transfer in more depth; and

WHEREAS, the issue warrants further study as a recently released report from the Property and Environment Research Center demonstrates that state-held trust lands produce greater income with lower per-acre expenses than federal lands for recreation, timber and grazing. This study suggests that state management of federal lands would not be a net cost to the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of the process for the State of Idaho to acquire title to and control of public lands now controlled by the federal government. 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 the analysis shall include:

1. Measures or factors that could improve operating cost efficiencies after federal public lands are transferred to state control.
2. Options for funding land management activities, including control of forest fires and wildland fires.
3. Estimated asset value and sustained yield capacity associated with existing resources appurtenant to the land.
4. The degree to which federal Payment in Lieu of Taxes (PILT) and Secure Rural Schools (SRS) payments to counties may be continued, replicated or replaced.
5. Projected management costs and revenues under current and improved conditions.
6. A formula for distribution of revenues if revenues exceed operating costs.
7. A process to identify safeguards to protect or enhance public ownership, access, use, valid existing rights, land-based livelihoods, conservation and economic production.
8. A process to identify criteria for priorities to determine which lands should, if any, be sought and in what sequence and time frame, including options for incremental acquisition.



9. A process to identify prospective pilot projects.

10. A process to identify entities that may be best suited to carry out pertinent management functions.

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 issue a progress report to the Second Regular Session of the Sixty-third Idaho Legislature and shall report its findings, recommendations and proposed legislation, if any, to the First Regular Session of the Sixty-fourth Idaho Legislature.

### SCR 109

#### BY HEALTH AND WELFARE COMMITTEE

##### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND RECOGNIZING MUSIC THERAPY AS A VALID AND IMPORTANT THERAPEUTIC HEALTH CARE SERVICE.

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

WHEREAS, music therapy is the clinical and evidence-based use of music interventions to accomplish individualized goals within a therapeutic relationship by a credentialed professional who has completed an approved music therapy program; and

WHEREAS, music therapy is a field that offers benefits across all developmental domains and supports individuals of all ages and ability levels, including children, adolescents, adults and the elderly, with mental health needs, developmental and learning disabilities, Alzheimer's disease and other aging-related conditions, substance abuse problems, brain injuries, physical disabilities, and acute and chronic pain; and

WHEREAS, music therapists work in psychiatric hospitals, rehabilitative facilities, medical hospitals, outpatient clinics, day care treatment centers, agencies serving persons with developmental disabilities, community mental health centers, drug and alcohol programs, senior centers, nursing homes, hospice programs, correctional facilities, halfway houses, schools and private practice; and

WHEREAS, music therapists: assess emotional well-being, physical health, social functioning, communication abilities, and cognitive skills through musical responses; design music sessions for individuals and groups based on client needs using music improvisation, receptive music listening, song writing, lyric discussion, music and imagery, music performance, and learning through music; participate in interdisciplinary treatment planning and ongoing evaluation; and

WHEREAS, a board-certified music therapist must earn a degree in music therapy at a college or a university approved by the American Music Therapy Association (AMTA) and must be certified by the Certification Board for Music Therapists; and

WHEREAS, there are approximately 6,000 board-certified music therapists in the United States; and

WHEREAS, many Idahoans receive music therapy each year.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that music therapy is a valid and important therapeutic health care service for Idahoans.

### SCR 110

#### BY HEALTH AND WELFARE COMMITTEE

##### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND RECOGNIZING NATIONAL DIAPER NEED AWARENESS WEEK.

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

WHEREAS, diaper need, the condition of not having a sufficient supply of clean diapers to ensure that infants and toddlers are clean, healthy and dry, can adversely affect the health and welfare of infants, toddlers and their families; and

WHEREAS, national surveys report that more than thirty percent of mothers will experience diaper need at some point while their children are small, and forty-eight percent of families will delay changing diapers to extend their supply; and

WHEREAS, the average infant or toddler requires fifty diaper changes per week over three years; and

WHEREAS, diapers cannot be bought with food stamps or WIC vouchers, and obtaining a sufficient supply of diapers can therefore cause economic hardship to families; and

WHEREAS, a supply of diapers is generally an eligibility requirement for infants and toddlers to participate in child care programs and quality early education programs; and

WHEREAS, the people of Idaho recognize that addressing diaper need can lead to economic opportunity and improved health for the state's low-income families and their communities; and

WHEREAS, Idaho is proud to be home to various community organizations that assist families in need by distributing diapers through various channels.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the week of September 28 through October 4, 2015, be recognized throughout the state as National Diaper Need Awareness Week.

BE IT FURTHER RESOLVED that the citizens of Idaho are encouraged, both during National Diaper Need Awareness Week and throughout the year, to donate generously to diaper banks and diaper drives and to those organizations that distribute diapers to families in need in order to alleviate diaper need in Idaho.

### SCR 111

#### BY HEALTH AND WELFARE COMMITTEE

##### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND CREATING A TASK FORCE TO STUDY ISSUES RELATING TO FAMILY CAREGIVERS.

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

WHEREAS, family caregivers are an essential part of Idaho's health care system, providing uncompensated support and care to ill or disabled family members or loved ones; and

WHEREAS, family caregivers are valued community members who are the backbone of Idaho's long-term care system; and

WHEREAS, the State Healthcare Innovation Plan is focused on redesigning Idaho's health care delivery system to evolve from a fee-for-service, volume-based system to a value-based system of care based on improved health outcomes; and

WHEREAS, uncompensated family caregivers in Idaho are an essential part of the medical neighborhood, the medical neighborhood being the array of services that are available to

patients beyond the scope of a patient-centered medical home; and

WHEREAS, the State Healthcare Innovation Plan envisions better connection of the patient-centered medical home to the rest of the medical neighborhood in order to improve care coordination and care quality and reduce costs and duplication of services; and

WHEREAS, half of Idaho's 44 counties are frontier, with fewer than seven persons per square mile, resulting in areas that lack access to many levels of health care, including access to caregiving resources; and

WHEREAS, the population of the state that is 65 years or older is projected to reach 370,000 in 2032, a significant increase from 2012, and this demographic represents the fastest-growing population in the state; and

WHEREAS, Idaho has 137,099 veterans, with an estimated 19,041 who suffer disabilities, including 1,645 who are completely disabled; and

WHEREAS, an estimated 53,280 Idaho children have a special health care need, and an estimated 18,820 have a serious emotional disorder; and

WHEREAS, providing services and support to Idahoans in their homes and communities is generally less expensive than institutional care; and

WHEREAS, individuals who receive care at home are less likely to need public assistance; and

WHEREAS, at any time during the year an estimated 307,000 adults in Idaho provide care to adult relatives or friends, which equates to an estimated 201 million hours per year and an estimated value of \$2 billion per year; and

WHEREAS, approximately two-thirds of Idaho's unpaid caregivers are employed or looking for work, and their caregiving responsibilities therefore have an economic impact on families and employers in Idaho; and

WHEREAS, more than half of care recipients are under the age of 75, and almost one-third are under the age of 50, thus indicating that caregiving is a multigenerational issue in family life that also impacts a broad spectrum of individuals with chronic illnesses that necessitate family caregiving throughout the lifespan; and

WHEREAS, approximately 22,000 Idahoans are living with Alzheimer's disease or a related disorder, and an estimated 77,000 individuals, many of whom are unpaid, provide caregiving responsibilities for people with Alzheimer's disease or a related disorder; and

WHEREAS, to successfully address the surging population of older adults and people with disabilities who have significant needs for long-term services and support, the state must develop methods that both encourage and support individuals who assist family members and must also develop ways to recruit and retain a qualified, responsive in-home care workforce.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Idaho Caregiver Alliance convene a task force to coordinate and develop a comprehensive set of recommendations to inform stakeholders regarding innovative solutions to support uncompensated family caregivers in Idaho and to provide information to those who may serve as a caregiver in the future.

BE IT FURTHER RESOLVED that the Idaho Caregiver Alliance recruit members to the task force who represent a broad array of caregiving stakeholders.

BE IT FURTHER RESOLVED that any task force members who are also members of the Legislature shall be reimbursed from legislative funds for per diem, mileage or other expenses.

BE IT FURTHER RESOLVED that the task force hold an organizational meeting by May 31, 2015, and at such meeting elect a chair or co-chairs and adopt any rules or procedures that are necessary to conduct its business.

BE IT FURTHER RESOLVED that the task force identify policies, resources and programs available for family caregivers and methods to support family caregivers and integrate this component of Idaho's health care system into the State Healthcare Innovation Plan medical neighborhood model.

BE IT FURTHER RESOLVED that the task force compile an inventory of the resources available to family caregivers in Idaho.

BE IT FURTHER RESOLVED that the task force report its findings and recommendations to the Second Regular Session of the Sixty-third Idaho Legislature.

[SCR 105](#), [SCR 106](#), [SCR 107](#), [SCR 108](#), [SCR 109](#), [SCR 110](#), and [SCR 111](#) were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

February 16, 2015

The JUDICIARY AND RULES Committee reports out [S 1026](#), [S 1027](#), and [S 1029](#) with the recommendation that they do pass.

HAGEDORN, Vice-Chairman

[S 1026](#), [S 1027](#), and [S 1029](#) were filed for second reading.

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

### Messages from the House

February 16, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 21](#) and [H 22](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 21](#) and [H 22](#) and ordered them returned to the House.

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

### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

Senator Brackett was recorded present at this order of business.

### S 1096 BY EDUCATION COMMITTEE AN ACT

RELATING TO PARENTAL RIGHTS IN EDUCATION; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 46, TITLE 33, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO PARENTAL RIGHTS IN EDUCATION AND TO PROVIDE FOR AN ANNUAL NOTICE OF PARENTAL RIGHTS.

**S 1097**  
**BY EDUCATION COMMITTEE**  
AN ACT

RELATING TO PUPIL TRANSPORTATION; REPEALING SECTION 33-1006A, IDAHO CODE, RELATING TO PUPIL TRANSPORTATION AUDITS.

**S 1098**  
**BY RESOURCES AND ENVIRONMENT COMMITTEE**  
AN ACT

RELATING TO THE PARKS AND RECREATION BOARD; AMENDING SECTION 67-4223, IDAHO CODE, TO AUTHORIZE THE BOARD TO ENTER INTO CERTAIN AGREEMENTS TO ASSIST IN ITS EFFORTS TO SECURE LONG-TERM FUNDING SOURCES, TO AUTHORIZE THE RECOGNITION OF SPONSORS, TO PROVIDE FOR THE DEPOSIT OF CERTAIN REVENUE RECEIVED AND TO MAKE TECHNICAL CORRECTIONS.

**S 1099**  
**BY RESOURCES AND ENVIRONMENT COMMITTEE**  
AN ACT

RELATING TO IRRIGATION AND DRAINAGE; AMENDING SECTION 42-1301, IDAHO CODE, TO REVISE CONDITIONS UNDER WHICH PARTIES CONSTITUTE A LATERAL WATER USERS' ASSOCIATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 42-1303, IDAHO CODE, TO PROVIDE THAT THE OPERATION, IMPROVEMENT, REPAIR AND MAINTENANCE OF CERTAIN LATERALS AND DITCHES SHALL BE UNDER THE DIRECTION OF THE DIRECTORS OF THE LATERAL WATER USERS' ASSOCIATION, TO REVISE PROVISIONS RELATING TO THE EXAMINATION OF LATERALS AND DITCHES AND PREPARATION OF ESTIMATES OF CERTAIN TOTAL COSTS AND TO REVISE PROVISIONS RELATING TO ASSESSMENT OF WATER USERS; AMENDING CHAPTER 13, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-1311, IDAHO CODE, TO PROVIDE THAT CERTAIN ASSESSMENTS SHALL BE A LIEN UPON CERTAIN LANDS OF A WATER USER, TO PROVIDE FOR THE RECORDING AND COLLECTION OF LIENS, TO PROVIDE FOR THE DURATION OF LIEN AND TO PROVIDE FOR THE PRIORITY OF CERTAIN LIENS; AMENDING CHAPTER 13, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-1312, IDAHO CODE, TO PROVIDE A PROCEDURE FOR WITHDRAWAL FROM A LATERAL WATER USERS' ASSOCIATION AND TO PROVIDE THAT WITHDRAWAL SHALL NOT AFFECT CERTAIN LIENS; AND AMENDING CHAPTER 13, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-1313, IDAHO CODE, TO DEFINE A TERM.

**S 1100**  
**BY RESOURCES AND ENVIRONMENT COMMITTEE**  
AN ACT

RELATING TO WATER; AMENDING SECTION 42-605, IDAHO CODE, TO PROVIDE THAT UNDER SPECIFIED CONDITIONS A WATERMASTER MAY ACQUIRE, HOLD AND DISPOSE OF REAL AND PERSONAL PROPERTY, EQUIPMENT AND FACILITIES FOR THE PROPER ADMINISTRATION OF THE WATER DISTRICT AND ENHANCEMENT OF WATER SUPPLIES AND TO PROVIDE THAT UNDER SPECIFIED CONDITIONS A WATERMASTER MAY DEVELOP, COORDINATE OR PROVIDE FOR CERTAIN WEATHER MODIFICATION

PROJECTS; AND AMENDING SECTION 42-612, IDAHO CODE, TO PROVIDE THAT IF SPECIFIED FUNDS ARE NOT SUFFICIENT TO COVER EXPENSES IN IMPLEMENTING CERTAIN RESOLUTIONS, SUCH EXPENSES SHALL COME FROM ASSESSMENTS AND TO MAKE A TECHNICAL CORRECTION.

**S 1101**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO INDIGENT SICK; AMENDING SECTION 31-3501, IDAHO CODE, TO REVISE THE DECLARATION OF POLICY RELATING TO WHO IS ELIGIBLE FOR THE COUNTY MEDICALLY INDIGENT PROGRAM AND CATASTROPHIC HEALTH CARE COST PROGRAM; AMENDING SECTION 31-3502, IDAHO CODE, TO DEFINE A TERM AND TO REVISE A DEFINITION; AMENDING SECTION 67-7903, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND PROVIDING AN EFFECTIVE DATE.

**S 1102**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO ABORTION; AMENDING SECTION 18-604, IDAHO CODE, TO DEFINE TERMS; AMENDING SECTION 18-608, IDAHO CODE, TO PROVIDE THAT ABORTIONS SHALL ONLY BE LAWFUL WHEN PERFORMED BY A PHYSICIAN WITH ADMITTING PRIVILEGES AT A HOSPITAL WITHIN THIRTY MILES OF WHERE THE PHYSICIAN PERFORMS SURGICAL ABORTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-608A, IDAHO CODE, TO PROVIDE THAT A PHYSICIAN WHO PERFORMS ABORTIONS MUST HAVE ADMITTING PRIVILEGES AT A HOSPITAL WITHIN THIRTY MILES OF WHERE THE PHYSICIAN PERFORMS SURGICAL ABORTIONS; AND PROVIDING SEVERABILITY.

[S 1096](#), [S 1097](#), [S 1098](#), [S 1099](#), [S 1100](#), [S 1101](#), and [S 1102](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

**Miscellaneous Business**

President Pro Tempore Hill and Senator Cameron were recorded present at this order of business.

On motion by Senator Davis, seconded by Senator Werk, by voice vote, the Senate adjourned at 4:20 p.m. until the hour of 10:30 a.m., Tuesday, February 17, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**THIRTY-SEVENTH LEGISLATIVE DAY**  
**TUESDAY, FEBRUARY 17, 2015**

Senate Chamber

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

Roll call showed all members present except Senator Bair, absent and formally excused by the Chair; and Senators Bayer, Brackett, Cameron, and Den Hartog, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Karessa Love, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 16, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

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

February 17, 2015

The JUDICIARY AND RULES Committee reports that [SJM 101](#), [SCR 105](#), [SCR 106](#), [SCR 107](#), [SCR 108](#), [SCR 109](#), [SCR 110](#), [SCR 111](#), [S 1095](#), [S 1096](#), [S 1097](#), [S 1098](#), [S 1099](#), [S 1100](#), [S 1101](#), and [S 1102](#) have been correctly printed.

HAGEDORN, Vice-Chairman

On request by Senator Davis, granted by unanimous consent, [SCR 105](#) and [SCR 106](#) were referred to the Education Committee.

On request by Senator Davis, granted by unanimous consent, [SCR 107](#) and [SCR 108](#) were referred to the Resources and Environment Committee.

On request by Senator Davis, granted by unanimous consent, [SCR 109](#), [SCR 110](#), and [SCR 111](#) were referred to the Health and Welfare Committee.

[SJM 101](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1095](#) was referred to the Judiciary and Rules Committee.

[S 1096](#) and [S 1097](#) were referred to the Education Committee.

[S 1098](#), [S 1099](#), and [S 1100](#) were referred to the Resources and Environment Committee.

[S 1101](#) was referred to the Health and Welfare Committee.

[S 1102](#) was referred to the State Affairs Committee.

February 16, 2015

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

Debra Field to the State Board of Correction, term to expire January 1, 2017.

Jean Fisher to the Sexual Offender Management Board, term to expire January 1, 2018.

John Burnham to the Sexual Offender Management Board, term to expire January 1, 2018.

Shane Evans to the Sexual Offender Management Board, term to expire January 1, 2018.

HAGEDORN, Vice-Chairman

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

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

### Messages from the Governor

February 13, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that George Eskridge of Dover, Idaho, was appointed as a member of the Idaho Energy Resources Authority to serve a term commencing January 8, 2015, and expiring June 30, 2019.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

The Senate advanced to the Ninth Order of Business.

### Messages from the House

February 16, 2015

Dear Mr. President:

I transmit herewith [H 61](#), [H 62](#), and [H 64](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 61](#), [H 62](#), and [H 64](#) were filed for first reading.

February 17, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 77](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 77](#) and ordered it returned to the House.

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

### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 61](#), [H 62](#), and [H 64](#), by Judiciary, Rules, and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

The Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

[S 1026](#), [S 1027](#), and [S 1029](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, [HCR 2](#) retained its place on the calendar for Thursday, February 19, 2015.

Senators Cameron and Brackett were recorded present at this order of business.

The President announced that [SCR 104](#) was before the Senate for final consideration.

Moved by Senator Schmidt, seconded by Senator Martin, that [SCR 104](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Bair, Patrick. Total - 2.

Total - 35.

Whereupon the President declared [SCR 104](#) adopted, title was approved, and the resolution ordered transmitted to the House.

At this time Senator Davis arose on a point of personal privilege to announce that two distinguished visitors had arrived, and the President appointed President Pro Tempore Hill and Senators Lakey and Werk to escort United States Senators Michael D. Crapo and James E. Risch, into the Senate Chamber where they addressed the members of the Senate.

The President thanked United States Senators Crapo and Risch for their remarks and President Pro Tempore Hill and Senators Lakey and Werk escorted the Senators from the Chamber, and the Committee was discharged.

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

### Third Reading of Bills

[S 1037](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Bair. Total - 1.

Total - 35.

Whereupon the President declared [S 1037](#) passed, title was approved, and the bill ordered transmitted to the House.

President Little called Senator Werk to the Chair.

[S 1020](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Bair. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1020](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1031](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Bair. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1031](#) passed, title was approved, and the bill ordered transmitted to the House.

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

Roll call resulted as follows:

AYES—Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Bair. Total - 1.

Total - 35.

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

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

President Little returned to the Chair.

Roll call resulted as follows:

AYES—Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Bair. Total - 1.

Total - 35.

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

[S 1011](#) was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Ward-Engelking and Acting Senator Johnson disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Heider, Hill, Johnson, Lacey, Lakey, Lee, Martin, McKenzie, Mortimer, Patrick, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Ward-Engelking, Werk. Total - 25.

NAYS—Bayer, Hagedorn, Keough, Johnson (Lodge), Nonini, Nuxoll, Rice, Vick, Winder. Total - 9.

Absent and excused—Bair. Total - 1.

Paired and voting included in roll call:

AYE - Heider

NAY - Nuxoll

Total - 35.

Whereupon the President declared [S 1011](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

#### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Werk, by voice vote, the Senate adjourned at 1 p.m. until the hour of 10:45 a.m., Wednesday, February 18, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**THIRTY-EIGHTH LEGISLATIVE DAY  
WEDNESDAY, FEBRUARY 18, 2015**

Senate Chamber

President Little called the Senate to order at 10:45 a.m.

Roll call showed all members present except Senators Burgoyne and Werk, absent and formally excused by the Chair; and Senators Johnson, and Mortimer, absent and excused.

Prayer was offered by Acting Chaplain Keith Buhler, The Church of Jesus Christ of Latter-day Saints.

The Pledge of Allegiance was led by Miles Madden, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 17, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Fourth Order of Business.

### Reading of Communications

February 17, 2015

The Honorable Brad Little  
President of the Senate  
Idaho State Capitol

Dear Mr. President:

I have accepted an appointment to the Idaho State Tax Commission offered by Governor C.L. "Butch" Otter. In accordance with Idaho Code 59-902 I am tendering my resignation from the Idaho State Senate effective immediately upon receipt of this letter.

It has been an honor serving the people of the great state of Idaho in the Idaho State Senate. I look forward to continuing my public service on the Idaho State Tax Commission.

Sincerely,  
/s/ Senator Elliot Werk

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

Senators Johnson and Mortimer were recorded present at this order of business.

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

### Reports of Standing Committees

February 17, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1079](#) and [S 1081](#) with the recommendation that they do pass.

TIPPETS, Chairman

[S 1079](#) and [S 1081](#) were filed for second reading.

February 17, 2015

The TRANSPORTATION Committee reports out [S 1082](#) with the recommendation that it do pass.

BRACKETT, Chairman

[S 1082](#) was filed for second reading.

February 17, 2015

The TRANSPORTATION Committee reports out [S 1061](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, [S 1061](#) was referred to the Fourteenth Order of Business, General Calendar.

February 17, 2015

The HEALTH AND WELFARE Committee reports out [H 4](#), [H 5](#), [H 6](#), [H 7](#), [H 8](#), and [H 9](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 4](#), [H 5](#), [H 6](#), [H 7](#), [H 8](#), and [H 9](#) were filed for second reading.

February 18, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1044](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[S 1044](#) was filed for second reading.

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

### Messages from the Governor

February 16, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Darrell Bolz of Caldwell, Idaho, was appointed as a member of the State Public Defense Commission to serve a term commencing July 1, 2014, and expiring July 1, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

February 16, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Sara Thomas of Meridian, Idaho, was appointed as a member of the State Public Defense Commission to serve a term commencing July 1, 2014, and expiring July 1, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

The Senate advanced to the Ninth Order of Business.

#### Messages from the House

February 17, 2015

Dear Mr. President:

I transmit herewith [H 39](#), [H 75](#), [H 68](#), and [H 70](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 39](#), [H 75](#), [H 68](#), and [H 70](#) were filed for first reading.

February 17, 2015

Dear Mr. President:

I return herewith [S 1021](#), which has passed the House.

ALEXANDER, Chief Clerk

[S 1021](#) was referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the following roster of minority leadership was ordered spread upon the pages of the Journal:

Minority Leader.....Senator Michelle Stennett  
Assistant Minority Leader.....Senator Cherie Buckner-Webb  
Minority Caucus Chairman.....Senator Grant Burgoyne

On request by Senator Davis, granted by unanimous consent, the seats, as presently occupied by minority leadership, were permanently assigned to the Senators for the Sixty-third Idaho Legislature.

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Debra Field retained its place on the calendar for Thursday, February 19, 2015.

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of Shane Evans retained its place on the calendar for Thursday, February 19, 2015.

The President announced that [SJM 101](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator McKenzie, seconded by Senator Stennett, [SJM 101](#) was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Jean Fisher was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Bayer, the Gubernatorial reappointment of Jean Fisher as a member of the Sexual Offender Management Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of John Burnham was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by President Pro Tempore Hill, seconded by Senator Stennett, the Gubernatorial reappointment of John Burnham as a member of the Sexual Offender Management Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

#### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 39](#) and [H 75](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 68](#), by Local Government Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 70](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.



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

### Third Reading of Bills

**S 1045** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Burgoyne. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1045** passed, title was approved, and the bill ordered transmitted to the House.

**S 1026** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Burgoyne. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1026** passed, title was approved, and the bill ordered transmitted to the House.

**S 1027** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Burgoyne. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1027** passed, title was approved, and the bill ordered transmitted to the House.

**S 1029** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Burgoyne. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1029** passed, title was approved, and the bill ordered transmitted to the House.

**H 20** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Burgoyne. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **H 20** passed, title was approved, and the bill ordered returned to the House.

**H 10** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Burgoyne. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **H 10** passed, title was approved, and the bill ordered returned to the House.

**H 11** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

President Little called President Pro Tempore Hill to the Chair.

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Burgoyne. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared [H 11](#) passed, title was approved, and the bill ordered returned to the House.

[H 12](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Burgoyne. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared [H 12](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [H 13](#), [H 34](#), and [H 36](#) retained their place on the Third Reading Calendar for one legislative day.

[H 37](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Burgoyne. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared [H 37](#) passed, title was approved, and the bill ordered returned to the House.

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

### General Calendar

The President Pro Tempore declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President Pro Tempore called the Senate to order.

### Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out [H 15](#) and [S 1015](#), without recommendation, amended as follows:

#### SENATE AMENDMENT TO H 15 AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 3, delete "evidence of the judicial filing" and insert: "a written request for a title stop and the required fee"; in line 9, following "received" insert: ", the requesting party has instructed the department to remove the stop, the requesting party has failed to respond to notice under paragraph (c) of this subsection,"; and following line 10 insert:

"(c) If a person files evidence with the department that they have acquired title to the vehicle for which a title stop has been placed, then the department shall send notice to the original requesting party providing ten (10) business days from the date notice was mailed to object to the release of the title stop. If the department does not receive timely response from the requesting party, or if the requesting party instructs the department to remove the stop, then the title stop shall be immediately released."

#### CORRECTION TO TITLE

On page 1, in line 12, following "STOP," insert: "TO PROVIDE THAT A PERSON MAY FILE EVIDENCE THAT THEY HAVE ACQUIRED TITLE TO A VEHICLE FOR WHICH A TITLE STOP HAS BEEN PLACED, TO PROVIDE FOR NOTICE, TO PROVIDE FOR THE RELEASE OF A TITLE STOP UNDER CERTAIN CONDITIONS,".

#### SENATE AMENDMENT TO S 1015 AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 18 through 30, and insert:

~~"(a) All dealers, including wholesale, but excluding a dealer exclusively in the business of motorcycles, motor-driven cycles and motorbikes, all-terrain vehicles, utility type vehicles, truck campers and snow machine sales, twenty thousand dollars (\$20,000).~~

~~(b) A dealer exclusively in the business of motorcycle, motor-driven cycle and motorbike sales, all-terrain vehicles, utility type vehicles, truck campers and snow machine sales, ten thousand dollars (\$10,000).~~

~~(b) Any wholesale dealer in the business of wholesaling used vehicles of all types, forty thousand dollars (\$40,000). Such wholesale dealer licensees shall be exempt from participating in the Idaho consumer asset recovery fund as provided in sections 49-1608B through 49-1608F, Idaho Code.~~

~~(c) All other dealers, twenty thousand dollars (\$20,000)."~~

#### CORRECTION TO TITLE

On page 1, delete lines 3 through 6, and insert: "REMOVE BOND PROVISIONS RELATING TO CERTAIN DEALERS,

TO REQUIRE THE PROCUREMENT AND FILING OF A SPECIFIED BOND BY WHOLESALE DEALERS, TO PROVIDE AN EXEMPTION FROM PARTICIPATION IN THE IDAHO CONSUMER ASSET RECOVERY FUND BY CERTAIN WHOLESALE DEALER LICENSEES AND TO SPECIFY BOND REQUIREMENTS FOR ALL OTHER DEALERS.".

The Committee also has [S 1061](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

[S 1015](#), as amended, was referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

[H 15](#), as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Fifteenth Order of Business.

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 11 a.m., Thursday, February 19, 2015.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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THIRTY-NINTH LEGISLATIVE DAY  
THURSDAY, FEBRUARY 19, 2015

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senator Bair, absent and formally excused by the Chair; and Senators Cameron and Stennett, absent and excused. [District 17 seat is temporarily vacant.]

Prayer was offered by Acting Chaplain Keith Buhler.

The Pledge of Allegiance was led by Cameron Floyd, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 18, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senator Stennett was recorded present at this order of business.

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

### Reports of Standing Committees

February 18, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 15](#) and [S 1015](#) have been correctly printed.

HAGEDORN, Vice-Chairman

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

February 18, 2015

The JUDICIARY AND RULES Committee reports that [S 1015](#), as amended, has been correctly engrossed.

HAGEDORN, Vice-Chairman

[S 1015](#), as amended, was filed for first reading.

February 18, 2015

The JUDICIARY AND RULES Committee reports that [S 1021](#) has been correctly enrolled.

HAGEDORN, Vice-Chairman

The President signed Enrolled [S 1021](#) and ordered it transmitted to the House for the signature of the Speaker.

Senator Cameron was recorded present at this order of business.

February 18, 2015

The HEALTH AND WELFARE Committee reports out [H 23](#), [H 24](#), and [H 25](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 23](#), [H 24](#), and [H 25](#) were filed for second reading.

February 18, 2015

The EDUCATION Committee reports out [H 52](#) and [S 1050](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 52](#) and [S 1050](#) were filed for second reading.

February 18, 2015

The JUDICIARY AND RULES Committee reports out [S 1014](#), [S 1025](#), [S 1040](#), [S 1051](#), and [S 1052](#) with the recommendation that they do pass.

HAGEDORN, Vice-Chairman

[S 1014](#), [S 1025](#), [S 1040](#), [S 1051](#), and [S 1052](#) were filed for second reading.

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

### Messages from the Governor

February 17, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kimber Ricks of Sugar City, Idaho, was appointed as a member of the State Public Defense Commission to serve a term commencing July 1, 2014, and expiring July 1, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

February 17, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kristine Sasser of Boise, Idaho, was appointed as a member of the Public Utilities Commission to serve a term commencing February 19, 2015, and expiring January 13, 2021.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the State Affairs Committee.

February 17, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Elliot Werk of Boise, Idaho, was appointed as a member of the State Tax Commission to serve a term commencing February 17, 2015, and expiring March 8, 2015.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the Local Government and Taxation Committee.

February 17, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Elliot Werk of Boise, Idaho, was appointed as a member of the State Tax Commission to serve a term commencing March 8, 2015, and expiring March 8, 2021.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the Local Government and Taxation Committee.

February 18, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

**S 1013**

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

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

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

**Motions and Resolutions**

The President announced that **HCR 2** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Davis, seconded by Senator Stennett, **HCR 2** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Debra Field was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Hagedorn, seconded by Senator Burgoyne, the Gubernatorial appointment of Debra Field as a member of the State Board of Correction was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Shane Evans was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Burgoyne, seconded by Senator Lakey, the Gubernatorial reappointment of Shane Evans as a member of the Sexual Offender Management Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, the following changes were made in Standing Committee assignments for the First Regular Session of the Sixty-third Idaho Legislature: Senator Buckner-Webb's assignment to the Resources and Conservation Committee was withdrawn and she was assigned to the State Affairs Committee.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1103  
BY JUDICIARY AND RULES COMMITTEE  
AN ACT**

RELATING TO CRIMINAL HISTORY RECORDS; AMENDING CHAPTER 30, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-3014, IDAHO CODE, TO PROVIDE THAT A VICTIM OF HUMAN TRAFFICKING MAY PETITION FOR EXPUNGEMENT OF A CRIMINAL HISTORY RECORD UNDER CERTAIN CONDITIONS, TO PROVIDE FOR DENIAL OF A PETITION, TO PROVIDE FOR A HEARING ON A PETITION, TO PROVIDE REQUIREMENTS FOR A HEARING, TO PROVIDE FOR CONSIDERATION OF CERTAIN EVIDENCE AT A HEARING, TO PROVIDE FOR THE GRANTING OF A PETITION AND TO DEFINE TERMS.

[S 1103](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[S 1015](#), as amended, by Transportation Committee, was read the first time at length and filed for second reading.

[H 15](#), as amended in the Senate, by Transportation and Defense Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[S 1079](#) and [S 1081](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[S 1082](#), by Transportation Committee, was read the second time at length and filed for third reading.

[H 4](#), [H 5](#), [H 6](#), [H 7](#), [H 8](#), and [H 9](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[S 1044](#), by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

[H 13](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Call of the Senate was requested by Senator Cameron.

Whereupon the President ordered the doorkeepers to lock the doors permitting no Senator to leave the Senate Chamber. The Sergeant-at-Arms was instructed to find and present any absent members to the Senate.

Roll call showed all members present except Senator Bair, absent and formally excused by the Chair; and Senators Heider, Rice, and Thayne, absent and excused. [District 17 seat is temporarily vacant.]

The President directed the Sergeant-at-Arms to find and present Senators Heider, Rice, and Thayne to the Senate.

Senators Heider, Rice, and Thayne were recorded present.

On request by Senator Cameron, granted by unanimous consent, the Call was lifted.

Roll call resulted as follows:

AYES—Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Bair. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [H 13](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

**Messages from the House**

February 19, 2015

Dear Mr. President:

I transmit herewith [H 168](#), which has passed the House.

ALEXANDER, Chief Clerk

[H 168](#) was filed for first reading.

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

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

[H 168](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:15 p.m. until the hour of 10:30 a.m., Friday, February 20, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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FORTIETH LEGISLATIVE DAY  
FRIDAY, FEBRUARY 20, 2015

Senate Chamber

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

Roll call showed all members present except Senators Bair, Burgoyne, and Souza, absent and formally excused by the Chair. [District 17 seat is temporarily vacant.]

Prayer was offered by Acting Chaplain Keith Buhler.

The Pledge of Allegiance was led by Brooke Chick, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 19, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Petitions, Resolutions, and Memorials

#### SCR 112 BY STATE AFFAIRS COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND  
RECOGNIZING AND CONGRATULATING BOUNDARY  
COUNTY AND ITS RESIDENTS ON ITS CENTENNIAL  
ANNIVERSARY.

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

WHEREAS, Boundary County is celebrating its Centennial Anniversary during 2015; and

WHEREAS, in 1915, during the Thirteenth Idaho Legislature, the Legislature passed House Bill No. 1, creating Boundary County. The bill was signed by Governor Moses Alexander on January 25, 1915. The bill declared the village of Bonners Ferry to be the county seat and ordered the county commissioners to meet in the village of Bonners Ferry on the first Monday of July 1915. Governor Alexander appointed H. L. Shively, James Deyoe, and Donald C. McColl as the first Board

of Boundary County Commissioners who first met in Boundary County on July 5, 1915; and

WHEREAS, Boundary County was so named because it borders Canada on the north, Washington on the west and Montana on the east. It is the only county in Idaho with an international border. The county consists of 1,278 square miles, with 9.3 square miles of water; and

WHEREAS, the Kootenai Valley is the ancestral home of the Kootenai Tribe of Idaho. They were not represented when other tribes ceded their land to the United States in the Treaty of July 16, 1855, in exchange for reservations, and so therefore were left landless. On September 20, 1974, following years of loss of their aboriginal lands, the 67 remaining Kootenais declared war on the United States of America. The peaceful war ended with the tribe being deeded 12.5 acres of land and the tribe remains an integral partner in Boundary County today; and

WHEREAS, the Boundary County Courthouse was under construction from 1935 to 1937 and was listed on the National Register of Historic Places on September 27, 1987. The front of the courthouse bears carvings depicting county resources of farming, mining and logging; and

WHEREAS, on May 1, 1989, the Boundary County seal was adopted. In the center of the seal is the head of a deer surrounded by pine trees, with the Moyie Dam depicted below, along with drawings setting forth the county resources of farming, mining and logging, and depictions of hops are presented to the left and right; and

WHEREAS, mining was once a major resource in Boundary County. On December 22, 1864, the second session of the Idaho Territorial Legislature convened at Lewiston and granted Edwin L. Bonner and his party the right to build and operate a ferry across the Kootenai River. Bonners Ferry became a major shipping and supply point for Canadian mines; and

WHEREAS, the timber industry was once a major employer of the area with over 10 sawmills. Logging and farming are still major resources in Boundary County; and

WHEREAS, the Northern Pacific Railroad and the Great Northern Railroad lines were completed in Boundary County in 1882 and 1892, respectively; and

WHEREAS, the first fire department in Boundary County was established in 1904, electricity came to Boundary County in 1905, and Boundary County's first hospital was opened in 1907; and

WHEREAS, the Moyie River and the Kootenai River run through Boundary County, and there are more than 60 lakes in the county. Major floods on the Kootenai River plagued the valley until the Libby Dam was completed in July 1973. Prior to the dam, drainage districts were constructed to retain the high water in an attempt to prevent flooding of farmland. The highest water stage at Bonners Ferry was recorded in 1961 at 37.28 feet; and

WHEREAS, Boundary County is also home to portions of the Idaho Panhandle National Forests, the Kaniksu National Forest, the Selkirk, Cabinet and Purcell mountain ranges, the Wild Horse Trail, the Kootenai River White Sturgeon, and the Kootenai National Wildlife Refuge.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we hereby recognize and congratulate Boundary County and its residents on its Centennial Anniversary.

**SCR 112** was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

February 20, 2015

The JUDICIARY AND RULES Committee reports that [S 1103](#) has been correctly printed.

HAGEDORN, Vice-Chairman

[S 1103](#) was referred to the Judiciary and Rules Committee.

February 19, 2015

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

Dave Radford to the State Soil and Water Conservation Commission, term to expire July 1, 2019.

RICE, Chairman

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

February 19, 2015

The AGRICULTURAL AFFAIRS Committee reports out [S 1073](#) with the recommendation that it do pass.

RICE, Chairman

[S 1073](#) was filed for second reading.

February 19, 2015

The FINANCE Committee reports out [H 168](#) with the recommendation that it do pass.

CAMERON, Chairman

[H 168](#) was filed for second reading.

February 19, 2015

The TRANSPORTATION Committee reports out [S 1083](#) and [S 1084](#) with the recommendation that they do pass.

BRACKETT, Chairman

[S 1083](#) and [S 1084](#) were filed for second reading.

February 19, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1006](#), [S 1007](#), [S 1008](#), [S 1009](#), [S 1010](#), and [S 1023](#) with the recommendation that they do pass.

TIPPETS, Chairman

[S 1006](#), [S 1007](#), [S 1008](#), [S 1009](#), [S 1010](#), and [S 1023](#) were filed for second reading.

February 19, 2015

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

MORTIMER, Chairman

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

February 20, 2015

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

Cameron Arial to the Treasurer's Investment Advisory Board, term to expire July 1, 2018.

Gavin Gee to the Treasurer's Investment Advisory Board, term to expire July 1, 2016.

Kerrie Murray to the Treasurer's Investment Advisory Board, term to expire July 1, 2016.

W. Craig Corbett to the Idaho Lottery Commission, term to expire January 1, 2020.

MCKENZIE, Chairman

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

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

### Messages from the House

February 19, 2015

Dear Mr. President:

I transmit herewith [H 109](#), [H 133](#), and [H 95](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 109](#), [H 133](#), and [H 95](#) were filed for first reading.

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

### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

#### S 1104

#### BY STATE AFFAIRS COMMITTEE

#### AN ACT

RELATING TO VETERANS; AMENDING CHAPTER 2, TITLE 65, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 65-210, IDAHO CODE, TO AUTHORIZE THE ESTABLISHMENT OF A VETERANS HOME.

[S 1104](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 109](#), [H 133](#), and [H 95](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

[H 23](#), [H 24](#), and [H 25](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 52](#), by Transportation and Defense Committee, was read the second time at length and filed for third reading.



[S 1050](#), by Education Committee, was read the second time at length and filed for third reading.

[S 1014](#), [S 1025](#), [S 1040](#), [S 1051](#), and [S 1052](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[S 1015](#), as amended, by Transportation Committee, was read the second time at length and filed for third reading.

[H 15](#), as amended in the Senate, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

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

### General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

### Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out [S 1061](#), without recommendation, amended as follows:

#### SENATE AMENDMENT TO S 1061 AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 20, following "in" insert: "or prior to".

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

[S 1061](#), as amended, was referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

### Third Reading of Bills

[S 1079](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bayer, Brackett, Buckner-Webb, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—None.

Absent and excused—Bair, Burgoyne, Cameron, Souza. Total - 4.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1079](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1081](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—None.

Absent and excused—Bair, Burgoyne, Souza. Total - 3.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1081](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, [S 1044](#) was placed at the head of the Third Reading Calendar, followed by all remaining Senate bills, followed by House bills.

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

### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:05 a.m. until the hour of 10 a.m., Monday, February 23, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**FORTY-THIRD LEGISLATIVE DAY**  
**MONDAY, FEBRUARY 23, 2015**

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Rice, absent and formally excused by the Chair; and Senators Bair, Cameron, Guthrie, Johnson, Keough, Lacey, Mortimer, Nuxoll, Schmidt, and Thayn, absent and excused. [District 17 seat is temporarily vacant.]

Prayer was offered by Acting Chaplain Keith Buhler.

The Pledge of Allegiance was led by Molly Ashby, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 20, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

February 23, 2015

The JUDICIARY AND RULES Committee reports that [SCR 112](#) and [S 1104](#) have been correctly printed.

LODGE, Chairman

[SCR 112](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1104](#) was referred to the State Affairs Committee.

February 20, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1061](#) have been correctly printed.

HAGEDORN, Vice-Chairman

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

February 20, 2015

The JUDICIARY AND RULES Committee reports that [S 1061](#), as amended, has been correctly engrossed.

HAGEDORN, Vice-Chairman

[S 1061](#), as amended, was filed for first reading.

February 20, 2015

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

Lisa Growette Bostaph to the Commission on Pardons and Parole, term to expire January 1, 2018.

HAGEDORN, Vice-Chairman

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

February 20, 2015

The JUDICIARY AND RULES Committee reports out [S 1034](#) and [S 1035](#) with the recommendation that they do pass.

HAGEDORN, Vice-Chairman

[S 1034](#) and [S 1035](#) were filed for second reading.

February 20, 2015

The JUDICIARY AND RULES Committee reports out [S 1033](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

HAGEDORN, Vice-Chairman

There being no objection, [S 1033](#) was referred to the Fourteenth Order of Business, General Calendar.

February 23, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 76](#) and [H 85](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 76](#) and [H 85](#) were filed for second reading.

February 23, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 29](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SIDDOWAY, Chairman

There being no objection, [H 29](#) was referred to the Fourteenth Order of Business, General Calendar.

February 23, 2015

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

Gary Michael to the Treasurer's Investment Advisory Board, term to expire July 1, 2016.

Gary Saylor as the Adjutant General of the Idaho Military Division, term to continue at the pleasure of the Governor.

MCKENZIE, Chairman

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

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

**Messages from the Governor**

February 19, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Candace Sweigart of Boise, Idaho, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing February 5, 2015, and expiring April 10, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

The Senate advanced to the Ninth Order of Business.

**Messages from the House**

February 20, 2015

Dear Mr. President:

I transmit herewith [H 110](#), [H 96](#), [H 122](#), and [H 30](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 110](#), [H 96](#), [H 122](#), and [H 30](#) were filed for first reading.

February 20, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 20](#), [H 10](#), [H 11](#), [H 12](#), and [H 37](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President Pro Tempore signed Enrolled [H 20](#), [H 10](#), [H 11](#), [H 12](#), and [H 37](#) and ordered them returned to the House.

February 20, 2015

Dear Mr. President:

I return herewith Enrolled [S 1021](#), which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1021](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

**Motions and Resolutions**

Moved by Senator Davis, seconded by Senator Stennett, that the following attaches be elected to fill the offices provided for by the *Constitution* of the State of Idaho and by statute:

Minority Staff Assistant .....Morgan Hill

Pages:

- Molly Ashby, Meridian
- Tim Bush, Boise
- Samuel Cahoon, Twin Falls
- Kayla Christensen, Emmett
- Nolan Cole, Rigby
- Lydia Deatherage, Pocatello
- Savannah Martin, Boise
- Christopher Miller, Boise
- Samantha Mooney, Boise
- Joshua Price, Garden City

The question being, Shall the motion prevail?

Roll call resulted as follows:

AYES—Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Hagedorn, Heider, Hill, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Patrick, Siddoway, Souza, Stennett, Tippets, Vick, Ward-Engelking, Winder. Total - 23.

NAYS—None.

Absent and excused—Bair, Cameron, Guthrie, Johnson, Keough, Lacey, Mortimer, Nuxoll, Rice, Schmidt, Thayne. Total - 11.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared the attaches duly elected to their respective positions. The President Pro Tempore instructed the Sergeant-at-Arms to escort the attaches to the Desk at which time the Oath of Office was administered to the elected attaches and they were escorted from the Chamber.

The President Pro Tempore announced that the Agricultural Affairs Committee report relative to the Gubernatorial reappointment of Dave Radford was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Brackett, seconded by Senator Burgoyne, the Gubernatorial reappointment of Dave Radford as a member of the State Soil and Water Conservation Commission was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Gavin Gee retained its place on the calendar for Tuesday, February 24, 2015.

The President Pro Tempore announced that the State Affairs Committee report relative to the Gubernatorial appointment of Cameron Arial was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Hagedorn, seconded by Senator Buckner-Webb, the Gubernatorial appointment of Cameron Arial as a member of the Treasurer's Investment Advisory Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

Senator Lacey was recorded present at this order of business.

The President Pro Tempore announced that the State Affairs Committee report relative to the Gubernatorial appointment of Kerrie Murray was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Stennett, seconded by Senator Winder, the Gubernatorial appointment of Kerrie Murray as a member of the Treasurer's Investment Advisory Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

Senators Bair, Cameron, Guthrie, Johnson, Keough, Mortimer, Nuxoll, Schmidt, and Thayne were recorded present at this order of business.

The President Pro Tempore announced that the State Affairs Committee report relative to the Gubernatorial reappointment of W. Craig Corbett was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Tippetts, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of W. Craig Corbett as a member of the Idaho Lottery Commission was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

### **Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials**

[S 1061](#), as amended, by Transportation Committee, was read the first time at length and filed for second reading.

[H 110](#) and [H 122](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

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

[H 30](#), by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

### **Second Reading of Bills**

[S 1073](#), by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

[H 168](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1083](#) and [S 1084](#), by Transportation Committee, were read the second time at length and filed for third reading.

[S 1006](#), [S 1007](#), [S 1008](#), [S 1009](#), [S 1010](#), and [S 1023](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[S 1070](#), by Education Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

### **Third Reading of Bills**

[S 1044](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate.

On request by Senator Winder, granted by unanimous consent, [S 1044](#) retained its place on the Third Reading Calendar.

Moved by Senator Winder, seconded by Senator Cameron, that all rules of the Senate interfering with the immediate consideration of [H 168](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Siddoway, Souza, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—None.

Absent and excused—Davis, Rice, Stennett. Total - 3.

Total - 34. [District 17 seat is temporarily vacant.]

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 168](#) was before the Senate for final consideration.

**H 168** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Rice. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared **H 168** passed, title was approved, and the bill ordered returned to the House.

**S 1044**, having been held, having previously been read the third time at length and debate having previously been opened, was before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and reopened the debate. The question being, "Shall the bill pass?"

Moved by Senator Johnson, seconded by Senator McKenzie, that **S 1044** be referred to the Fourteenth Order of Business for amendment. The question being, "Shall the motion prevail?"

Roll call vote was requested by Senator Siddoway.

Roll call resulted as follows:

AYES—Buckner-Webb, Burgoyne, Johnson, McKenzie, Schmidt, Stennett. Total - 6.

NAYS—Bair, Bayer, Brackett, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Siddoway, Souza, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 27.

Absent and excused—Rice. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared that the motion to refer **S 1044** to the Fourteenth Order of Business for amendment did not prevail. The question being, "Shall **S 1044** pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Davis, Den Hartog, Guthrie, Hagedorn, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Siddoway, Souza, Thayn, Tippetts, Vick. Total - 20.

NAYS—Buckner-Webb, Burgoyne, Cameron, Heider, Hill, Johnson, Lacey, Lakey, McKenzie, Schmidt, Stennett, Ward-Engelking, Winder. Total - 13.

Absent and excused—Rice. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared **S 1044** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

### Messages from the House

February 23, 2015

Dear Mr. President:

I transmit herewith Enrolled **H 168** for the signature of the President.

ALEXANDER, Chief Clerk

The President Pro Tempore signed Enrolled **H 168** and ordered it returned to the House.

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

### Third Reading of Bills

On request by Senator Tippetts, granted by unanimous consent, **S 1040** was referred to the Fourteenth Order of Business, General Calendar.

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

### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:20 p.m. until the hour of 10 a.m., Tuesday, February 24, 2015.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**FORTY-FOURTH LEGISLATIVE DAY**  
**TUESDAY, FEBRUARY 24, 2015**

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senator McKenzie, absent and formally excused by the Chair; and Senators Bayer and Cameron, absent and excused. [District 17 seat is temporarily vacant.]

Prayer was offered by Acting Chaplain Keith Buhler.

The Pledge of Allegiance was led by Tim Bush, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 23, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

February 23, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [S 1021](#) was delivered to the Office of the Governor at 11 a.m., February 23, 2015.

LODGE, Chairman

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

February 23, 2015

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

George McQuiston Jr. to the Idaho Outfitters and Guides Licensing Board, term to expire April 20, 2017.

Randy K. Doman to the Park and Recreation Board, term to expire June 30, 2020.

BAIR, Chairman

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

Senator Bayer was recorded present at this order of business.

February 23, 2015

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

Bob Barowsky to the Idaho Outfitters and Guides Licensing Board, term to expire May 31, 2017.

BAIR, Chairman

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

February 23, 2015

The RESOURCES AND ENVIRONMENT Committee reports out [S 1057](#), [S 1058](#), [S 1098](#), and [S 1099](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1057](#), [S 1058](#), [S 1098](#), and [S 1099](#) were filed for second reading.

February 23, 2015

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

William Wellman to the State Public Defense Commission, term to expire July 1, 2017.

LODGE, Chairman

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

February 23, 2015

The JUDICIARY AND RULES Committee reports out [H 55](#) and [S 1056](#) with the recommendation that they do pass.

LODGE, Chairman

[H 55](#) and [S 1056](#) were filed for second reading.

February 23, 2015

The JUDICIARY AND RULES Committee reports out [S 1041](#) and [S 1053](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [S 1041](#) and [S 1053](#) were referred to the Fourteenth Order of Business, General Calendar.

February 23, 2015

The EDUCATION Committee reports out [S 1086](#) and [S 1087](#) with the recommendation that they do pass.

MORTIMER, Chairman

[S 1086](#) and [S 1087](#) were filed for second reading.

February 23, 2015

The HEALTH AND WELFARE Committee reports out [S 1060](#) with the recommendation that it do pass.

HEIDER, Chairman

[S 1060](#) was filed for second reading.

Senator Cameron was recorded present at this order of business.

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

#### **Messages from the House**

February 23, 2015

Dear Mr. President:

I transmit herewith [H 81](#), [HCR 6](#), [H 94](#), and [HCR 7](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 81](#), [HCR 6](#), [H 94](#), and [HCR 7](#) were filed for first reading.

February 23, 2015

Dear Mr. President:

I return herewith [S 1018](#), which has passed the House.

ALEXANDER, Chief Clerk

[S 1018](#) was referred to the Judiciary and Rules Committee for enrolling.

February 23, 2015

Dear Mr. President:

I transmit herewith Enrolled [HCR 2](#) and [H 13](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [HCR 2](#) and [H 13](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

#### **Motions and Resolutions**

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Gavin Gee was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by President Pro Tempore Hill, seconded by Senator Burgoyne, the Gubernatorial appointment of Gavin Gee as a member of the Treasurer's Investment Advisory Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

Senator McKenzie was recorded present at this order of business.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Lisa Growette Bostaph was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Burgoyne, seconded by Senator Hagedorn, the Gubernatorial reappointment of Lisa Growette Bostaph as a member of the Commission on Pardons and Parole was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Gary Michael was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Winder, the Gubernatorial appointment of Gary Michael as a member of the Treasurer's Investment Advisory Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, [SCR 112](#) retained its place on the calendar for Monday, March 2, 2015.

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

#### **Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials**

[H 81](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[HCR 6](#), by Commerce and Human Resources Committee, was introduced, read at length, and referred to the Commerce and Human Resources Committee.

[H 94](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[HCR 7](#), by Resources and Conservation Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

The Senate advanced to the Twelfth Order of Business.

#### **Second Reading of Bills**

[S 1034](#) and [S 1035](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[H 76](#) and [H 85](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

[S 1061](#), as amended, by Transportation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

[S 1082](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1082](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1050](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Cameron, Johnson, Lacey, Schmidt. Total - 4.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1050](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1014](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Cameron and Nonini disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1014](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, [S 1025](#) retained its place on the Third Reading Calendar for Friday, February 27, 2015.

[S 1051](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1051](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1052](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1052](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1015](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1015](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1073](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1073](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1083](#) retained its place on the Third Reading Calendar for Friday, February 27, 2015.

[S 1084](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"



Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Lacey, Lakey, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Keough, Lee, McKenzie, Schmidt. Total - 4.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1084](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1006](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1006](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1007](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1007](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1008](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1008](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1009](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1009](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1010](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate.

President Little called President Pro Tempore Hill to the Chair.

On request by Senator Heider, granted by unanimous consent, [S 1010](#) retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, [S 1070](#) retained its place on the Third Reading Calendar for Monday, March 2, 2015.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

#### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 10 a.m., Wednesday, February 25, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**FORTY-FIFTH LEGISLATIVE DAY  
WEDNESDAY, FEBRUARY 25, 2015**

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

Roll call showed all members present. [District 17 seat is temporarily vacant.]

Prayer was offered by Acting Chaplain Keith Buhler.

The Pledge of Allegiance was led by Samuel Cahoon, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 24, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

February 24, 2015

The JUDICIARY AND RULES Committee reports that [S 1018](#) has been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1018](#) and ordered it transmitted to the House for the signature of the Speaker.

February 23, 2015

The HEALTH AND WELFARE Committee reports it has had under consideration the Gubernatorial reappointments listed below and the Committee recommends that said reappointments be confirmed by the Senate:

Darrell Kerby to the State Board of Health and Welfare, term to expire January 7, 2019..

Richard Roberge to the State Board of Health and Welfare, term to expire January 7, 2019.

Stephen Weeg to the State Board of Health and Welfare, term to expire January 7, 2019.

HEIDER, Chairman

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

February 24, 2015

The AGRICULTURAL AFFAIRS Committee reports out [S 1074](#) with the recommendation that it do pass.

RICE, Chairman

[S 1074](#) was filed for second reading.

February 24, 2015

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

Rodger Lee Sorensen to the Aeronautics Advisory Board, term to expire January 31, 2020.

BRACKETT, Chairman

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

February 24, 2015

The TRANSPORTATION Committee reports out [H 43](#) and [H 96](#) with the recommendation that they do pass.

BRACKETT, Chairman

[H 43](#) and [H 96](#) were filed for second reading.

February 24, 2015

The EDUCATION Committee reports out [H 110](#), [S 1097](#), and [SCR 106](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 110](#) and [S 1097](#) were filed for second reading.

[SCR 106](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 25, 2015

The STATE AFFAIRS Committee reports out [S 1066](#) and [S 1091](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[S 1066](#) and [S 1091](#) were filed for second reading.

February 25, 2015

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

Shane Gehring to the Bingo-Raffle Advisory Board, term to expire January 7, 2018.

MCKENZIE, Chairman

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

February 25, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1080](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

TIPPETS, Chairman

There being no objection, [S 1080](#) was referred to the Fourteenth Order of Business, General Calendar.

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

### Messages from the Governor

February 24, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jeff Anderson of Boise, Idaho, was reappointed Director of the State Liquor Division to serve a term commencing January 5, 2015, and expiring January 5, 2018; however, he may be removed by the Governor at will.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the State Affairs Committee.

February 24, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

### [S 1021](#)

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

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

The Senate advanced to the Ninth Order of Business.

### Messages from the House

February 24, 2015

Dear Mr. President:

I transmit herewith [HCR 8](#), [HCR 9](#), [HCR 10](#), [H 72](#), [H 107](#), [H 108](#), [HCR 5](#), [H 131](#), [H 101](#), [H 102](#), [H 121](#), [H 138](#), and [H 139](#), which have passed the House.

ALEXANDER, Chief Clerk

[HCR 8](#), [HCR 9](#), [HCR 10](#), [H 72](#), [H 107](#), [H 108](#), [HCR 5](#), [H 131](#), [H 101](#), [H 102](#), [H 121](#), [H 138](#), and [H 139](#) were filed for first reading.

February 24, 2015

Dear Mr. President:

I return herewith [S 1028](#), which has passed the House.

ALEXANDER, Chief Clerk

[S 1028](#) was referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the committee report of the Fish and Game appointment confirmation of Bob Barowsky retained its place on the calendar for Thursday, February 26, 2015.

The President Pro Tempore announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Gary Saylor was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Den Hartog, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Gary Saylor as the Adjutant General of the Idaho Military Division was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of George McQuiston Jr. was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Thayn, seconded by Senator Burgoyne, the Gubernatorial appointment of George McQuiston Jr. as a member of the Idaho Outfitters and Guides Licensing Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Randy K. Doman was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Nuxoll, seconded by Senator Schmidt, the Gubernatorial appointment of Randy K. Doman as a member of the Park and Recreation Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of William Wellman was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Den Hartog, seconded by Senator Burgoyne, the Gubernatorial appointment of William Wellman as a member of the State Public Defense Commission was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1105  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO TELECOMMUNICATIONS; AMENDING SECTION 61-121, IDAHO CODE, TO REVISE THE DEFINITION OF "TELEPHONE CORPORATION" AND "TELECOMMUNICATION SERVICE" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 62-603, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 62-618, IDAHO CODE, TO PROVIDE PREEMPTION OF CERTAIN PROVIDERS OF CERTAIN SERVICES; AMENDING CHAPTER 6, TITLE 62, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 62-618A, IDAHO CODE, TO CLARIFY THAT NO STATE GOVERNMENT ENTITY OR POLITICAL SUBDIVISION SHALL REGULATE VOIP AND IP-ENABLED SERVICES WITH EXCEPTIONS; AND AMENDING SECTIONS 18-6609, 26-2239, 61-1302 AND 62-609, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES.

**S 1106  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO CONTROLLED SUBSTANCES; AMENDING SECTION 37-2701, IDAHO CODE, TO REVISE THE DEFINITION OF "MARIJUANA" AND TO DEFINE "CANNABIDIOL OIL"; AND DECLARING AN EMERGENCY.

**S 1107  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO TRUST ACCOUNTS; AMENDING SECTION 63-3067A, IDAHO CODE, TO REVISE PROCEDURES FOR AN INDIVIDUAL TO DESIGNATE A TRUST

ACCOUNT TO WHICH AN INCOME TAX REFUND OR LIABILITY MONEYS IS REMITTED AND TO DELETE TWO ACCOUNTS TO WHICH MONEYS MAY BE REMITTED; REPEALING SECTION 63-3067B, IDAHO CODE, RELATING TO DESIGNATION BY INDIVIDUALS TO CERTAIN TRUST ACCOUNTS OF INCOME TAX REFUNDS OR LIABILITY; AMENDING SECTION 63-3067C, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 63-3067D, IDAHO CODE, TO REVISE PROCEDURES FOR AN INDIVIDUAL TO DESIGNATE THE IDAHO OPPORTUNITY SCHOLARSHIP TO WHICH AN INCOME TAX REFUND OR LIABILITY MONEYS IS REMITTED; AMENDING SECTION 38-136, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 65-209, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

**S 1108  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO AUTONOMOUS DRIVEN VEHICLES; AMENDING TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 37, TITLE 49, IDAHO CODE, TO PROVIDE A TITLE, TO PROVIDE LEGISLATIVE INTENT, TO PROVIDE INSURANCE REQUIREMENTS, TO PROVIDE REQUIREMENTS FOR TESTING AUTONOMOUS DRIVEN VEHICLES, TO PROVIDE THAT AUTONOMOUS DRIVEN VEHICLES SHALL MEET FEDERAL STANDARDS AND REGULATIONS, TO PROVIDE REQUIREMENTS FOR AUTONOMOUS DRIVEN VEHICLES PRIOR TO TESTING OR OPERATION ON HIGHWAYS WITHIN THE STATE, TO PROVIDE AN EXEMPTION FROM LIABILITY FOR MANUFACTURERS AND DEALERS UNDER CERTAIN CONDITIONS, TO PROVIDE THAT ALL HIGHWAYS SHALL BE OPEN FOR TESTING AND TO PROVIDE EXCEPTIONS; AND AMENDING SECTION 49-102, IDAHO CODE, TO DEFINE TERMS.

[S 1105](#), [S 1106](#), [S 1107](#), and [S 1108](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HCR 8](#) and [HCR 10](#), by Resources and Conservation Committee, were introduced, read at length, and referred to the Resources and Environment Committee.

[HCR 9](#) and [HCR 5](#), by Health and Welfare Committee, were introduced, read at length, and referred to the Health and Welfare Committee.

[H 72](#), by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 107](#) and [H 108](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 131](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 101](#), [H 102](#), [H 121](#), [H 138](#), and [H 139](#), by Judiciary, Rules, and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

The Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

[S 1057](#), [S 1058](#), [S 1098](#), and [S 1099](#), by Resources and Environment Committee, were read the second time at length and filed for third reading.

[H 55](#), by Transportation and Defense Committee, was read the second time at length and filed for third reading.

[S 1056](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1086](#) and [S 1087](#), by Education Committee, were read the second time at length and filed for third reading.

[S 1060](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

[S 1010](#), having been held, having previously been read the third time at length and debate having previously been opened, was before the Senate for final consideration. Senator Heider arose as sponsor of the bill and reopened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared [S 1010](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1023](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Cameron and Nonini disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared [S 1023](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1034](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared [S 1034](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1035](#) retained its place on the Third Reading Calendar for Friday, February 27, 2015.

[S 1061](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared [S 1061](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[H 34](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared [H 34](#) passed, title was approved, and the bill ordered returned to the House.

[H 36](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared [H 36](#) passed, title was approved, and the bill ordered returned to the House.

[H 44](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Keough, Lacey, Lakey, Martin, Nonini, Patrick, Souza, Stennett, Tippetts, Ward-Engelking, Winder. Total - 19.

NAYS—Bair, Bayer, Den Hartog, Hill, Johnson, Lee, Lodge, McKenzie, Mortimer, Nuxoll, Rice, Schmidt, Siddoway, Thayn, Vick. Total - 15.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared [H 44](#) passed, title was approved, and the bill ordered returned to the House.

[H 42](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared [H 42](#) passed, title was approved, and the bill ordered returned to the House.

[H 4](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared [H 4](#) passed, title was approved, and the bill ordered returned to the House.

[H 5](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared [H 5](#) passed, title was approved, and the bill ordered returned to the House.

[H 6](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared [H 6](#) passed, title was approved, and the bill ordered returned to the House.

[H 7](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared [H 7](#) passed, title was approved, and the bill ordered returned to the House.

[H 8](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippetts, Ward-Engelking. Total - 27.

NAYS—Bayer, Mortimer, Nonini, Nuxoll, Souza, Vick, Winder. Total - 7.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared [H 8](#) passed, title was approved, and the bill ordered returned to the House.

[H 9](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared [H 9](#) passed, title was approved, and the bill ordered returned to the House.

[H 23](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking. Total - 31.

NAYS—Hagedorn, Winder. Total - 2.

Absent and excused—Rice. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared [H 23](#) passed, title was approved, and the bill ordered returned to the House.

[H 24](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared [H 24](#) passed, title was approved, and the bill ordered returned to the House.

[H 25](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Hagedorn. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared [H 25](#) passed, title was approved, and the bill ordered returned to the House.

[H 52](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared [H 52](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

#### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:10 p.m. until the hour of 10 a.m., Thursday, February 26, 2015.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**FORTY-SIXTH LEGISLATIVE DAY**  
**THURSDAY, FEBRUARY 26, 2015**

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Davis, and Stennett, absent and excused. [District 17 seat is temporarily vacant.]

Prayer was offered by Acting Chaplain Keith Buhler.

The Pledge of Allegiance was led by Kayla Christensen, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 25, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

February 26, 2015

The JUDICIARY AND RULES Committee reports that [S 1105](#), [S 1106](#), [S 1107](#), and [S 1108](#) have been correctly printed.

LODGE, Chairman

[S 1105](#) and [S 1106](#) were referred to the State Affairs Committee.

[S 1107](#) was referred to the Local Government and Taxation Committee.

[S 1108](#) was referred to the Transportation Committee.

February 25, 2015

The JUDICIARY AND RULES Committee reports that [S 1028](#) has been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1028](#) and ordered it transmitted to the House for the signature of the Speaker.

February 24, 2015

The HEALTH AND WELFARE Committee reports it has had under consideration the Gubernatorial reappointments listed below and the Committee recommends that said reappointments be confirmed by the Senate:

Curt Fransen as the Director of the Department of Environmental Quality, term to expire January 7, 2019.

John McCreedy to the Board of Environmental Quality, term to expire July 1, 2018.

Kermit Kiebert to the Board of Environmental Quality, term to expire July 1, 2018.

HEIDER, Chairman

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

February 25, 2015

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

Gavin Gee as the Director of the Department of Finance, term to expire January 7, 2019.

Jeffery Sayer as the Director of the Department of Commerce, term to expire January 7, 2019.

Thomas P. Baskin to the Idaho Industrial Commission, term to expire January 13, 2021.

TIPPETS, Chairman

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

February 25, 2015

The RESOURCES AND ENVIRONMENT Committee reports out [HJM 2](#), [S 1100](#), and [SCR 107](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1100](#) was filed for second reading.

[HJM 2](#) and [SCR 107](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 25, 2015

The RESOURCES AND ENVIRONMENT Committee reports out [S 1059](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BAIR, Chairman



There being no objection, [S 1059](#) was referred to the Fourteenth Order of Business, General Calendar.

February 25, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out [HCR 4](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[HCR 4](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 25, 2015

The JUDICIARY AND RULES Committee reports out [S 1004](#) and [S 1054](#) with the recommendation that they do pass.

LODGE, Chairman

[S 1004](#) and [S 1054](#) were filed for second reading.

February 25, 2015

The EDUCATION Committee reports out [S 1088](#) with the recommendation that it do pass.

MORTIMER, Chairman

[S 1088](#) was filed for second reading.

February 25, 2015

The EDUCATION Committee reports out [S 1071](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, [S 1071](#) was referred to the Fourteenth Order of Business, General Calendar.

Senators Davis and Stennett were recorded present at this order of business.

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

### Messages from the House

February 25, 2015

Dear Mr. President:

I transmit herewith [H 123](#), [H 124](#), [H 125](#), [H 112](#), and [H 113](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 123](#), [H 124](#), [H 125](#), [H 112](#), and [H 113](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

The President Pro Tempore announced that the Resources and Environment Committee report relative to the Fish and Game appointment of Bob Barowsky was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lee, seconded by Senator Burgoyne, the Fish and Game appointment of Bob Barowsky as a member of the Idaho Outfitters and Guides Licensing Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Fish and Game appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Fish and Game Commission informing them of the action of the Senate.

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of Darrell Kerby retained its place on the calendar for Friday, February 27, 2015.

The President Pro Tempore announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Richard Roberge was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Richard Roberge as a member of the State Board of Health and Welfare was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Stephen Weeg was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lacey, seconded by Senator Guthrie, the Gubernatorial reappointment of Stephen Weeg as a member of the State Board of Health and Welfare was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Transportation Committee report relative to the Gubernatorial reappointment of Rodger Lee Sorensen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Winder, seconded by Senator Burgoyne, the Gubernatorial reappointment of Rodger Lee Sorensen as a member of the Aeronautics Advisory Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the State Affairs Committee report relative to the Gubernatorial appointment of Shane Gehring was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lakey, seconded by Senator Burgoyne, the Gubernatorial appointment of Shane Gehring as a member of the Bingo-Raffle Advisory Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

President Little assumed the Chair.

The President announced that [SCR 106](#) was before the Senate for final consideration.

Moved by Senator Thayn, seconded by Senator Mortimer, that [SCR 106](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Schmidt. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [SCR 106](#) adopted, title was approved, and the resolution ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1109**

**BY JUDICIARY AND RULES COMMITTEE  
AN ACT**

RELATING TO THE IDAHO UNIFORM BUSINESS ORGANIZATIONS CODE; REPEALING CHAPTER 4, TITLE 30, IDAHO CODE, RELATING TO THE IDAHO REGISTERED AGENTS ACT; REPEALING CHAPTER 13, TITLE 30, IDAHO CODE, RELATING TO PROFESSIONAL SERVICE CORPORATIONS; REPEALING CHAPTER 5, TITLE 53, IDAHO CODE, RELATING TO ASSUMED BUSINESS NAMES; REPEALING CHAPTER 7, TITLE 53, IDAHO CODE, RELATING TO THE UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION ACT; AMENDING SECTION 41-3921, IDAHO CODE, TO REMOVE A PROVISION RELATING TO PROFESSIONAL SERVICE ORGANIZATIONS; AMENDING SECTION 54-1235, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 54-1510, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 54-2113, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 54-3003, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND PROVIDING AN EFFECTIVE DATE.

[S 1109](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 123](#), [H 124](#), and [H 125](#), by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 112](#) and [H 113](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[S 1074](#), by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

[H 43](#) and [H 96](#), by Transportation and Defense Committee, were read the second time at length and filed for third reading.

[H 110](#), by Education Committee, was read the second time at length and filed for third reading.

[S 1097](#), by Education Committee, was read the second time at length and filed for third reading.

[S 1066](#) and [S 1091](#), by State Affairs Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

On request by Senator Brackett, granted by unanimous consent, [S 1083](#) was recommitted to the Transportation Committee.

[S 1057](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1057](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1058](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1058](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1098](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1098](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1099](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Rice. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1099](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, [S 1056](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1086](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate.

On request by Senator Mortimer, granted by unanimous consent, [S 1086](#) and [S 1087](#) retained their place on the Third Reading Calendar for one legislative day.

[S 1060](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Lakey, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Rice, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 26.

NAYS—Cameron, Den Hartog, Keough, Lacey, Lee, Lodge, Patrick, Schmidt. Total - 8.

Paired and voting included in roll call:

AYE - Johnson                      NAY - Schmidt

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1060](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, House bills amended in the Senate were placed at the head of the Third Reading Calendar, followed by Senate bills, followed by House bills.

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

#### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12 noon until the hour of 10 a.m., Friday, February 27, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**FORTY-SEVENTH LEGISLATIVE DAY**  
**FRIDAY, FEBRUARY 27, 2015**

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Cameron, absent and excused. [District 17 seat is temporarily vacant.]

Prayer was offered by Acting Chaplain Keith Buhler.

The Pledge of Allegiance was led by Nolan Cole, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 26, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Petitions, Resolutions, and Memorials

#### SCR 113

#### BY STATE AFFAIRS COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE DOCKET OF THE IDAHO STATE DEPARTMENT OF AGRICULTURE RELATING TO RULES GOVERNING LIVESTOCK DEALERS, BUYING STATIONS, AND LIVESTOCK TRADER LOTS.

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 a certain rule docket of the Idaho State Department of Agriculture relating to Rules Governing Livestock Dealers, Buying Stations, and Livestock Trader Lots is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein,

that IDAPA 02.04.28, the Idaho State Department of Agriculture, Rules Governing Livestock Dealers, Buying Stations, and Livestock Trader Lots, adopted as a pending rule under Docket Number 02-0428-1401, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

#### SCR 114

#### BY STATE AFFAIRS COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE DOCKET OF THE BOARD OF VETERINARY MEDICINE RELATING TO RULES OF THE STATE OF IDAHO BOARD OF VETERINARY MEDICINE.

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 a certain rule docket of the Board of Veterinary Medicine relating to Rules of the State of Idaho Board of Veterinary Medicine is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 46.01.01, the Board of Veterinary Medicine, Rules of the State of Idaho Board of Veterinary Medicine, adopted as a pending rule under Docket Number 46-0101-1401, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

[SCR 113](#) and [SCR 114](#) were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

February 27, 2015

The JUDICIARY AND RULES Committee reports that [S 1109](#) has been correctly printed.

LODGE, Chairman

[S 1109](#) was referred to the Judiciary and Rules Committee.

February 25, 2015

The HEALTH AND WELFARE Committee reports out [SCR 109](#) and [SCR 110](#) with the recommendation that they do pass.

HEIDER, Chairman

[SCR 109](#) and [SCR 110](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 26, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1001](#), [S 1046](#), [S 1047](#), [S 1063](#), and [S 1078](#) with the recommendation that they do pass.

TIPPETS, Chairman

[S 1001](#), [S 1046](#), [S 1047](#), [S 1063](#), and [S 1078](#) were filed for second reading.

February 26, 2015

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

Ken Edmunds as the Director of the Department of Labor, term to expire January 7, 2019.

TIPPETS, Chairman

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

February 26, 2015

The TRANSPORTATION Committee reports out [H 70](#) with the recommendation that it do pass.

BRACKETT, Chairman

[H 70](#) was filed for second reading.

February 26, 2015

The HEALTH AND WELFARE Committee reports out [H 33](#) and [HCR 5](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 33](#) was filed for second reading.

[HCR 5](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 26, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 68](#) and [H 95](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 68](#) and [H 95](#) were filed for second reading.

February 26, 2015

The EDUCATION Committee reports out [HCR 3](#) with the recommendation that it do pass.

MORTIMER, Chairman

[HCR 3](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 27, 2015

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

Dr. David Hill to the State Board of Education, term to expire July 1, 2017.

MORTIMER, Chairman

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

February 27, 2015

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

Dennis Johnson to the Treasurer's Investment Advisory Board, term to expire July 1, 2018.

Wendy Lively to the Bingo-Raffle Advisory Board, term to expire January 7, 2018.

MCKENZIE, Chairman

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

February 27, 2015

The JUDICIARY AND RULES Committee reports out [S 1109](#) with the recommendation that it do pass.

LODGE, Chairman

[S 1109](#) was filed for second reading.

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

#### Messages from the House

Senator Cameron was recorded present at this order of business.

February 26, 2015

Dear Mr. President:

I transmit herewith [H 128](#), [H 114](#), [H 90](#), [H 91](#), [HCR 11](#), [H 170](#), [H 104](#), [H 136](#), and [H 157](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 128](#), [H 114](#), [H 90](#), [H 91](#), [HCR 11](#), [H 170](#), [H 104](#), [H 136](#), and [H 157](#) were filed for first reading.

February 26, 2015

Dear Mr. President:

I return herewith [SCR 101](#), which has passed the House.

ALEXANDER, Chief Clerk

[SCR 101](#) was referred to the Judiciary and Rules Committee for enrolling.

February 26, 2015

Dear Mr. President:

I return herewith Enrolled [S 1018](#), which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1018](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Darrell Kerby was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Schmidt, seconded by Senator Keough, the Gubernatorial reappointment of Darrell Kerby as a member of the State Board of Health and Welfare was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Curt Fransen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Burgoyne, seconded by Senator Hagedorn, the Gubernatorial reappointment of Curt Fransen as the Director of the Department of Environmental Quality was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, the committee reports of the Gubernatorial appointment confirmations of John McCreedy and Thomas P. Baskin retained their place on the calendar for Monday, March 2, 2015.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Kermit Kiebert was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heider, seconded by Senator Lacey, the Gubernatorial reappointment of Kermit Kiebert as a member of the Board of Environmental Quality was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Gavin Gee was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Souza, the Gubernatorial reappointment of Gavin Gee as the Director of the Department of Finance was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Jeffery Sayer was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Hagedorn, seconded by Senator Burgoyne, the Gubernatorial reappointment of Jeffery Sayer as the Director of the Department of Commerce was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that [HJM 2](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

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

On motion by Senator Siddoway, seconded by Senator Bair, [HJM 2](#) was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The President announced that [SCR 107](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Keough, seconded by Senator Cameron, [SCR 107](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [HCR 4](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Johnson, seconded by Senator Lacey, [HCR 4](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

#### S 1110 BY FINANCE COMMITTEE AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE STATE APPELLATE PUBLIC DEFENDER FOR FISCAL YEAR 2015; PROVIDING LEGISLATIVE INTENT REGARDING CAPITAL REPRESENTATION COSTS; AND DECLARING AN EMERGENCY.

#### S 1111 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO MINIMUM WAGES; AMENDING SECTION 44-1502, IDAHO CODE, TO REVISE THE CALCULATION OF MINIMUM WAGES FOR EMPLOYEES, TO REVISE THE CALCULATION OF THE WAGES OF TIPPED EMPLOYEES AND TO REVISE THE CALCULATION OF WAGES FOR EMPLOYEES UNDER TWENTY YEARS OF AGE.

**S 1112**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO VACANCIES IN STATE OFFICE; AMENDING SECTION 59-904, IDAHO CODE, TO PROVIDE WHENEVER AN APPOINTEE'S TERM HAS EXPIRED AS PRESCRIBED BY LAW, THE GOVERNOR OR OTHER APPOINTING AUTHORITY SHALL REAPPOINT THE APPOINTEE TO THE POSITION WITHIN TWELVE MONTHS OF SUCH EXPIRATION OF TERM, OR SUCH OFFICE WILL BE DECLARED VACANT IF CERTAIN EVENTS OCCUR BY THE GOVERNOR OR THE APPOINTING AUTHORITY, TO PROVIDE FOR DOCUMENTATION TO ACCOMPANY APPOINTMENTS, TO PROVIDE PROCEDURES AND TO MAKE A TECHNICAL CORRECTION.

**S 1113**  
**BY STATE AFFAIRS COMMITTEE**  
AN ACT

RELATING TO THE IDAHO BEEF COUNCIL; AMENDING SECTION 25-2906, IDAHO CODE, TO AUTHORIZE THE COUNCIL TO LEASE, PURCHASE OR OWN PERSONAL PROPERTY AND TO LEASE REAL PROPERTY DEEMED NECESSARY IN THE ADMINISTRATION OF SPECIFIED LAW.

[S 1110](#), [S 1111](#), [S 1112](#), and [S 1113](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 128](#), by Local Government Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 114](#), by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 90](#) and [H 91](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[HCR 11](#), by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

[H 170](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 104](#), [H 136](#), and [H 157](#), by Judiciary, Rules, and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[S 1100](#), by Resources and Environment Committee, was read the second time at length and filed for third reading.

[S 1004](#) and [S 1054](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[S 1088](#), by Education Committee, was read the second time at length and filed for third reading.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:05 a.m. until the hour of 10 a.m., Monday, March 2, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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FIFTIETH LEGISLATIVE DAY  
MONDAY, MARCH 2, 2015

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senator McKenzie, absent and formally excused by the Chair; and Senators Davis and Lodge, absent and excused. [District 17 seat is temporarily vacant.]

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Lydia Deatherage, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 27, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Petitions, Resolutions, and Memorials

#### SCR 115

#### BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE REGARDING FEDERAL LANDS, REQUESTING THE DEPARTMENT OF LANDS TO PERFORM CERTAIN DUTIES WITH THE FEDERAL GOVERNMENT REGARDING FEDERAL LANDS AND TO PROVIDE FOR PERIODIC REPORTS.

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

WHEREAS, the First Regular Session of the Sixty-second Idaho Legislature adopted House Concurrent Resolutions 21 and 22, which authorized the formation of an interim study committee to study the feasibility of the transfer of certain federal lands within the State of Idaho to the State of Idaho;

WHEREAS, the interim study committee met frequently in 2013 and 2014 and heard testimony throughout the state on this topic;

WHEREAS, the committee prepared and approved a committee report on this topic incorporating various ideas and testimony;

WHEREAS, that committee report includes various recommendations; and

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature recommends the following:

The Legislature seek the assistance of Idaho's congressional delegation in asking the federal government to develop an economic model that allows the federal lands in Idaho to be self-sustaining economically in order to provide acceptable standards and management practices on a consistent basis;

That in the event there is transfer of all or any part of federal lands that such title transfers specifically exclude national parks, national monuments, federally designated recreational areas, federal electric power generation facilities, and the Department of Energy, Department of Defense, Indian reservations and Indian trust lands;

That any lands transferred or managed under this resolution not be sold by the state, except as specifically provided for in Section 8, Article IX, of the Constitution of the State of Idaho;

That public access be maintained and, where possible, expanded on lands managed by the state under any state-federal cooperative land management agreement;

That the State of Idaho, through the Department of Lands, develop a "trust model" management plan by which the state would enter into long-term trust agreements with federal agencies for the management of appropriate federal lands within Idaho.

BE IT FURTHER RESOLVED that the Department of Lands is requested to establish an internal working group to meet with federal land management agencies and to identify specific parcels of federal lands suitable for long-term lease management arrangements by the state.

BE IT FURTHER RESOLVED that in considering parcels for possible state management, the working group shall consider such factors as proximity, natural resources production, economic viability, minimization of environmental impact and other factors.

BE IT FURTHER RESOLVED that the parcels agreed upon for trust management by the state shall be considered under the "maximum long-term financial return" standard, and that the economic return objectives outlined in any trust agreements be specifically identified, project by project.

BE IT FURTHER RESOLVED that the Department of Lands shall report to the Legislature and to the federal agencies, as appropriate, at least annually, as to the lease arrangements arrived at and under consideration, the progress of the lease management and the revenue generated therefrom.

[SCR 115](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

March 2, 2015

The JUDICIARY AND RULES Committee reports that [SCR 113](#), [SCR 114](#), [S 1110](#), [S 1111](#), [S 1112](#), and [S 1113](#) have been correctly printed.

LODGE, Chairman

[SCR 113](#) and [SCR 114](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.



[S 1110](#) was referred to the Finance Committee.

[S 1111](#) and [S 1112](#) were referred to the State Affairs Committee.

[S 1113](#) was referred to the Agricultural Affairs Committee.

Senator McKenzie was recorded present at this order of business.

February 27, 2015

The JUDICIARY AND RULES Committee reports that [SCR 101](#) has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [SCR 101](#) and ordered it transmitted to the House for the signature of the Speaker.

February 27, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [S 1018](#) was delivered to the Office of the Governor at 11:30 a.m., February 27, 2015.

LODGE, Chairman

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

March 2, 2015

The STATE AFFAIRS Committee reports out [S 1030](#) and [S 1104](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[S 1030](#) and [S 1104](#) were filed for second reading.

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

#### Messages from the House

February 27, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 34](#), [H 36](#), [H 44](#), [H 42](#), [H 4](#), [H 5](#), [H 6](#), [H 7](#), [H 8](#), [H 9](#), [H 23](#), [H 24](#), [H 25](#), and [H 52](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 34](#), [H 36](#), [H 44](#), [H 42](#), [H 4](#), [H 5](#), [H 6](#), [H 7](#), [H 8](#), [H 9](#), [H 23](#), [H 24](#), [H 25](#), and [H 52](#) and ordered them returned to the House.

February 27, 2015

Dear Mr. President:

I return herewith Enrolled [S 1028](#), which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1028](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of John McCreedy was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Buckner-Webb, seconded by President Pro Tempore Hill, the Gubernatorial reappointment of John McCreedy as a member of the Board of Environmental Quality was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Thomas P. Baskin was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Lee, the Gubernatorial reappointment of Thomas P. Baskin as a member of the Idaho Industrial Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Ken Edmunds was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heider, seconded by Senator Lakey, the Gubernatorial reappointment of Ken Edmunds as the Director of the Department of Labor was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Dr. David Hill retained its place on the calendar for Tuesday, March 3, 2015.

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of Wendy Lively retained its place on the calendar for Wednesday, March 4, 2015.

On request by Senator Winder, granted by unanimous consent, [HCR 3](#) retained its place on the calendar for Tuesday, March 3, 2015.

Senators Davis and Lodge were recorded present at this order of business.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Dennis Johnson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

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

On motion by Senator McKenzie, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Dennis Johnson as a member of the Treasurer's Investment Advisory Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that [SCR 112](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Keough, seconded by Senator Cameron, [SCR 112](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 109](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Heider, seconded by Senator Burgoyne, [SCR 109](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 110](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Lee, [SCR 110](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [HCR 5](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Heider, seconded by Senator Lakey, [HCR 5](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1114**

**BY FINANCE COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE DIVISION OF HUMAN RESOURCES FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

**S 1115**

**BY FINANCE COMMITTEE  
AN ACT**

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2015; AND DECLARING AN EMERGENCY.

[S 1114](#) and [S 1115](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[S 1001](#), [S 1046](#), [S 1047](#), [S 1063](#), and [S 1078](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[H 70](#), by Transportation and Defense Committee, was read the second time at length and filed for third reading.

[H 33](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 68](#), by Local Government Committee, was read the second time at length and filed for third reading.

[H 95](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[S 1109](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

On request by Senator Davis, granted by unanimous consent, [S 1025](#) retained its place on the Third Reading Calendar for Thursday, March 5, 2015.

On request by Senator Davis, granted by unanimous consent, [S 1056](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Mortimer, granted by unanimous consent, [S 1070](#) was referred to the Fourteenth Order of Business, General Calendar.

[H 15](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate.

On request by Senator Nonini, granted by unanimous consent, [H 15](#), as amended in the Senate, retained its place on the Third Reading Calendar for Thursday, March 5, 2015.

[S 1035](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1035](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1086](#), having been held, having previously been read the third time at length and debate having previously been opened, was before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and reopened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1086](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1087](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Siddoway, Souza, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 27.

NAYS—Buckner-Webb, Burgoyne, Johnson, Lacey, Rice, Schmidt, Stennett. Total - 7.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1087](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1074](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1074](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1097](#) and [S 1066](#) retained their place on the Third Reading Calendar for one legislative day.

[S 1091](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1091](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 76](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [H 76](#) passed, title was approved, and the bill ordered returned to the House.

[H 85](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [H 85](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [S 1109](#) retained its place on the Third Reading Calendar beneath [S 1025](#) for Thursday, March 5, 2015.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

#### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:10 p.m. until the hour of 10 a.m., Tuesday, March 3, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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FIFTY-FIRST LEGISLATIVE DAY  
TUESDAY, MARCH 3, 2015

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Davis, absent and formally excused by the Chair; and Senators Brackett, Den Hartog, Nonini, Nuxoll, Patrick, Rice, Siddoway, and Vick, absent and excused. [District 17 seat is temporarily vacant.]

Prayer was offered by Acting Chaplain Rajan Zed, President, Universal Society of Hinduism, Reno, Nevada.

The Pledge of Allegiance was led by Savannah Martin, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 2, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senators Den Hartog, Nonini, Nuxoll, Patrick, Rice, Siddoway, and Vick were recorded present at this order of business.

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

### Reports of Standing Committees

March 3, 2015

The JUDICIARY AND RULES Committee reports that [SCR 115](#), [S 1114](#), and [S 1115](#) have been correctly printed.

LODGE, Chairman

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

[S 1114](#) and [S 1115](#) were referred to the Finance Committee.

March 2, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [S 1028](#) was delivered to the Office of the Governor at 10:42 a.m., March 2, 2015.

LODGE, Chairman

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

March 2, 2015

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

Janet Gallimore as the State Historic Preservation Officer, term to expire January 7, 2019.

Kristine Sasser to the Public Utilities Commission, term to expire January 13, 2021.

MCKENZIE, Chairman

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

March 2, 2015

The FINANCE Committee reports out [S 1110](#) with the recommendation that it do pass.

CAMERON, Chairman

[S 1110](#) was filed for second reading.

March 2, 2015

The RESOURCES AND ENVIRONMENT Committee reports out [H 48](#) and [H 49](#) with the recommendation that they do pass.

BAIR, Chairman

[H 48](#) and [H 49](#) were filed for second reading.

March 2, 2015

The HEALTH AND WELFARE Committee reports it has had under consideration the Gubernatorial reappointment listed below and the Committee recommends that said reappointment be confirmed by the Senate:

Jim V. Giuffre to the State Board of Health and Welfare, term to expire January 7, 2019.

HEIDER, Chairman

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

March 2, 2015

The EDUCATION Committee reports out [S 1072](#) with the recommendation that it do pass.

MORTIMER, Chairman

[S 1072](#) was filed for second reading.

March 2, 2015

The JUDICIARY AND RULES Committee reports out [H 82](#) and [S 1095](#) with the recommendation that they do pass.

LODGE, Chairman

[H 82](#) and [S 1095](#) were filed for second reading.

March 2, 2015

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

Sara Thomas to the State Public Defense Commission, term to expire July 1, 2017.

LODGE, Chairman

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

Senator Brackett was recorded present at this order of business.

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

#### **Messages from the House**

March 2, 2015

Dear Mr. President:

I transmit herewith [H 154](#), [H 160](#), [H 163](#), [H 116](#), [H 117](#), [H 58](#), [H 67](#), [H 172](#), and [H 126](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 154](#), [H 160](#), [H 163](#), [H 116](#), [H 117](#), [H 58](#), [H 67](#), [H 172](#), and [H 126](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

#### **Motions and Resolutions**

The President Pro Tempore announced that the Education Committee report relative to the Gubernatorial appointment of Dr. David Hill was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Den Hartog, the Gubernatorial appointment of Dr. David Hill as a member of the State Board of Education was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

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

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

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Cameron, Davis. Total - 2.

Total - 34. [District 17 seat is temporarily vacant.]

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

The President Pro Tempore announced that [SCR 113](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Rice, seconded by Senator Bayer, [SCR 113](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that [SCR 114](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Rice, seconded by Senator Bayer, [SCR 114](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

#### **Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials**

##### **S 1116**

##### **BY FINANCE COMMITTEE**

##### **AN ACT**

APPROPRIATING ADDITIONAL MONEYS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2015; AND DECLARING AN EMERGENCY.

##### **S 1117**

##### **BY FINANCE COMMITTEE**

##### **AN ACT**

APPROPRIATING MONEYS TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING LEGISLATIVE INTENT.

##### **S 1118**

##### **BY FINANCE COMMITTEE**

##### **AN ACT**

APPROPRIATING MONEYS TO THE COMMISSION ON THE ARTS FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

##### **S 1119**

##### **BY FINANCE COMMITTEE**

##### **AN ACT**

RELATING TO COMMISSIONER SALARIES; AMENDING SECTION 61-215, IDAHO CODE, TO INCREASE THE SALARIES OF THE PUBLIC UTILITIES COMMISSIONERS; AMENDING SECTION 63-102, IDAHO CODE, TO INCREASE THE SALARIES OF THE STATE TAX COMMISSIONERS; AMENDING SECTION 72-503, IDAHO CODE, TO INCREASE THE SALARIES OF THE INDUSTRIAL COMMISSIONERS; APPROPRIATING ADDITIONAL MONEYS TO THE PUBLIC UTILITIES COMMISSION FOR FISCAL YEAR 2016; APPROPRIATING ADDITIONAL MONEYS TO THE STATE TAX COMMISSION FOR FISCAL YEAR 2016; AND APPROPRIATING ADDITIONAL MONEYS TO THE INDUSTRIAL COMMISSION FOR FISCAL YEAR 2016.



Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1004](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1054](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1054](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1088](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1088](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1001](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Nonini, Nuxoll, Souza. Total - 3.

Absent and excused—Davis. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1001](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1046](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1046](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1047](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1047](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1063](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 32.

NAYS–Johnson. Total - 1.

Absent and excused–Davis. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1063** passed, title was approved, and the bill ordered transmitted to the House.

**S 1078** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1078** passed, title was approved, and the bill ordered transmitted to the House.

**H 55** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **H 55** passed, title was approved, and the bill ordered returned to the House.

**H 43** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Burgoyne, Cameron, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippetts, Ward-Engelking, Winder. Total - 28.

NAYS–Den Hartog, Nuxoll, Souza, Vick. Total - 4.

Absent and excused–Buckner-Webb, Davis. Total - 2.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **H 43** passed, title was approved, and the bill ordered returned to the House.

**H 96** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **H 96** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

#### Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 10 a.m., Wednesday, March 4, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary



# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**FIFTY-SECOND LEGISLATIVE DAY**  
**WEDNESDAY, MARCH 4, 2015**

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except President Pro Tempore Hill and Senators Buckner-Webb, Lakey, Lodge, McKenzie, Siddoway, Stennett, and Winder, absent and excused. [District 17 seat is temporarily vacant.]

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Christopher Miller, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 3, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

March 4, 2015

The JUDICIARY AND RULES Committee reports that [S 1116](#), [S 1117](#), [S 1118](#), [S 1119](#), [S 1120](#), and [S 1121](#) have been correctly printed.

LODGE, Chairman

[S 1116](#), [S 1117](#), [S 1118](#), and [S 1119](#) were referred to the Finance Committee.

[S 1120](#) was referred to the Transportation Committee.

[S 1121](#) was referred to the Health and Welfare Committee.

March 3, 2015

The AGRICULTURAL AFFAIRS Committee reports out [H 72](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

RICE, Chairman

There being no objection, [H 72](#) was referred to the Fourteenth Order of Business, General Calendar.

March 3, 2015

The FINANCE Committee reports out [S 1114](#) and [S 1115](#) with the recommendation that they do pass.

CAMERON, Chairman

[S 1114](#) and [S 1115](#) were filed for second reading.

March 3, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1075](#) and [S 1077](#) with the recommendation that they do pass.

TIPPETS, Chairman

[S 1075](#) and [S 1077](#) were filed for second reading.

March 3, 2015

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

Joy Fisher to the Public Employee Retirement System of Idaho Board, term to expire July 1, 2019.

TIPPETS, Chairman

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

March 3, 2015

The TRANSPORTATION Committee reports out [SCR 102](#) with the recommendation that it do pass.

BRACKETT, Chairman

[SCR 102](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 3, 2015

The TRANSPORTATION Committee reports out [S 1108](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, [S 1108](#) was referred to the Fourteenth Order of Business, General Calendar.

March 3, 2015

The HEALTH AND WELFARE Committee reports out [SCR 111](#) with the recommendation that it do pass.

HEIDER, Chairman

[SCR 111](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 3, 2015

The EDUCATION Committee reports out [H 122](#) with the recommendation that it do pass.

MORTIMER, Chairman

[H 122](#) was filed for second reading.

March 4, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 133](#) and [S 1107](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 133](#) and [S 1107](#) were filed for second reading.

March 4, 2015

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

Elliot Werk to the State Tax Commission, term to expire March 8, 2015.

Elliot Werk to the State Tax Commission, term to expire March 8, 2021.

SIDDOWAY, Chairman

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

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

#### Messages from the House

March 3, 2015

Dear Mr. President:

I transmit herewith [H 169](#), [H 132](#), [H 147](#), [H 142](#), [H 73](#), [H 189](#), [H 177](#), [H 158](#), [H 159](#), [H 162](#), [H 161](#), [H 166](#), [H 194](#), [H 167](#), [H 149](#), [H 150](#), and [H 100](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 169](#), [H 132](#), [H 147](#), [H 142](#), [H 73](#), [H 189](#), [H 177](#), [H 158](#), [H 159](#), [H 162](#), [H 161](#), [H 166](#), [H 194](#), [H 167](#), [H 149](#), [H 150](#), and [H 100](#) were filed for first reading.

March 3, 2015

Dear Mr. President:

I transmit herewith Enrolled [HJM 2](#) and [HCR 4](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [HJM 2](#) and [HCR 4](#) and ordered them returned to the House.

March 3, 2015

Dear Mr. President:

I return herewith Enrolled [SCR 101](#), which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [SCR 101](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

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

#### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

#### S 1122 BY FINANCE COMMITTEE AN ACT

RELATING TO STATE AGENCY RECEIPT OF FEDERAL FUNDS; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 67-1917, IDAHO CODE, TO REVISE REPORTING REQUIREMENTS BY STATE AGENCIES THAT RECEIVE FEDERAL FUNDS AND TO DEFINE "FEDERAL FUNDS"; AMENDING SECTION 67-3502, IDAHO CODE, TO ESTABLISH THAT BUDGET REQUESTS PROVIDE A REPORT THAT DISCLOSES ANY KNOWN FUTURE REDUCTIONS OR ELIMINATIONS OF FEDERAL FUNDS AND AN AGENCY'S PLAN FOR OPERATING IF CERTAIN CIRCUMSTANCES OCCUR AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-3506, IDAHO CODE, TO PROVIDE THAT THE BUDGET DOCUMENT SHALL CONSIST OF FOUR PARTS; AMENDING SECTION 67-3507, IDAHO CODE, TO PROVIDE THAT PART IV OF THE BUDGET DOCUMENT SHALL CONSIST OF FEDERAL FUNDING REPORTS AND CERTAIN DISCLOSURES AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-3513, IDAHO CODE, TO PROVIDE FOR LEGISLATIVE COMMITTEE CONSIDERATION OF A REPORT REGARDING FEDERAL FUNDS.

[S 1122](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 169](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 132](#) and [H 147](#), by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

[H 142](#), by Local Government Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 73](#), by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 189](#), [H 177](#), and [H 150](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 158](#), [H 159](#), and [H 162](#), by Judiciary, Rules, and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 161](#), by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 166](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 194](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 167](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 149](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

**H 100**, by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

Senators Lakey and Buckner-Webb were recorded present at this order of business.

**S 1110**, by Finance Committee, was read the second time at length and filed for third reading.

**H 48** and **H 49**, by Resources and Conservation Committee, were read the second time at length and filed for third reading.

**S 1072**, by Education Committee, was read the second time at length and filed for third reading.

**H 82**, by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

**S 1095**, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

President Pro Tempore Hill and Senators Lodge, McKenzie, Stennett, Winder, and Siddoway were recorded present at this order of business.

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

### General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

### Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out **H 29**, **S 1040**, **S 1080**, **S 1059**, **S 1071**, **S 1056**, and **S 1070**, without recommendation, amended as follows:

#### SENATE AMENDMENT TO H 29 AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 32, delete "2013" and insert: "20135"; in line 38, delete "and"; also in line 38, delete "a one (1) or" and insert: "a"; delete lines 39 and 40, and insert: "relationship described in section 267 of the Internal Revenue Code, as defined in section 63-3004, Idaho Code."; and on page 2, delete lines 1 through 5.

#### SENATE AMENDMENT TO S 1040 AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 23, delete "a remitter" and insert: "the final remittitur"; also in line 23, delete ", unless the"; and delete line 24, and insert: "from which no further proceedings except issuance of a death warrant are ordered.".

#### AMENDMENT TO THE BILL

On page 3, following line 7, 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, and shall apply to any cases where an appellant's brief in the unified appeal has not been filed with the Idaho Supreme Court."

#### CORRECTION TO TITLE

On page 1, in line 4, following "IMPOSED" insert: "; AND DECLARING AN EMERGENCY AND PROVIDING APPLICATION".

#### SENATE AMENDMENT TO S 1080 AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 47, delete "and". On page 3, in line 4, delete "." and insert: "; and"; following line 4, insert:

"(5) Any person who holds a license to practice medicine and surgery, osteopathic medicine and surgery, or osteopathic medicine under chapter 18, title 54, Idaho Code, provided that he does not represent himself as a licensed genetic counselor."; in line 7, delete "engage in the practice of, or"; and also in line 7, following "as" delete ",".

#### SENATE AMENDMENT TO S 1059 AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 19 through 28, and insert: "TIES. Notwithstanding any provision of title 43, Idaho Code, to the contrary, an irrigation district may determine that it is necessary to impose a special assessment to pay for physical structures or other work necessary to protect its facilities from harm caused by irrigation runoff or drainage from individual lands within the district that are on the district's assessment book prepared under section 43-701, Idaho Code. The district may issue a special assessment on such lands to perform such protective work only if the district has adopted a bylaw or resolution authorizing a special assessment for protection of district facilities from irrigation runoff or drainage from such individual lands, after notice to the landowner. When an assessment for such protective work has been authorized, the district shall assess such individual lands that are the source of irrigation runoff or drainage, the cost of".

#### CORRECTION TO TITLE

On page 1, in line 6, delete "A CONDITION" and insert: "CONDITIONS"; and in line 8, delete "RUNOFF" and insert: "IRRIGATION RUNOFF".

#### SENATE AMENDMENT TO S 1071 AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 10, delete "SECONDARY SCHOOL GRADUATION RE-" and insert: "CIVICS TEST"; in line 11, delete "QUIREMENT"; delete lines 35 through 39; and in line 40, delete "from a secondary school" and insert:

"(7) Starting with the 2016-2017 school year, all secondary pupils must show they have met the state civics and government standards for such instruction through the successful completion of the civics test or alternate path established by the local school district or charter school that shows the student has met the standards. Assessment of standards shall be included as part of the course at the secondary level".

#### CORRECTION TO TITLE

On page 1, delete lines 3 through 5, and insert: "TO PROVIDE THAT SECONDARY PUPILS MUST SUCCESSFULLY COMPLETE A CIVICS TEST TO SHOW THAT THE STUDENT HAS MET CERTAIN STANDARDS, TO PROVIDE FOR DOCUMENTATION, TO ALLOW SCHOOL DISTRICTS TO ADMINISTER THE CIVICS TEST, TO ALLOW PUPILS TO RETAKE THE CIVICS TEST AND TO DEFINE A TERM."

**SENATE AMENDMENT TO S 1056****AMENDMENT TO SECTION 1**

On page 1 of the printed bill, in line 19, following "by a" insert: "written"; in line 20, following "the" insert: "written"; in line 22, following "by" insert: "written"; in line 25, following "the" insert: "written"; in line 26, delete "Said" and insert: "The"; and in line 28, following "A" insert: "written".

**SENATE AMENDMENT TO S 1070****AMENDMENT TO THE BILL**

On page 1 of the printed bill, delete lines 36 through 38.

**CORRECTION TO TITLE**

On page 1, in line 4, delete "; AND DECLARING AN EMERGENCY".

The Committee also has [S 1033](#), [S 1041](#), and [S 1053](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

[S 1040](#), as amended, [S 1080](#), as amended, [S 1059](#), as amended, [S 1071](#), as amended, [S 1056](#), as amended, and [S 1070](#), as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

[H 29](#), as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

**Motions and Resolutions**

On request by Senator Stennett, granted by unanimous consent, [SCR 115](#) was referred to the State Affairs Committee.

The President announced that the State Affairs Committee report relative to the gubernatorial reappointment of Wendy Lively was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Mortimer, seconded by Senator Burgoyne, the gubernatorial reappointment of Wendy Lively as a member of the Bingo-Raffle Advisory Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the State Affairs Committee report relative to the gubernatorial reappointment of Janet Gallimore was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Lee, the gubernatorial reappointment of Janet Gallimore as the State Historic Preservation Officer was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the State Affairs Committee report relative to the gubernatorial appointment of Kristine Sasser was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Burgoyne, seconded by Senator Winder, the gubernatorial appointment of Kristine Sasser as a member of the Public Utilities Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Health and Welfare Committee report relative to the gubernatorial reappointment of Jim V. Giuffre was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Martin, seconded by Senator Lacey, the gubernatorial reappointment of Jim V. Giuffre as a member of the State Board of Health and Welfare was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Judiciary and Rules Committee report relative to the gubernatorial appointment of Sara Thomas was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Burgoyne, the gubernatorial appointment of Sara Thomas as a member of the State Public Defense Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

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

**Third Reading of Bills**

[S 1030](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1030](#) passed, title was approved, and the bill ordered transmitted to the House.

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

### Reports of Standing Committees

March 4, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 29](#), [S 1040](#), [S 1080](#), [S 1059](#), [S 1071](#), [S 1056](#), and [S 1070](#) have been correctly printed.

LODGE, Chairman

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

March 4, 2015

The JUDICIARY AND RULES Committee reports that [S 1040](#), as amended, [S 1080](#), as amended, [S 1059](#), as amended, [S 1071](#), as amended, [S 1056](#), as amended, and [S 1070](#), as amended, have been correctly engrossed.

LODGE, Chairman

[S 1040](#), as amended, [S 1080](#), as amended, [S 1059](#), as amended, [S 1071](#), as amended, [S 1056](#), as amended, and [S 1070](#), as amended, were filed for first reading.

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

### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 29](#), as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

[S 1040](#), as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

[S 1080](#), as amended, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

[S 1059](#), as amended, by Resources and Environment Committee, was read the first time at length and filed for second reading.

[S 1071](#), as amended, by Education Committee, was read the first time at length and filed for second reading.

[S 1056](#), as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

[S 1070](#), as amended, by Education Committee, was read the first time at length and filed for second reading.

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

### Motions and Resolutions

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

The Idaho Day Service was presented to the members of the Senate with Chairman Burgoyne providing opening remarks. The prayer was offered by Senator Den Hartog.

"Idaho's In Me" was performed by Paul Pugmire, accompanied by the Horizon Elementary School Fourth Grade Choir. "Here We Have Idaho" was performed by the Horizon Elementary School Fourth Grade Choir.

Closing remarks were provided by Senator Lakey. He extended gratitude to all who helped with the program and the Idaho Day Service was dissolved.

President Little called Senator Cameron to the Chair.

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

### Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:55 a.m. until the hour of 10 a.m., Thursday, March 5, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**FIFTY-THIRD LEGISLATIVE DAY**  
**THURSDAY, MARCH 5, 2015**

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Burgoyne, Cameron, and Lodge, absent and excused. [District 17 seat is temporarily vacant.]

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Samantha Mooney, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 4, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

Senator Burgoyne was recorded present at this order of business.

March 5, 2015

The JUDICIARY AND RULES Committee reports that [S 1122](#) has been correctly printed.

LODGE, Chairman

[S 1122](#) was referred to the Finance Committee.

March 4, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 101](#) was delivered to the Office of the Secretary of State at 2:04 p.m., March 4, 2015.

LODGE, Chairman

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

March 3, 2015

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

Jeff Anderson as the Director of the State Liquor Division, term to expire January 5, 2018.

MCKENZIE, Chairman

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

March 4, 2015

The FINANCE Committee reports out [S 1116](#), [S 1117](#), [S 1118](#), and [S 1119](#) with the recommendation that they do pass.

CAMERON, Chairman

[S 1116](#), [S 1117](#), [S 1118](#), and [S 1119](#) were filed for second reading.

March 4, 2015

The RESOURCES AND ENVIRONMENT Committee reports out [H 50](#) and [H 94](#) with the recommendation that they do pass.

BAIR, Chairman

[H 50](#) and [H 94](#) were filed for second reading.

March 4, 2015

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

Kimber Ricks to the State Public Defense Commission, term to expire July 1, 2017.

LODGE, Chairman

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

March 4, 2015

The JUDICIARY AND RULES Committee reports out [S 1069](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [S 1069](#) was referred to the Fourteenth Order of Business, General Calendar.

March 4, 2015

The EDUCATION Committee reports out [S 1096](#) with the recommendation that it do pass.

MORTIMER, Chairman

[S 1096](#) was filed for second reading.

March 4, 2015

The HEALTH AND WELFARE Committee reports out [H 108](#) and [S 1121](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 108](#) and [S 1121](#) were filed for second reading.

March 4, 2015

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

Sid Cellan to the Oil and Gas Commission, term to expire July 1, 2018.

BAIR, Chairman

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

March 5, 2015

The AGRICULTURAL AFFAIRS Committee reports out [H 114](#) and [S 1113](#) with the recommendation that they do pass.

RICE, Chairman

[H 114](#) and [S 1113](#) were filed for second reading.

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

#### Messages from the Governor

March 4, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jerry Edgington of Boise, Idaho, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing February 24, 2015, and expiring April 10, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

March 4, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1018](#) and [S 1028](#)

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

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

The Senate advanced to the Ninth Order of Business.

#### Messages from the House

March 4, 2015

Dear Mr. President:

I transmit herewith [HCR 15](#), [H 156](#), [H 148](#), [H 129](#), [H 143](#), [H 153](#), [H 178](#), [H 99](#), [H 53](#), as amended, [H 120](#), as amended, and [H 137](#), as amended, which have passed the House.

ALEXANDER, Chief Clerk

[HCR 15](#), [H 156](#), [H 148](#), [H 129](#), [H 143](#), [H 153](#), [H 178](#), [H 99](#), [H 53](#), as amended, [H 120](#), as amended, and [H 137](#), as amended, were filed for first reading.

March 4, 2015

Dear Mr. President:

I transmit herewith Enrolled [HCR 5](#), [H 76](#), and [H 85](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [HCR 5](#), [H 76](#), and [H 85](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, [SCR 102](#) retained its place on the calendar for Monday, March 9, 2015.

On request by Senator Davis, granted by unanimous consent, [SCR 111](#) retained its place on the calendar for Friday, March 6, 2015.

Senator Cameron was recorded present at this order of business.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Joy Fisher was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Schmidt, seconded by Senator Tippets, the Gubernatorial reappointment of Joy Fisher as a member of the Public Employee Retirement System of Idaho Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Local Government and Taxation Committee reports relative to the Gubernatorial appointment of Elliot Werk was before the Senate for final consideration, the question being, "Shall the reports be adopted?"

On motion by Senator Stennett, seconded by Senator Davis, the Gubernatorial appointment of Elliot Werk as a member of the State Tax Commission were confirmed by voice vote.

The President declared the reports adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1123**

**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO THE INDIGENT SICK; AMENDING SECTION 31-3502, IDAHO CODE, TO DEFINE TERMS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-3503A, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE POWERS AND DUTIES OF THE BOARD OF THE CATASTROPHIC HEALTH CARE COST PROGRAM; AMENDING SECTION 31-3503B, IDAHO CODE, TO REVISE PROVISIONS REGARDING RECIPROCAL AGREEMENTS AND OUT-OF-STATE PROVIDERS AND TO REMOVE A CODE REFERENCE; AMENDING SECTION 31-3504, IDAHO CODE, TO REVISE PROVISIONS REGARDING APPLICATIONS FOR FINANCIAL ASSISTANCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-3505, IDAHO CODE, TO REVISE PROVISIONS REGARDING APPLICATIONS FOR FINANCIAL ASSISTANCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-3505A, IDAHO CODE, TO REVISE PROVISIONS REGARDING INVESTIGATIONS OF CERTAIN APPLICATIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-3505C, IDAHO CODE, TO REVISE PROVISIONS REGARDING DECISIONS ON CERTAIN APPLICATIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-3505D, IDAHO CODE, TO REVISE PROVISIONS REGARDING APPEALS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-3505E, IDAHO CODE, TO REVISE PROVISIONS REGARDING APPEAL HEARINGS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-3505G, IDAHO CODE, TO REVISE PROVISIONS REGARDING PETITIONS FOR JUDICIAL REVIEW AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-3508, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-3508A, IDAHO CODE, TO REVISE PROVISIONS REGARDING PAYMENTS MADE BY AN OBLIGATED COUNTY AND TO MAKE A TECHNICAL CORRECTION;

AMENDING SECTION 31-3511, IDAHO CODE, TO REVISE PROVISIONS REGARDING VIOLATIONS AND PENALTIES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-3517, IDAHO CODE, TO PROVIDE THAT COUNTY COMMISSIONER MEMBERS OF THE BOARD SHALL BE REIMBURSED FROM THE CATASTROPHIC HEALTH CARE COST ACCOUNT AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 67-7903, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION.

**S 1124**

**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO JUVENILE CORRECTIONS; AMENDING SECTION 20-507, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AMENDING SECTION 20-511, IDAHO CODE, TO PROVIDE THAT CERTAIN FILES AND REFERENCES SHALL BE SEALED UPON COMPLETION OF DIVERSION; AND AMENDING SECTION 20-525A, IDAHO CODE, TO REVISE TERMINOLOGY, TO PROVIDE THAT A JUVENILE MAY PETITION FOR SEALING RECORDS FOR A CERTAIN MISDEMEANOR, TO PROVIDE A CODE REFERENCE, TO PROVIDE FOR AN ORDER OF SEALING RECORDS ON A CHARGE INVOLVING A STATUS OFFENSE, TO REMOVE REFERENCE TO A HEARING, TO PROVIDE FOR SEALING RECORDS WHERE THE JUVENILE IS FOUND NOT TO HAVE COMMITTED AN OFFENSE, TO REVISE PROVISIONS RELATING TO CRIMES FOR WHICH A COURT MAY NOT SEAL A JUVENILE'S RECORD, TO REVISE PROVISIONS RELATING TO THE PROCESS OF DETERMINING IF RECORDS SHALL BE SEALED, TO REVISE PROVISIONS RELATING TO WHICH RECORDS SHALL BE SEALED, TO PROVIDE THAT ONLY CERTAIN PERSONS MAY VIEW THE SPECIAL INDEX OF THE SEALING PROCEEDINGS, TO PROVIDE FOR INQUIRIES INTO A SEALED JUVENILE RECORD, TO PROVIDE THAT ONLY CERTAIN PERSONS MAY VIEW THE RECORDS OF A JUVENILE WHOSE RECORD WAS SEALED, TO PROVIDE NOTICE OF THE RIGHT TO SEAL RECORDS TO CERTAIN INDIVIDUALS AND TO DEFINE A TERM.

**S 1125**

**BY FINANCE COMMITTEE**

AN ACT

APPROPRIATING MONEYS TO THE SECRETARY OF STATE FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**S 1126**

**BY FINANCE COMMITTEE**

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF FINANCE FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING LEGISLATIVE INTENT FOR THE MORTGAGE RECOVERY FUND.

**S 1127**

**BY FINANCE COMMITTEE**

AN ACT

APPROPRIATING MONEYS TO THE STATE LIQUOR DIVISION FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.



**S 1128**  
**BY FINANCE COMMITTEE**  
AN ACT

APPROPRIATING MONEYS TO THE OFFICE OF SPECIES CONSERVATION FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**S 1129**  
**BY FINANCE COMMITTEE**  
AN ACT

APPROPRIATING MONEYS TO THE STATE INDEPENDENT LIVING COUNCIL FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**S 1130**  
**BY FINANCE COMMITTEE**  
AN ACT

APPROPRIATING MONEYS TO THE IDAHO STATE LOTTERY FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING LEGISLATIVE INTENT.

**S 1131**  
**BY FINANCE COMMITTEE**  
AN ACT

APPROPRIATING MONEYS TO THE OFFICE OF THE LIEUTENANT GOVERNOR FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS.

**S 1132**  
**BY FINANCE COMMITTEE**  
AN ACT

APPROPRIATING MONEYS TO THE REGULATORY BOARDS FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**S 1133**  
**BY FINANCE COMMITTEE**  
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

[S 1123](#), [S 1124](#), [S 1125](#), [S 1126](#), [S 1127](#), [S 1128](#), [S 1129](#), [S 1130](#), [S 1131](#), [S 1132](#), and [S 1133](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HCR 15](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 156](#), by Local Government Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 148](#), by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 129](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 143](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 153](#) and [H 178](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 99](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 53](#), as amended, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 120](#), as amended, by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 137](#), as amended, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

[S 1114](#) and [S 1115](#), by Finance Committee, were read the second time at length and filed for third reading.

[S 1075](#) and [S 1077](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[H 122](#), by Education Committee, was read the second time at length and filed for third reading.

[H 133](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[S 1107](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 29](#), as amended in the Senate, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[S 1040](#), as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1080](#), as amended, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[S 1059](#), as amended, by Resources and Environment Committee, was read the second time at length and filed for third reading.

[S 1071](#), as amended, by Education Committee, was read the second time at length and filed for third reading.

[S 1056](#), as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1070](#), as amended, by Education Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

Senator Lodge was recorded present at this order of business.

**S 1025** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1025** passed, title was approved, and the bill ordered transmitted to the House.

**S 1109** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1109** passed, title was approved, and the bill ordered transmitted to the House.

**S 1104** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1104** passed, title was approved, and the bill ordered transmitted to the House.

**S 1110** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1110** passed, title was approved, and the bill ordered transmitted to the House.

**S 1072** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate.

On request by Senator Souza, granted by unanimous consent, **S 1072** retained its place on the Third Reading Calendar for Monday, March 9, 2015.

On request by Senator Davis, granted by unanimous consent, **H 15**, as amended in the Senate, retained its place on the Third Reading Calendar for Monday, March 9, 2015.

**S 1095** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate.

On request by Senator Hagedorn, granted by unanimous consent, **S 1095** retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

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

#### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:30 a.m. until the hour of 10 a.m., Friday, March 6, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

**SENATE JOURNAL**  
OF THE  
**IDAHO LEGISLATURE**

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

**FIFTY-FOURTH LEGISLATIVE DAY**  
**FRIDAY, MARCH 6, 2015**

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Brackett, Cameron, Lodge, and Nuxoll, absent and excused. [District 17 seat is temporarily vacant.]

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Joshua Price, Page.

The Senate advanced to the Third Order of Business.

**Reading and Correction of the Journal**

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 5, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

**Petitions, Resolutions, and Memorials**

**SCR 116**

**BY STATE AFFAIRS COMMITTEE**  
A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE DOCKET OF THE IDAHO STATE DEPARTMENT OF AGRICULTURE RELATING TO RULES GOVERNING THE IMPORTATION OF ANIMALS.

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 a certain rule docket of the Idaho State Department of Agriculture relating to Rules Governing the Importation of Animals is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 02.04.21, Idaho State Department of Agriculture, Rules Governing the Importation of Animals, adopted as a pending rule under Docket Number 02-0421-1401, the entire

rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

**SCR 117**

**BY STATE AFFAIRS COMMITTEE**  
A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND RECOGNIZING AND HONORING JOHN J. GROSSENBACHER FOR HIS YEARS OF SERVICE TO THE STATE OF IDAHO AS DIRECTOR OF IDAHO NATIONAL LABORATORY.

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

WHEREAS, John Grossenbacher came to Idaho in 2005 to merge elements of the Idaho National Engineering and Environmental Laboratory with Argonne National Laboratory-West to create Idaho National Laboratory (INL); and WHEREAS, serving as laboratory director, John Grossenbacher confirmed and enhanced INL's credibility and reputation as the national nuclear laboratory; and

WHEREAS, John Grossenbacher dramatically expanded and improved INL's nuclear technology, national and homeland security, and nonnuclear energy and environmental capabilities; and

WHEREAS, these investments in capabilities resulted in INL winning 18 Research and Development 100 Awards, achieving a breakthrough in gas reactor fuel development, conducting extraordinary demonstrations in control systems cybersecurity, producing four space batteries to power the Mars Science Laboratory and other NASA missions, converting 49 research reactors to a more proliferation-resistant nuclear fuel, removing or securing 17 tons of highly enriched uranium and plutonium from the former Soviet Union, and supporting the U.S. Navy and nuclear researchers throughout the United States by conducting 44 experiment cycles of the Advanced Test Reactor; and

WHEREAS, under John Grossenbacher's leadership, INL created three national scientific user facilities, making the lab's capabilities accessible to researchers around the world; and

WHEREAS, John Grossenbacher was instrumental in the creation and shaping of Idaho's Leadership in Nuclear Energy (LINE) Commission, which has demonstrated to Idahoans that INL is an institution of great importance to the state, as the INL Site Environmental Cleanup nears completion and creates a framework focused on a positive INL future; and

WHEREAS, John Grossenbacher has been a trusted advisor to three governors, three U.S. senators, five congressmen, the Idaho Legislature, the Attorney General, the State Department of Environmental Quality and State Office of Energy Resources; and

WHEREAS, John Grossenbacher has led and managed INL with distinction, investing in its people and developing their skills at INL, representing those people and their work candidly and transparently, and strengthening public trust and confidence in the performance of the high-hazard work at INL; and

WHEREAS, John Grossenbacher has been steadfast in his commitment and tireless in his energy for 10 years, building an institution at INL of which the State of Idaho and the nation can be proud.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we recognize and honor John J. Grossenbacher for his work as director of Idaho National Laboratory and the significance of his work to the State of Idaho.

[SCR 116](#) and [SCR 117](#) were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

#### Reports of Standing Committees

Senator Brackett was recorded present at this order of business.

March 6, 2015

The JUDICIARY AND RULES Committee reports that [S 1123](#), [S 1124](#), [S 1125](#), [S 1126](#), [S 1127](#), [S 1128](#), [S 1129](#), [S 1130](#), [S 1131](#), [S 1132](#), and [S 1133](#) have been correctly printed.

LODGE, Chairman

[S 1123](#) was referred to the Health and Welfare Committee.

[S 1124](#) was referred to the Judiciary and Rules Committee.

[S 1125](#), [S 1126](#), [S 1127](#), [S 1128](#), [S 1129](#), [S 1130](#), [S 1131](#), [S 1132](#), and [S 1133](#) were referred to the Finance Committee.

Senator Lodge was recorded present at this order of business.

March 5, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1076](#) with the recommendation that it do pass.

TIPPETS, Chairman

[S 1076](#) was filed for second reading.

March 5, 2015

The TRANSPORTATION Committee reports out [H 147](#) and [S 1120](#) with the recommendation that they do pass.

BRACKETT, Chairman

[H 147](#) and [S 1120](#) were filed for second reading.

March 5, 2015

The TRANSPORTATION Committee reports out [H 17](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, [H 17](#) was referred to the Fourteenth Order of Business, General Calendar.

March 5, 2015

The HEALTH AND WELFARE Committee reports out [H 177](#) with the recommendation that it do pass.

HEIDER, Chairman

[H 177](#) was filed for second reading.

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

#### Messages from the House

March 5, 2015

Dear Mr. President:

I transmit herewith [H 152](#), [H 206](#), [H 207](#), [H 190](#), [HJM 6](#), [HJM 5](#), [HJM 7](#), [HJM 3](#), [HJM 8](#), and [HCR 14](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 152](#), [H 206](#), [H 207](#), [H 190](#), [HJM 6](#), [HJM 5](#), [HJM 7](#), [HJM 3](#), [HJM 8](#), and [HCR 14](#) were filed for first reading.

March 5, 2015

Dear Mr. President:

I return herewith [S 1020](#), [S 1036](#), [S 1042](#), [S 1043](#), [S 1079](#), and [S 1081](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1020](#), [S 1036](#), [S 1042](#), [S 1043](#), [S 1079](#), and [S 1081](#) were referred to the Judiciary and Rules Committee for enrolling.

March 5, 2015

Dear Mr. President:

I transmit herewith Enrolled [HCR 3](#), [H 55](#), [H 43](#), and [H 96](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [HCR 3](#), [H 55](#), [H 43](#), and [H 96](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

On request by Senator Heider, granted by unanimous consent, [SCR 111](#) was recommitted to the Health and Welfare Committee.

Senator Nuxoll was recorded present at this order of business.

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Jeff Anderson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by President Pro Tempore Hill, the Gubernatorial reappointment of Jeff Anderson as the Director of the State Liquor Division was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Kimber Ricks was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by President Pro Tempore Hill, seconded by Senator Burgoyne, the Gubernatorial appointment of Kimber Ricks as a member of the State Public Defense Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Sid Cellan was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Tippets, seconded by Senator Burgoyne, the Gubernatorial reappointment of Sid Cellan as a member of the Oil and Gas Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1134**

**BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO A PUBLIC LANDS OFFICE; AMENDING TITLE 58, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 10, TITLE 58, IDAHO CODE, TO CREATE THE OFFICE OF PUBLIC LANDS, TO PROVIDE FOR APPOINTMENT OF AN ADMINISTRATOR AND TO PROVIDE POWERS AND DUTIES OF THE OFFICE.

[S 1134](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 152](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 206](#) and [H 207](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 190](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[HJM 6](#) and [HCR 14](#), by Agricultural Affairs Committee, were introduced, read at length, and referred to the Agricultural Affairs Committee.

[HJM 5](#), by Resources and Conservation Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

[HJM 7](#), by Ways and Means Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

[HJM 3](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

[HJM 8](#), by State Affairs Committee, was introduced, read at length, and referred to the Transportation Committee.

Senator Cameron was recorded present at this order of business.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[S 1116](#), [S 1117](#), [S 1118](#), and [S 1119](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 50](#) and [H 94](#), by Resources and Conservation Committee, were read the second time at length and filed for third reading.

[S 1096](#), by Education Committee, was read the second time at length and filed for third reading.

[H 108](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1121](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[H 114](#), by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

[S 1113](#), by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

On request by Senator Davis, granted by unanimous consent, [H 70](#) was placed before the Senate for consideration at this time.

[H 70](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [H 70](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Hagedorn, granted by unanimous consent, [S 1095](#) was referred to the Fourteenth Order of Business, General Calendar.

[S 1114](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1114](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Mortimer, granted by unanimous consent, [S 1072](#) was referred to the Fourteenth Order of Business, General Calendar.

[S 1115](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Souza, Stennett, Thayne, Tippetts, Ward-Engelking, Winder. Total - 31.

NAYS—Nuxoll, Siddoway, Vick. Total - 3.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1115](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1075](#) was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1075](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1077](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1077](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1107](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1107](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Brackett, granted by unanimous consent, [H 15](#), as amended in the Senate, was recommitted to the Transportation Committee.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

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

#### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:05 a.m. until the hour of 10 a.m., Monday, March 9, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**FIFTY-SEVENTH LEGISLATIVE DAY**  
**MONDAY, MARCH 9, 2015**

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Cameron, and McKenzie, absent and excused. [District 17 seat is temporarily vacant.]

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Molly Ashby, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 6, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

March 9, 2015

The JUDICIARY AND RULES Committee reports that [SCR 116](#), [SCR 117](#), and [S 1134](#) have been correctly printed.

LODGE, Chairman

[SCR 116](#) and [SCR 117](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1134](#) was referred to the Resources and Environment Committee.

March 6, 2015

The JUDICIARY AND RULES Committee reports that [S 1020](#), [S 1036](#), [S 1042](#), [S 1043](#), [S 1079](#), and [S 1081](#) have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1020](#), [S 1036](#), [S 1042](#), [S 1043](#), [S 1079](#), and [S 1081](#) and ordered them transmitted to the House for the signature of the Speaker.

March 6, 2015

The FINANCE Committee reports out [S 1125](#), [S 1126](#), [S 1127](#), [S 1128](#), [S 1129](#), [S 1130](#), [S 1131](#), [S 1132](#), [S 1133](#), [H 206](#), and [H 207](#) with the recommendation that they do pass.

CAMERON, Chairman

[S 1125](#), [S 1126](#), [S 1127](#), [S 1128](#), [S 1129](#), [S 1130](#), [S 1131](#), [S 1132](#), [S 1133](#), [H 206](#), and [H 207](#) were filed for second reading.

Senator McKenzie was recorded present at this order of business.

March 6, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 39](#) and [H 75](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 39](#) and [H 75](#) were filed for second reading.

March 6, 2015

The RESOURCES AND ENVIRONMENT Committee reports out [H 47](#), [H 124](#), [H 125](#), [H 161](#), and [HCR 10](#) with the recommendation that they do pass.

BAIR, Chairman

[H 47](#), [H 124](#), [H 125](#), and [H 161](#) were filed for second reading.

[HCR 10](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 6, 2015

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

Jim Yost to the Northwest Power and Conservation Council, term to expire January 15, 2018.

BAIR, Chairman

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

March 6, 2015

The JUDICIARY AND RULES Committee reports out [H 61](#), [H 62](#), and [H 64](#) with the recommendation that they do pass.

LODGE, Chairman

[H 61](#), [H 62](#), and [H 64](#) were filed for second reading.

March 6, 2015

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

Darrell Bolz to the State Public Defense Commission, term to expire July 1, 2017.

LODGE, Chairman

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

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

### Messages from the Governor

March 6, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have appointed Maryanne Jordan of Boise, Idaho, to the office of State Senator for Legislative District 17, Ada County, State of Idaho.

This appointment is effective Monday, March 9, 2015 and will continue until the next general election when the term of office expires.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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 District 17 Legislative Committee of the Democratic Party has submitted a list of three names for consideration in filling a vacancy in the Idaho State Senate.

NOW, THEREFORE, I, C.L. "Butch" Otter, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Maryanne Jordan of Boise, Idaho, to the office of State Senator, District 17, for a term commencing March 9, 2015, and continuing until the next general election when the term of office expires.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho in Boise on this 6th day of March, in the year of our Lord two thousand and fifteen and of the Independence of the United States of America, the two hundred thirty-ninth and of the Statehood of Idaho the one hundred twenty-sixth.

/s/ BY THE GOVERNOR C.L. "BUTCH" OTTER  
/s/ SECRETARY OF STATE LAWRENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President Pro Tempore announced that the Oath of Office had been administered previously to Senator Jordan, and she was recorded present at this order of business.

The Senate advanced to the Ninth Order of Business.

### Messages from the House

March 6, 2015

Dear Mr. President:

I transmit herewith [H 205](#), [H 210](#), [H 211](#), [H 179](#), [HCR 16](#), and [HCR 13](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 205](#), [H 210](#), [H 211](#), [H 179](#), [HCR 16](#), and [HCR 13](#) were filed for first reading.

March 6, 2015

Dear Mr. President:

I return herewith [S 1037](#), [S 1031](#), [S 1045](#), [S 1015](#), as amended, [S 1016](#), [S 1024](#), [S 1050](#), [S 1006](#), and [S 1009](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1037](#), [S 1031](#), [S 1045](#), [S 1015](#), as amended, [S 1016](#), [S 1024](#), [S 1050](#), [S 1006](#), and [S 1009](#) were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the following changes were made in Standing Committee Appointments:

Senator Lacey's assignment to the Health and Welfare Committee was withdrawn and he was assigned to the Resources and Environment Committee. Senator Jordan was assigned to the Health and Welfare Committee and the Judiciary and Rules Committee. Senator Stennett was assigned to the Local Government and Taxation Committee.

The President Pro Tempore announced that [SCR 102](#) was before the Senate for final consideration.

Moved by Senator Brackett, seconded by Senator Nonini, that [SCR 102](#) be adopted. The question being, "Shall the resolution be adopted?"

Senator Cameron was recorded present at this order of business.

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [SCR 102](#) adopted, title was approved, and the resolution ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.



**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1135**

**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO CLAIMS OF LIEN; AMENDING SECTION 45-507, IDAHO CODE, TO PROVIDE THAT FOR A CLAIM OF LIEN AN OWNER OR REPUTED OWNER DOES NOT INCLUDE A TRUSTEE OF A DEED OF TRUST.

**S 1136**

**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO PAROLE; AMENDING SECTION 20-229B, IDAHO CODE, TO PROVIDE THAT HEARING OFFICERS SHALL HAVE CERTAIN POWERS AND DUTIES WHEN A PAROLE VIOLATION OCCURS.

[S 1135](#) and [S 1136](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 205](#), [H 210](#), and [H 211](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 179](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[HCR 16](#), by Health and Welfare Committee, was introduced, read at length, and referred to the State Affairs Committee.

[HCR 13](#), by State Affairs Committee, was introduced, read at length, and referred to the Judiciary and Rules Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[S 1076](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[H 147](#), by Transportation and Defense Committee, was read the second time at length and filed for third reading.

[S 1120](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[H 177](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

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

**General Calendar**

The President Pro Tempore declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President Pro Tempore called the Senate to order.

**Report of the Committee of the Whole**

Senator Winder, Chairman of the Committee of the Whole, reported out [H 72](#), [S 1108](#), [S 1069](#), and [S 1072](#), without recommendation, amended as follows:

**SENATE AMENDMENT TO H 72**

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 41 and 42; and on page 2, delete lines 1 and 2.

**SENATE AMENDMENT TO S 1108**

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 24 through 28, and insert: "testing shall submit to the department proof of general commercial liability and motor vehicle liability insurance in the amount of one million dollars (\$1,000,000).".

On page 2, delete lines 1 and 2; in line 3, delete "(5)" and insert: "(4)"; in line 5, delete "(6)" and insert: "(5)"; delete lines 15 through 30, and insert:

"(a) Capable of being operated in compliance with the applicable motor vehicle laws and traffic laws of the state; and

(b) Equipped with a separate mechanism to capture and store the vehicle's technology sensor data for at least the thirty (30) seconds before a collision occurs between the autonomous vehicle operating in autonomous mode and another vehicle, object or natural person. The technology sensor data shall be captured and stored in a read-only format and shall be preserved for three (3) years after the date of a collision.";

and delete lines 39 through 41, and insert: "autonomous driven vehicle testing unless designated as closed due to public safety or other concerns. The state or any political subdivision, that has administrative ju-".

**SENATE AMENDMENT TO S 1069**

AMENDMENT TO THE BILL

On page 1 of the printed bill, following line 12, insert:

"SECTION 2. That Section 5-215, Idaho Code, be, and the same is hereby amended to read as follows:

5-215. ACTION ON JUDGMENT OR FOR MESNE PROFITS OF REAL PROPERTY. Within ~~six~~ eleven (61) years:

(1-) An action upon a judgment or decree of any court of the United States, or of any state or territory within the United States.

(2-) An action for mesne profits of real property.

SECTION 3. That Section 10-1110, Idaho Code, be, and the same is hereby amended to read as follows:

10-1110. FILING TRANSCRIPT OF JUDGMENTS – LIEN ACQUIRED. A transcript or abstract of any judgment or decree of any court of this state or any court of the United States the enforcement of which has not been stayed as provided by law, if rendered within this state, certified by the clerk having custody thereof, may be recorded with the recorder of any county of this state, who shall immediately record and docket the same as by law provided, and from the time of such recording, and not before, the judgment so recorded becomes a lien upon all real property of the judgment debtor in the county, not exempt from execution, owned by him at the time or acquired afterwards at any time prior to the expiration of the lien; provided that where a transcript or abstract is recorded of any judgment or decree of divorce or separate maintenance making provision for installment or periodic payment of sums for maintenance of children or alimony or allowance for wife's support, such judgment or decree shall be a lien only in an amount for payments so provided, delinquent or not made when due. The lien resulting from recording of a judgment other than

for support of a child continues ~~five ten~~ (§10) years from the date of the judgment, unless the judgment be previously satisfied, or unless the enforcement of the judgment be stayed upon an appeal as provided by law. A lien arising from the delinquency of a payment due under a judgment for support of a child issued by an Idaho court continues until ~~five ten~~ (§10) years after the death or emancipation of the last child for whom support is owed under the judgment unless the underlying judgment is renewed, is previously satisfied or the enforcement of the judgment is stayed upon an appeal as provided by law. The transcript or abstract above mentioned shall contain the title of the court and cause and number of action, names of judgment creditors and debtors, time of entry and amount of judgment.

SECTION 4. That Section 45-510, Idaho Code, be, and the same is hereby amended to read as follows:

45-510. DURATION OF LIEN. No lien provided for in this chapter binds any building, mining claim, improvement or structure for a longer period than six (6) months after the claim has been filed, unless proceedings be commenced in a proper court within that time to enforce such lien; or unless a payment on account is made, or extension of credit given with expiration date thereof, and such payment or credit and expiration date, is endorsed on the record of the lien, then six (6) months after the date of such payment or expiration of extension. The lien of a final judgment obtained on any lien provided for in this chapter shall cease ~~five ten~~ (§10) years from the date the judgment becomes final; ~~but if such period of five (5) years has expired or will expire before September 1, 1947, the owner of such judgment lien shall have until September 1, 1947, within which to levy execution under such judgment.~~ and in line 13, delete "2" and insert: "5".

#### CORRECTION TO TITLE

On page 1, in line 3, following "ENFORCED;" insert: "AMENDING SECTION 5-215, IDAHO CODE, TO INCREASE THE NUMBER OF YEARS WHEN ACTION ON A JUDGMENT OR FOR MESNE PROFITS OF REAL PROPERTY MUST BE COMMENCED AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 10-1110, IDAHO CODE, TO INCREASE THE TIME A CERTAIN LIEN RESULTING FROM RECORDING OF A JUDGMENT CONTINUES OR LIEN ARISING FROM THE DELINQUENCY OF A PAYMENT DUE UNDER A JUDGMENT CONTINUES; AMENDING SECTION 45-510, IDAHO CODE, TO INCREASE THE TIME PRIOR TO WHEN A LIEN OF FINAL JUDGMENT SHALL CEASE AND TO REMOVE ARCHAIC LANGUAGE CONCERNING WHEN A LIEN OF A FINAL JUDGMENT SHALL EXPIRE;"

#### SENATE AMENDMENT TO S 1072

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 21, following "trustees" insert: "except for elections of trustees in a school district that has fewer than five hundred (500) students".

#### AMENDMENT TO THE BILL

On page 1, delete lines 28 through 30.

#### CORRECTION TO TITLE

On page 1, in line 4, following "TRUSTEES" insert: ", TO PROVIDE AN EXCEPTION"; and in line 5, delete "; AND DECLARING AN EMERGENCY".

The Committee also has [S 1033](#), [S 1041](#), [S 1053](#), [H 17](#), and [S 1095](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

[S 1108](#), as amended, [S 1069](#), as amended, and [S 1072](#), as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

[H 72](#), as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

#### Third Reading of Bills

[S 1040](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Tippetts arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1040](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1080](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Hagedorn, Heider, Hill, Jordan, Keough, Lacey, Lee, Lodge, Martin, Mortimer, Patrick, Schmidt, Stennett, Tippetts, Ward-Engelking, Winder. Total - 21.

NAYS—Bair, Bayer, Den Hartog, Guthrie, Johnson, Lakey, McKenzie, Nonini, Nuxoll, Rice, Siddoway, Souza, Thayn, Vick. Total - 14.

Total - 35.

Whereupon the President Pro Tempore declared [S 1080](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1059](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1059](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1071](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 29.

NAYS—Buckner-Webb, Johnson, Lacey, McKenzie, Schmidt, Stennett. Total - 6.

Total - 35.

Whereupon the President Pro Tempore declared [S 1071](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1056](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1056](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1070](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1070](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

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

### Reports of Standing Committees

March 9, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 72](#), [S 1108](#), [S 1069](#), and [S 1072](#) have been correctly printed.

LODGE, Chairman

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

March 9, 2015

The JUDICIARY AND RULES Committee reports that [S 1108](#), as amended, [S 1069](#), as amended, and [S 1072](#), as amended, have been correctly engrossed.

LODGE, Chairman

[S 1108](#), as amended, [S 1069](#), as amended, and [S 1072](#), as amended, were filed for first reading.

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

### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 72](#), as amended in the Senate, by Agricultural Affairs Committee, was read the first time at length and filed for second reading.

[S 1108](#), as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

[S 1069](#), as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

[S 1072](#), as amended, by Education Committee, was read the first time at length and filed for second reading.

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

### Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 10 a.m., Tuesday, March 10, 2015.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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FIFTY-EIGHTH LEGISLATIVE DAY  
TUESDAY, MARCH 10, 2015

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Bayer, Cameron, Lodge, Stennett, and Thayn, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Samuel Cahoon, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 9, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senator Stennett was recorded present at this order of business.

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

### Reports of Standing Committees

March 10, 2015

The JUDICIARY AND RULES Committee reports that [S 1135](#) and [S 1136](#) have been correctly printed.

LODGE, Chairman

[S 1135](#) and [S 1136](#) were referred to the Judiciary and Rules Committee.

March 9, 2015

The JUDICIARY AND RULES Committee reports that [S 1037](#), [S 1031](#), [S 1045](#), [S 1015](#), as amended, [S 1016](#), [S 1024](#), [S 1050](#), [S 1006](#), and [S 1009](#) have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1037](#), [S 1031](#), [S 1045](#), [S 1015](#), as amended, [S 1016](#), [S 1024](#), [S 1050](#), [S 1006](#), and [S 1009](#) and ordered them transmitted to the House for the signature of the Speaker.

March 9, 2015

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

George Eskridge to the Idaho Energy Resources Authority, term to expire June 30, 2019.

MCKENZIE, Chairman

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

March 9, 2015

The FINANCE Committee reports out [H 205](#), [H 210](#), and [H 211](#) with the recommendation that they do pass.

CAMERON, Chairman

[H 205](#), [H 210](#), and [H 211](#) were filed for second reading.

March 9, 2015

The RESOURCES AND ENVIRONMENT Committee reports out [H 31](#), [H 58](#), [H 123](#), [H 166](#), and [HCR 7](#) with the recommendation that they do pass.

BAIR, Chairman

[H 31](#), [H 58](#), [H 123](#), and [H 166](#) were filed for second reading.

[HCR 7](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senators Bayer and Thayn were recorded present at this order of business.

March 9, 2015

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

Marc Brinkmeyer to the Lake Pend Oreille Basin Commission, term to expire July 24, 2017.

BAIR, Chairman

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

Senator Cameron was recorded present at this order of business.

March 9, 2015

The HEALTH AND WELFARE Committee reports out [H 150](#) and [H 189](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 150](#) and [H 189](#) were filed for second reading.

March 9, 2015

The EDUCATION Committee reports out [H 169](#) with the recommendation that it do pass.

MORTIMER, Chairman

[H 169](#) was filed for second reading.

March 9, 2015

The JUDICIARY AND RULES Committee reports out [H 136](#), [H 138](#), and [H 139](#) with the recommendation that they do pass.

LODGE, Chairman

[H 136](#), [H 138](#), and [H 139](#) were filed for second reading.

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

#### Messages from the House

March 9, 2015

Dear Mr. President:

I transmit herewith [H 155](#), [H 184](#), [H 218](#), [H 185](#), [H 195](#), [H 183](#), [HCR 12](#), [H 220](#), [H 223](#), [H 224](#), [H 225](#), [H 226](#), [H 227](#), [H 228](#), [H 229](#), [H 230](#), [H 231](#), [H 232](#), [H 209](#), [H 208](#), and [H 197](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 155](#), [H 184](#), [H 218](#), [H 185](#), [H 195](#), [H 183](#), [HCR 12](#), [H 220](#), [H 223](#), [H 224](#), [H 225](#), [H 226](#), [H 227](#), [H 228](#), [H 229](#), [H 230](#), [H 231](#), [H 232](#), [H 209](#), [H 208](#), and [H 197](#) were filed for first reading.

March 9, 2015

Dear Mr. President:

I return herewith [S 1026](#), [S 1027](#), [S 1029](#), [SJM 101](#), and [SCR 104](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1026](#), [S 1027](#), [S 1029](#), [SJM 101](#), and [SCR 104](#) were referred to the Judiciary and Rules Committee for enrolling.

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

#### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

##### S 1137

##### BY STATE AFFAIRS COMMITTEE

##### AN ACT

RELATING TO ELECTRIC UTILITIES; AMENDING SECTION 61-328, IDAHO CODE, TO REVISE PROVISIONS RELATING TO REQUISITE FINDINGS OF THE PUBLIC UTILITIES COMMISSION IN REGARD TO A MERGER, SALE, LEASE, ASSIGN OR TRANSFER OF PROPERTY BY AN ELECTRIC PUBLIC UTILITY OR ELECTRICAL CORPORATION, TO PROVIDE THAT THE PROVISIONS OF SPECIFIED LAW SHALL NOT APPLY TO SALES UNDER CERTAIN CONDITIONS AND TO MAKE A TECHNICAL CORRECTION; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR APPLICABILITY.

##### S 1138

##### BY FINANCE COMMITTEE

##### AN ACT

APPROPRIATING MONEYS TO THE DIVISION OF FINANCIAL MANAGEMENT FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

##### S 1139

##### BY FINANCE COMMITTEE

##### AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF INSURANCE FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

##### S 1140

##### BY FINANCE COMMITTEE

##### AN ACT

APPROPRIATING MONEYS TO THE INDUSTRIAL COMMISSION FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

##### S 1141

##### BY FINANCE COMMITTEE

##### AN ACT

APPROPRIATING MONEYS TO THE DIVISION OF BUILDING SAFETY FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

##### S 1142

##### BY FINANCE COMMITTEE

##### AN ACT

RELATING TO APPROPRIATIONS FOR THE LEGISLATIVE BRANCH; APPROPRIATING MONEYS TO THE LEGISLATIVE SERVICES OFFICE FOR FISCAL YEAR 2016; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES TO THE LEGISLATIVE SERVICES OFFICE; EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS FOR THE LEGISLATIVE SERVICES OFFICE; APPROPRIATING MONEYS TO THE OFFICE OF PERFORMANCE EVALUATIONS FOR FISCAL YEAR 2016; AND EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS FOR THE OFFICE OF PERFORMANCE EVALUATIONS.

##### S 1143

##### BY FINANCE COMMITTEE

##### AN ACT

APPROPRIATING MONEYS TO THE EXECUTIVE OFFICE OF THE GOVERNOR FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND EXEMPTING APPROPRIATION OBJECT AND PROGRAM TRANSFER LIMITATIONS.

[S 1137](#), [S 1138](#), [S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), and [S 1143](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 155](#), [H 184](#), and [H 185](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 218](#), [H 223](#), [H 224](#), [H 225](#), [H 226](#), [H 227](#), [H 228](#), [H 229](#), [H 230](#), [H 231](#), and [H 232](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 195](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 183](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[HCR 12](#), by Health and Welfare Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

[H 220](#), [H 209](#), and [H 208](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 197](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

The Senate advanced to the Twelfth Order of Business.

#### Second Reading of Bills

[S 1125](#), [S 1126](#), [S 1127](#), [S 1128](#), [S 1129](#), [S 1130](#), [S 1131](#), [S 1132](#), and [S 1133](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 206](#) and [H 207](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[H 39](#) and [H 75](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

[H 47](#), [H 124](#), and [H 125](#), by Resources and Conservation Committee, were read the second time at length and filed for third reading.

[H 161](#), [H 61](#), [H 62](#), and [H 64](#), by Judiciary, Rules, and Administration Committee, were read the second time at length and filed for third reading.

[H 72](#), as amended in the Senate, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

[S 1108](#), as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1069](#), as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1072](#), as amended, by Education Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

#### Third Reading of Bills

On request by Senator Mortimer, granted by unanimous consent, [S 1096](#) was referred to the Fourteenth Order of Business, General Calendar.

[S 1116](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Senator Lodge was recorded present at this order of business.

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1116](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1117](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1117](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1118](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Schmidt, Siddoway, Stennett, Thayn, Ward-Engelking. Total - 26.

NAYS—Martin, Nonini, Nuxoll, Rice, Souza, Tippetts, Vick, Winder. Total - 8.

Absent and excused—Patrick. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1118](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1119](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1119](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1121](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Patrick, Rice, Schmidt, Siddoway, Stennett, Tippetts, Ward-Engelking, Winder. Total - 25.

NAYS—Bayer, Den Hartog, Johnson, Lakey, Mortimer, Nonini, Nuxoll, Souza, Thayn, Vick. Total - 10.

Total - 35.

Whereupon the President Pro Tempore declared [S 1121](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1113](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1113](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 29](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 29](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 110](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

President Little assumed the Chair.

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 110](#) passed, title was approved, and the bill ordered returned to the House.

[H 33](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 33](#) passed, title was approved, and the bill ordered returned to the House.

[H 68](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 68](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [H 95](#) retained its place on the Third Reading Calendar for one legislative day.

[H 48](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 48](#) passed, title was approved, and the bill ordered returned to the House.

[H 49](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Siddoway. Total - 1.

Total - 35.

Whereupon the President declared [H 49](#) passed, title was approved, and the bill ordered returned to the House.

[H 82](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 82](#) passed, title was approved, and the bill ordered returned to the House.

[H 122](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 31.

NAYS—Bayer, Nonini, Nuxoll, Vick. Total - 4.

Total - 35.

Whereupon the President declared [H 122](#) passed, title was approved, and the bill ordered returned to the House.

[H 133](#) was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Siddoway, Brackett, Nuxoll, Rice, Guthrie, and Lodge disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 133](#) passed, title was approved, and the bill ordered returned to the House.

[H 50](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Thayn, Tippets, Vick, Winder. Total - 30.

NAYS—Buckner-Webb, Burgoyne, Jordan, Stennett, Ward-Engelking. Total - 5.

Total - 35.

Whereupon the President declared [H 50](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [H 95](#) was placed at the head of the Third Reading Calendar, followed by Senate bills, followed by House bills amended in the Senate, followed by all remaining House bills.

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

#### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 10 a.m., Wednesday, March 11, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary



# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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FIFTY-NINTH LEGISLATIVE DAY  
WEDNESDAY, MARCH 11, 2015

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Lakey, absent and formally excused by the Chair; and Senator Thayne, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Tim Bush, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 10, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Petitions, Resolutions, and Memorials

#### SCR 118

#### BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND DECLARING MARCH 20 OF EACH YEAR AS "YMCA DAY" TO RECOGNIZE THE CONTRIBUTIONS OF THE YMCA TO THE CITIZENS OF IDAHO.

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

WHEREAS, the Idaho State Alliance of YMCAs has strengthened the foundations of local communities through programs and services that foster youth development, healthy living and social responsibility since the first Idaho YMCA was established in 1891; and

WHEREAS, more than 110,000 people of all ages, races, faiths, abilities and economic backgrounds benefit each year from the YMCA's extensive programming designed to nurture the potential of children, to improve health and well-being and to provide support for those in need; and

WHEREAS, no one is turned away for inability to pay, the Idaho YMCAs provide more than \$6 million in

financial assistance to enable individuals, children and families to participate in programming that enhances educational opportunities and health and well-being; and

WHEREAS, over 60,000 youth in Idaho are involved in afterschool enrichment programs, early learning child care with an emphasis on numeracy and literacy, resident summer camps, engineering and robotics, youth sports focusing on character development, child abuse prevention, summer learning loss, swim lessons and water safety, teen leadership development, arts education, Youth Government and college advising; and

WHEREAS, programs such as arthritis aquatics, physical therapy, "Moving for Better Balance," "Artist in Residence," disease prevention, "Delay the Disease Parkinson's Program" and cancer survivorship are available to the community; and

WHEREAS, YMCAs are charitable organizations and community assets whose ability to accomplish their objectives depends on the more than 6,500 volunteers, making the Idaho State Alliance of YMCAs the largest volunteer led and driven organizations in the state, with each YMCA governed by a local volunteer board of directors who generously give of their time, expertise and resources to strengthen our communities by addressing local needs; and

WHEREAS, the YMCA's programs are made possible because of community support through partnerships with local city and county officials, local school districts, the United Way, St. Luke's Health System, Saint Alphonsus Regional Medical Center, Healthwise, the Lee Pesky Learning Center and the Idaho Children's Trust Fund.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we declare March 20 of each year as "YMCA Day" for the purpose of recognizing the Idaho State Alliance of YMCAs for their contributions to the citizens of Idaho.

[SCR 118](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

March 11, 2015

The JUDICIARY AND RULES Committee reports that [S 1137](#), [S 1138](#), [S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), and [S 1143](#) have been correctly printed.

LODGE, Chairman

[S 1137](#) was referred to the State Affairs Committee.

[S 1138](#), [S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), and [S 1143](#) were referred to the Finance Committee.

March 10, 2015

The JUDICIARY AND RULES Committee reports that [S 1026](#), [S 1027](#), [S 1029](#), [SJM 101](#), and [SCR 104](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1026](#), [S 1027](#), [S 1029](#), [SJM 101](#), and [SCR 104](#) and ordered them transmitted to the House for the signature of the Speaker.

March 10, 2015

The FINANCE Committee reports out [H 218](#), [H 223](#), [H 224](#), [H 225](#), [H 226](#), [H 227](#), [H 228](#), [H 229](#), [H 230](#), [H 231](#), and [H 232](#) with the recommendation that they do pass.

CAMERON, Chairman

[H 218](#), [H 223](#), [H 224](#), [H 225](#), [H 226](#), [H 227](#), [H 228](#), [H 229](#), [H 230](#), [H 231](#), and [H 232](#) were filed for second reading.

March 10, 2015

The TRANSPORTATION Committee reports out [HJM 8](#) with the recommendation that it do pass.

BRACKETT, Chairman

[HJM 8](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 10, 2015

The TRANSPORTATION Committee reports out [H 15](#), as amended in the Senate, with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, [H 15](#), as amended in the Senate, was referred to the Fourteenth Order of Business, General Calendar.

March 10, 2015

The HEALTH AND WELFARE Committee reports out [H 178](#) with the recommendation that it do pass.

HEIDER, Chairman

[H 178](#) was filed for second reading.

March 10, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 156](#) with the recommendation that it do pass.

SIDDOWNAY, Chairman

[H 156](#) was filed for second reading.

March 10, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 142](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SIDDOWNAY, Chairman

There being no objection, [H 142](#) was referred to the Fourteenth Order of Business, General Calendar.

March 10, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 30](#), [H 46](#), [H 78](#), and [H 81](#) with the recommendation that they do pass.

TIPPETS, Chairman

[H 30](#), [H 46](#), [H 78](#), and [H 81](#) were filed for second reading.

March 10, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1062](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

TIPPETS, Chairman

There being no objection, [S 1062](#) was referred to the Fourteenth Order of Business, General Calendar.

March 10, 2015

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

Jerry Edgington to the Idaho Health Insurance Exchange Board, term to expire April 10, 2017.

TIPPETS, Chairman

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

March 10, 2015

The JUDICIARY AND RULES Committee reports out [S 1067](#) with the recommendation that it do pass.

LODGE, Chairman

[S 1067](#) was filed for second reading.

March 10, 2015

The JUDICIARY AND RULES Committee reports out [H 157](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [H 157](#) was referred to the Fourteenth Order of Business, General Calendar.

March 11, 2015

The STATE AFFAIRS Committee reports out [S 1092](#) and [S 1112](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[S 1092](#) and [S 1112](#) were filed for second reading.

March 11, 2015

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

Candace Sweigart to the Idaho Health Insurance Exchange Board, term to expire April 10, 2017.

TIPPETS, Chairman

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

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

**Messages from the House**

March 10, 2015

Dear Mr. President:

I transmit herewith [H 181](#), which has passed the House.

ALEXANDER, Chief Clerk

[H 181](#) was filed for first reading.

March 10, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 70](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 70](#) and ordered it returned to the House.

March 10, 2015

Dear Mr. President:

I return herewith Enrolled [S 1020](#), [S 1036](#), [S 1042](#), [S 1043](#), [S 1079](#), and [S 1081](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1020](#), [S 1036](#), [S 1042](#), [S 1043](#), [S 1079](#), and [S 1081](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

**Motions and Resolutions**

Senator Thayne was recorded present at this order of business.

The President announced that [SCR 116](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

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

On motion by Senator Ward-Engelking, seconded by Senator Den Hartog, [SCR 116](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 117](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Davis, seconded by Senator Mortimer, [SCR 117](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [HCR 10](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Vick, seconded by Senator Lacey, [HCR 10](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [HCR 7](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Stennett, seconded by Senator Bair, [HCR 7](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Jim Yost was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Cameron, seconded by Senator Lacey, the Gubernatorial reappointment of Jim Yost as a member of the Northwest Power and Conservation Council was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Darrell Bolz was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Rice, the Gubernatorial appointment of Darrell Bolz as a member of the State Public Defense Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of George Eskridge was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Keough, seconded by Senator Burgoyne, the Gubernatorial appointment of George Eskridge as a member of the Idaho Energy Resources Authority was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Marc Brinkmeyer was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Keough, seconded by Senator Lacey, the Gubernatorial reappointment of Marc Brinkmeyer as a member of the Lake Pend Oreille Basin Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1144**

**BY FINANCE COMMITTEE**

**AN ACT**

RELATING TO APPROPRIATIONS, DISTRIBUTIONS AND TRANSFERS OF IDAHO MILLENNIUM FUNDS; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE IDAHO ACADEMY OF FAMILY PHYSICIANS FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE AMERICAN LUNG ASSOCIATION OF IDAHO FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE IDAHO PUBLIC HEALTH DISTRICTS FOR THE PUBLIC HEALTH DISTRICT MILLENNIUM FUND CESSATION PROGRAM FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE IDAHO ASSOCIATION OF COUNTIES FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE AMERICAN CANCER SOCIETY CANCER ACTION NETWORK FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE IDAHO YOUTH RANCH FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE SUPPORTIVE HOUSING AND INNOVATIVE PARTNERSHIPS INC. OF IDAHO FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE IDAHO DRUG FREE YOUTH FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE FOUNDATION FOR THE IDAHO CONFERENCE ON ALCOHOL AND DRUG DEPENDENCY INC. FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE COMMUNITY COALITIONS OF IDAHO FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE BOYS AND GIRLS CLUB OF IDAHO FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE IDAHO METH PROJECT FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE IDAHO STATE POLICE FOR TOBACCO PERMITTEE COMPLIANCE INSPECTIONS FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE IDAHO DEPARTMENT OF JUVENILE CORRECTIONS FOR THE YOUTH PREVENTION AND CESSATION PROGRAMS FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE PHYSICAL HEALTH SERVICES PROGRAM FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE IDAHO DEPARTMENT OF CORRECTION FOR THE COMMUNITY-BASED SUBSTANCE ABUSE TREATMENT SERVICES PROGRAM FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO BOISE STATE UNIVERSITY FOR THE INSTITUTE FOR THE STUDY OF ADDICTION FOR FISCAL YEAR 2016; APPROPRIATING AND TRANSFERRING MONEYS TO THE IDAHO MILLENNIUM PERMANENT ENDOWMENT FUND FOR FISCAL YEAR 2016; PROVIDING THAT CERTAIN UNEXPENDED AND UNENCUMBERED BALANCE OF MONEYS SHALL REVERT TO THE IDAHO MILLENNIUM INCOME FUND AT THE END OF FISCAL YEAR 2016;

AND TRANSFERRING ANY REMAINING UNEXPENDED AND UNENCUMBERED BALANCE OF MONEYS IN THE IDAHO MILLENNIUM INCOME FUND TO THE IDAHO MILLENNIUM PERMANENT ENDOWMENT FUND AT THE END OF FISCAL YEAR 2016.

**S 1145**

**BY FINANCE COMMITTEE**

**AN ACT**

APPROPRIATING MONEYS TO THE PUBLIC DEFENSE COMMISSION FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**S 1146**

**BY STATE AFFAIRS COMMITTEE**

**AN ACT**

RELATING TO CONTROLLED SUBSTANCES; AMENDING SECTION 37-2701, IDAHO CODE, TO REVISE THE DEFINITION OF "MARIJUANA," TO DEFINE "CANNABIDIOL OIL" AND TO PROVIDE AN AFFIRMATIVE DEFENSE; AND DECLARING AN EMERGENCY.

**S 1147**

**BY STATE AFFAIRS COMMITTEE**

**AN ACT**

RELATING TO MUNICIPAL CORPORATIONS; AMENDING SECTION 50-1019, IDAHO CODE, TO AUTHORIZE THE ISSUANCE OF CERTAIN BONDS TO PROVIDE FOR THE PROTECTION OF PUBLIC SAFETY BY THE ESTABLISHMENT OF FIRE AND POLICE DEPARTMENTS AND BY THE PURCHASE OF BUILDING SITES, BUILDINGS AND EQUIPMENT AND APPARATUS NECESSARY TO PROVIDE POLICE PROTECTION AND TO CLARIFY A CODE REFERENCE; AND DECLARING AN EMERGENCY.

[S 1144](#), [S 1145](#), [S 1146](#), and [S 1147](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 181](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[H 205](#), [H 210](#), and [H 211](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[H 31](#), by Resources and Conservation Committee, was read the second time at length and filed for third reading.

[H 58](#), by Environment, Energy, and Technology Committee, was read the second time at length and filed for third reading.

[H 123](#) and [H 166](#), by Resources and Conservation Committee, were read the second time at length and filed for third reading.

[H 150](#) and [H 189](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 169](#), by Education Committee, was read the second time at length and filed for third reading.

[H 136](#), [H 138](#), and [H 139](#), by Judiciary, Rules, and Administration Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

On request by Senator Rice, granted by unanimous consent, [H 95](#) retained its place on the Third Reading Calendar for Wednesday, March 18, 2015.

[S 1076](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Lakey. Total - 1.

Total - 35.

Whereupon the President declared [S 1076](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1120](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Tippets arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Lakey. Total - 1.

Total - 35.

Whereupon the President declared [S 1120](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1125](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Lakey. Total - 1.

Total - 35.

Whereupon the President declared [S 1125](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1126](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Cameron and Mortimer disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Heider, Hill, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Schmidt, Siddoway, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 25.

NAYS—Bayer, Den Hartog, Guthrie, Hagedorn, Johnson, Nuxoll, Rice, Souza, Vick. Total - 9.

Absent and excused—Lakey. Total - 1.

Total - 35.

Whereupon the President declared [S 1126](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1127](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 29.

NAYS—Bayer, Nuxoll, Rice, Souza. Total - 4.

Absent and excused—Davis, Lakey. Total - 2.

Total - 35.

Whereupon the President declared [S 1127](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1128](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Lakey. Total - 1.

Total - 35.

Whereupon the President declared [S 1128](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1129](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Lakey. Total - 1.

Total - 35.

Whereupon the President declared [S 1129](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1130](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Lakey. Total - 1.

Total - 35.

Whereupon the President declared [S 1130](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1131](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Lakey. Total - 1.

Total - 35.

Whereupon the President declared [S 1131](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1132](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Lakey. Total - 1.

Total - 35.

Whereupon the President declared [S 1132](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1133](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Lakey. Total - 1.

Total - 35.

Whereupon the President declared [S 1133](#) passed, title was approved, and the bill ordered transmitted to the House.

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

#### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 10 a.m., Thursday, March 12, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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SIXTIETH LEGISLATIVE DAY  
THURSDAY, MARCH 12, 2015

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Cameron, and Mortimer, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Kayla Christensen, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 11, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

March 12, 2015

The JUDICIARY AND RULES Committee reports that [SCR 118](#), [S 1144](#), [S 1145](#), [S 1146](#), and [S 1147](#) have been correctly printed.

LODGE, Chairman

[SCR 118](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1144](#) and [S 1145](#) were referred to the Finance Committee.

[S 1146](#) was referred to the State Affairs Committee.

[S 1147](#) was referred to the Local Government and Taxation Committee.

March 11, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [S 1020](#), [S 1036](#), [S 1042](#), [S 1043](#), [S 1079](#), and [S 1081](#) were delivered to the Office of the Governor at 11:30 a.m., March 11, 2015.

LODGE, Chairman

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

March 11, 2015

The FINANCE Committee reports out [S 1138](#), [S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), and [S 1143](#) with the recommendation that they do pass.

CAMERON, Chairman

[S 1138](#), [S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), and [S 1143](#) were filed for second reading.

March 11, 2015

The STATE AFFAIRS Committee reports out [H 90](#) and [H 91](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[H 90](#) and [H 91](#) were filed for second reading.

March 11, 2015

The RESOURCES AND ENVIRONMENT Committee reports out [HJM 5](#) and [HJM 7](#) with the recommendation that they do pass.

BAIR, Chairman

[HJM 5](#) and [HJM 7](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 11, 2015

The HEALTH AND WELFARE Committee reports out [H 107](#), [H 153](#), [HCR 9](#), and [HCR 11](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 107](#) and [H 153](#) were filed for second reading.

[HCR 9](#) and [HCR 11](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 11, 2015

The EDUCATION Committee reports out [H 126](#) and [H 190](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 126](#) and [H 190](#) were filed for second reading.

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

### Messages from the House

March 11, 2015

Dear Mr. President:

I transmit herewith [H 212](#), [H 213](#), and [H 202](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 212](#), [H 213](#), and [H 202](#) were filed for first reading.

March 11, 2015

Dear Mr. President:

I return herewith [S 1034](#), [S 1051](#), [S 1052](#), [S 1007](#), [S 1008](#), [S 1010](#), [S 1023](#), [S 1057](#), [S 1058](#), and [S 1099](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1034](#), [S 1051](#), [S 1052](#), [S 1007](#), [S 1008](#), [S 1010](#), [S 1023](#), [S 1057](#), [S 1058](#), and [S 1099](#) were referred to the Judiciary and Rules Committee for enrolling.

March 11, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 33](#), [H 48](#), [H 49](#), [H 50](#), [H 68](#), [H 82](#), [H 110](#), [H 122](#), and [H 133](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 33](#), [H 48](#), [H 49](#), [H 50](#), [H 68](#), [H 82](#), [H 110](#), [H 122](#), and [H 133](#) and ordered them returned to the House.

March 11, 2015

Dear Mr. President:

I return herewith Enrolled [S 1037](#), [S 1031](#), [S 1045](#), [S 1015](#), as amended, [S 1016](#), [S 1024](#), [S 1050](#), [S 1006](#), and [S 1009](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1037](#), [S 1031](#), [S 1045](#), [S 1015](#), as amended, [S 1016](#), [S 1024](#), [S 1050](#), [S 1006](#), and [S 1009](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

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

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1148**

**BY FINANCE COMMITTEE**

AN ACT

APPROPRIATING MONEYS TO THE COMMISSION ON HISPANIC AFFAIRS FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**S 1149**

**BY FINANCE COMMITTEE**

AN ACT

APPROPRIATING MONEYS TO IDAHO PUBLIC TELEVISION FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

[S 1148](#) and [S 1149](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 212](#) and [H 213](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 202](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[H 218](#), [H 223](#), [H 224](#), [H 225](#), [H 226](#), [H 227](#), [H 228](#), [H 229](#), [H 230](#), [H 231](#), and [H 232](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[H 178](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 156](#), by Local Government Committee, was read the second time at length and filed for third reading.

[H 30](#), by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

[H 46](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 78](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[H 81](#), by Business Committee, was read the second time at length and filed for third reading.

[S 1067](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1092](#), by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

[S 1112](#), by State Affairs Committee, was read the second time at length and filed for third reading.

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

Senators Cameron and Mortimer were recorded present at this order of business.

**General Calendar**

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

**Report of the Committee of the Whole**

Senator Winder, Chairman of the Committee of the Whole, reported out [S 1041](#), [S 1053](#), [H 17](#), [S 1095](#), [S 1096](#), [H 15](#), as amended in the Senate, [H 142](#), and [S 1062](#), without recommendation, amended as follows:

**SENATE AMENDMENT TO S 1041**

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 14, following "senate." insert: "Present members shall continue to serve for the balance of their initial terms of appointment. Thereafter, any member appointed or reappointed shall serve for a term of three (3) years."; delete lines 18 through 22, and insert:

"(2) The terms of the members shall expire as follows: three (3) members on January 1, 2014; three (3) members on January 1, 2015; and three (3) members on January 1, 2016.



Thereafter, any person appointed a member of the board shall hold office for three (3) years."; in line 23, delete "3" and insert: "32"; and in line 26, delete "4" and insert: "43".

On page 2, in line 10, delete "5" and insert: "54"; in line 14, delete "6" and insert: "65"; in line 17, delete "7" and insert: "76"; in line 18, delete "8" and insert: "87"; and in line 19, delete "9" and insert: "98".

#### CORRECTION TO TITLE

On page 1, in line 5, following "EXAMINATION" insert: "AND TO REVISE PROVISIONS CONCERNING THE TERMS OF MEMBERS".

#### SENATE AMENDMENT TO S 1053

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 10, delete "(1)" and insert: "(1)"; in line 15, delete "2" and insert: "21"; in line 19, delete "3" and insert: "32"; in line 23, delete "4" and insert: "43"; and in line 31, delete "5" and insert: "54".

##### AMENDMENT TO SECTION 2

On page 1, in line 38, delete "(1)" and insert: "(1)".

On page 2, in line 3, delete "2" and insert: "21"; in line 7, delete "3" and insert: "32"; and in line 11, delete "4" and insert: "43".

#### SENATE AMENDMENT TO H 17

##### AMENDMENT TO SECTION 1

On page 3 of the printed bill, in line 5, delete "three (3) wheeled motorcycle on which the"; and delete lines 6 through 9, and insert: "motor vehicle designed to travel on not more than three (3) wheels in contact with the ground that has a steering wheel and seating that does not require the operator to straddle or sit astride.".

##### AMENDMENT TO SECTION 4

On page 5, in line 10, following "to" insert: "completely enclosed".

##### AMENDMENT TO SECTION 5

On page 5, delete lines 25 and 26.

##### AMENDMENT TO THE BILL

On page 5, following line 26, insert:

"SECTION 6. 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 "FOR" insert: "COMPLETELY ENCLOSED"; also in line 6, delete "AND"; in line 9, delete "," and insert: "AND"; and delete lines 11 through 13, and insert: "OPERATING AUTOCYCLES; AND DECLARING AN EMERGENCY."

#### SENATE AMENDMENT TO S 1095

##### AMENDMENT TO SECTION 4

On page 8 of the printed bill, in line 40, delete "-eight"; and in line 41, delete "88" and insert: "80".

#### SENATE AMENDMENT TO S 1095

##### AMENDMENT TO THE BILL

On page 2 of the printed bill, delete lines 2 through 47; on page 3, delete lines 1 through 50; on page 4, delete lines 1 through 48; and renumber sections accordingly.

##### AMENDMENT TO SECTION 18

On page 29, delete lines 17 through 19, and insert:

"SECTION 17. Sections 1 through 5 and Sections 8 through 16 of this act shall be in full force and effect on and after July 1, 2016. Sections 6 and 7 of this act shall be in full force and effect on and after July 1, 2017."

#### CORRECTION TO TITLE

On page 1, in line 2, delete "AMENDING SECTION 9-340B, IDAHO"; and delete line 3.

#### SENATE AMENDMENT TO S 1096

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 26 through 31, and insert:

"(c) A process by which parents who object to any learning material or activity on the basis that it harms the child or impairs the parents' firmly held beliefs, values or principles, may withdraw their child from the activity, class or program in which the material is used."

#### SENATE AMENDMENT TO SENATE AMENDMENT TO H 15

##### AMENDMENT TO THE AMENDMENT

On page 1 of the printed amendment, delete lines 2 through 20.

On page 1 of the printed bill, delete lines 17 through 42; and on page 2, delete lines 1 through 19 and insert:

"SECTION 1. That Chapter 5, Title 49, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 49-523A, Idaho Code, and to read as follows:

49-523A. TITLE STOP WHEN OWNERSHIP OF VEHICLE DISPUTED. (1) Whenever a party claims an interest in a vehicle subject to a title, the party may request a title stop be placed upon the title record of the vehicle.

(2) The request for title stop shall be provided to the department, together with documentation supporting the request and the fee required pursuant to the provisions of section 49-202(2)(i), Idaho Code.

(3) A verbal request to the department for a title stop may be placed on the title record for up to five (5) business days upon advising the requestor of the requirements and giving the requestor time to send the written request. Failure to send the written request shall terminate the request at the end of the five (5) business days.

(4) Upon receipt of the request for title stop, the department may place a stop on the title record of the subject vehicle if it appears from the documentation provided that there exists a reasonable dispute as to the ownership of the vehicle.

(5) Notwithstanding the placement of a stop or the filing of a stop request, the department shall process an application for title accompanied by a properly completed affidavit of repossession, or to record a lien or encumbrance, unless the requestor of the stop has provided the department with a court order restraining the issuance of title. In all other applications for title, the department shall place or maintain a stop and shall notify the title applicant that a stop is in place.

(6) Once the title stop is placed by the department, the requesting party shall provide evidence of a judicial filing relating to the subject vehicle within thirty (30) days of the title stop becoming effective. Failure to provide such evidence shall result in the department's cancellation of the title stop.

(a) Upon receipt of a written request for a title stop and the required fee, the department shall send notice of the title stop to the titled owners and any other party with recorded interest or lienholder recorded on the title records of the department.

(b) Upon receipt by the department of satisfactory evidence of a judicial filing, the title stop shall remain in place until a final order of the judicial proceeding is received, the requesting party has instructed the department to remove the stop, the requesting party has failed to respond to notice under paragraph (c) of this subsection or for one (1) year, unless renewed by the requestor, whichever comes first.

(c) Except as provided in subsection (5) of this section, if a person files evidence with the department that the person has acquired title to the vehicle for which a title stop has been placed, then the department shall send notice to the original requesting party providing ten (10) business days from the date notice was mailed to object to the release of the title stop. If the department does not receive timely response from the requesting party or if the requesting party instructs the department to remove the stop, then the title stop shall be immediately released.

(7) During the pendency of the title stop, no title applications for the vehicle to which the stop pertains shall be processed by the department except as otherwise provided in this section.

(8) Title stops requested by a governmental agency shall be exempt from the provisions of subsection (6) of this section. Such title stop shall be valid for two (2) years, unless renewed by the governmental agency requesting the stop. Governmental agencies shall be exempt from the fee required in section 49-202(2)(i), Idaho Code.

(9) The provisions of this section shall be effective for any title stop received on and after July 1, 2015."

#### CORRECTION TO TITLE

On page 1, delete lines 2 through 15, and insert:

"RELATING TO MOTOR VEHICLES; AMENDING CHAPTER 5, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-523A, IDAHO CODE, TO PROVIDE FOR TITLE STOP REQUESTS WHEN OWNERSHIP OF A VEHICLE IS DISPUTED, TO PROVIDE A PROCEDURE, TO PROVIDE FOR A FEE, TO PROVIDE FOR VERBAL REQUESTS, TO AUTHORIZE THE IDAHO TRANSPORTATION DEPARTMENT TO PLACE A STOP ON THE TITLE RECORD OF A VEHICLE UNDER CERTAIN CONDITIONS, TO PROVIDE THAT THE DEPARTMENT SHALL PROCESS AN APPLICATION FOR A TITLE OR RECORD A LIEN OR ENCUMBRANCE EXCEPT UNDER CERTAIN CIRCUMSTANCES, TO REQUIRE THE REQUESTING PARTY TO PROVIDE CERTAIN EVIDENCE ONCE THE TITLE STOP IS PLACED BY THE DEPARTMENT, TO PROVIDE FOR CANCELLATION OF A TITLE STOP IN THE EVENT EVIDENCE IS NOT PROVIDED, TO PROVIDE FOR NOTICE, TO PROVIDE FOR THE DURATION OF THE TITLE STOP, TO PROVIDE THAT A PERSON MAY FILE EVIDENCE THAT THE PERSON HAS ACQUIRED TITLE TO A VEHICLE FOR WHICH A TITLE STOP HAS BEEN PLACED, TO PROVIDE FOR NOTICE, TO PROVIDE FOR THE RELEASE OF A TITLE STOP UNDER CERTAIN CONDITIONS, TO PROVIDE THAT NO TITLE APPLICATIONS FOR THE VEHICLE SHALL BE PROCESSED DURING THE PENDENCY OF THE TITLE STOP, TO PROVIDE FOR TITLE STOPS REQUESTED BY GOVERNMENTAL AGENCIES AND TO PROVIDE FOR APPLICABILITY."

#### SENATE AMENDMENT TO H 142

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 41, following "city" insert: "with a population of one thousand five hundred (1,500) or more"; and in line 42, following "cities" insert: "with a population of one thousand five hundred (1,500) or more".

#### SENATE AMENDMENT TO S 1062

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 12 through 38; delete pages 2 and 3, and insert:

"SECTION 1. That Title 39, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW CHAPTER, to be known and designated as Chapter 92, Title 39, Idaho Code, and to read as follows:

#### CHAPTER 92

#### IDAHO DIRECT PRIMARY CARE ACT

39-9201. SHORT TITLE. This chapter shall be known and may be cited as the "Idaho Direct Primary Care Act."

39-9202. PUBLIC POLICY. It is the policy of the state of Idaho to promote personal responsibility for health care and the cost-effective delivery of medical services by encouraging innovative use of direct patient-provider practices for primary medical care. Direct patient-provider practices utilize a model of periodic fees for provider access and medical management over time, rather than simply a fee for visit or procedure service model. Some patients and individual primary care providers may wish to establish direct agreements with one another as an alternative to traditional fee-for-service care financed through health insurance. The purpose of this act is to confirm that direct patient-provider agreements that satisfy the provisions of this chapter do not constitute insurance.

39-9203. DEFINITIONS. For purposes of this chapter, the following definitions apply:

(1) "Direct fee" means an agreed-upon fee charged by a primary care provider as consideration for providing and being available to provide direct primary care services described in a direct primary care agreement.

(2) "Direct primary care agreement" means a written contract between a primary care provider and an individual patient or a patient's representative in which the primary care provider agrees to provide direct primary care services to the patient over a specified period of time for payment of a direct fee.

(3) "Direct primary care services" means those services that a primary care provider is licensed or otherwise legally authorized to provide and may include, but are not limited to, such services as screening, assessment, diagnosis and treatment for the purpose of promoting health; detection, management and care of disease or injury; or routine preventive or diagnostic dental treatment. Such services may be provided in a primary care provider's office, the patient's home or other locations where a patient visit with the primary care provider needs to occur.

(4) "Patient" means a person who is entitled to receive direct primary care services under a direct care agreement.

(5) "Patient's representative" means a person identified in section 39-4504(1)(a) through (g), Idaho Code.

(6) "Primary care provider" means a natural person licensed or otherwise legally authorized to provide health care services in the state of Idaho in the field of pediatrics, family medicine, internal medicine or dentistry, who provides such

services either alone or in professional association with others in a form and within a scope permitted by such licensure or legal authorization for the provision of such services, and who enters into a direct primary care agreement.

39-9204. DIRECT PRIMARY CARE AGREEMENT PROVISIONS. (1) A direct primary care agreement shall identify:

- (a) The primary care provider and the patient;
- (b) The general scope of services as well as the specific services to be provided by the primary care provider;
- (c) The location or locations where services are to be provided;
- (d) The amount of the direct fee and the time interval at which it is to be paid; and
- (e) The term of the agreement and the conditions upon which it may be terminated by the primary care provider. The agreement shall be terminable at will by written notice from the patient to the primary care provider.

(2) If a party provides written notice of termination of the direct primary care agreement, the primary care provider shall refund to the patient all unearned direct fees within thirty (30) days following the notice of termination.

39-9205. INSURANCE BILLING PROHIBITED. Neither the patient nor the primary care provider shall submit a bill to an insurer for the services provided under a direct primary care agreement.

39-9206. AGREEMENTS NOT CLASSIFIED AS INSURANCE. Direct primary care agreements are not subject to regulation as insurance under title 41, Idaho Code.

39-9207. DISCLAIMER. A direct primary care agreement shall include the following disclaimer: "This agreement does not provide health insurance coverage, including the minimal essential coverage required by applicable federal law. It provides only the services described herein. It is recommended that health care insurance be obtained to cover medical services not provided for under this direct primary care agreement."

39-9208. RESTRICTIONS ON TRANSFER. A direct primary care agreement may not be sold or transferred by the primary care provider without the written consent of the patient and may be transferred only to another primary care provider. A direct primary care agreement may not be sold to a group, employer or group of subscribers because it is an individual agreement between a primary care provider and a patient. These limitations do not prohibit the presentation of marketing materials to groups of potential patients or their representatives but said marketing materials are subject to chapter 6, title 48, Idaho Code."

#### CORRECTION TO TITLE

On page 1, delete lines 2 through 10, and insert:  
 "RELATING TO HEALTH CARE; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 92, TITLE 39, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DECLARE PUBLIC POLICY AND TO PROVIDE THAT DIRECT PRIMARY CARE AGREEMENTS DO NOT CONSTITUTE INSURANCE, TO DEFINE TERMS, TO SPECIFY THAT DIRECT PRIMARY CARE AGREEMENTS INCLUDE CERTAIN

PROVISIONS, TO PROHIBIT DIRECT PRIMARY CARE PROVIDERS FROM BILLING INSURERS FOR DIRECT PRIMARY CARE, TO PROVIDE THAT DIRECT PRIMARY CARE AGREEMENTS SHALL NOT BE REGULATED AS INSURANCE, TO PROVIDE THAT DIRECT PRIMARY CARE AGREEMENTS INCLUDE A DISCLAIMER AND TO RESTRICT SALES OR TRANSFERS OF DIRECT PRIMARY CARE AGREEMENTS."

The Committee also has [S 1033](#) and [H 157](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

[S 1041](#), as amended, [S 1053](#), as amended, [S 1095](#), as amended, [S 1096](#), as amended, and [S 1062](#), as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

[H 17](#), as amended in the Senate, [H 15](#), as amended in the Senate, as amended in the Senate, and [H 142](#), as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

#### Motions and Resolutions

The President announced that [HJM 8](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Brackett, seconded by Senator Den Hartog, [HJM 8](#) was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Jerry Edgington was before the Senate for final consideration, the question being, "Shall the report be adopted?"

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

On motion by Senator Martin, seconded by Senator Jordan, the Gubernatorial appointment of Jerry Edgington as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Candace Sweigart was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Keough, the Gubernatorial appointment of Candace Sweigart as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

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

### Third Reading of Bills

[S 1108](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Keough, Lacey, Lakey, Nonini, Nuxoll, Patrick, Siddoway, Souza, Vick, Winder. Total - 18.

NAYS—Buckner-Webb, Burgoyne, Cameron, Davis, Johnson, Jordan, Lee, Lodge, Martin, McKenzie, Mortimer, Rice, Schmidt, Stennett, Thayne, Tippetts, Ward-Engelking. Total - 17.

Total - 35.

Whereupon the President declared [S 1108](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1069](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate.

On request by Senator Davis, granted by unanimous consent, [S 1069](#), as amended, was referred to the Fourteenth Order of Business, General Calendar.

[S 1072](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Souza, Thayne, Vick, Ward-Engelking, Winder. Total - 24.

NAYS—Bair, Buckner-Webb, Cameron, Johnson, Lacey, McKenzie, Rice, Schmidt, Siddoway, Stennett, Tippetts. Total - 11.

Total - 35.

Whereupon the President declared [S 1072](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

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

### Petitions, Resolutions, and Memorials

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

### RECESS AFTERNOON SESSION

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

Roll call showed all members present except Senators Brackett, Davis, Heider, and Lodge, absent and excused.

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

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

March 12, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1041](#), [S 1053](#), [H 17](#), [S 1095](#), [S 1096](#), [H 15](#), as amended in the Senate, [H 142](#), and [S 1062](#) have been correctly printed.

LODGE, Chairman

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

March 12, 2015

The JUDICIARY AND RULES Committee reports that [S 1041](#), as amended, [S 1053](#), as amended, [S 1095](#), as amended, [S 1096](#), as amended, and [S 1062](#), as amended, have been correctly engrossed.

LODGE, Chairman

[S 1041](#), as amended, [S 1053](#), as amended, [S 1095](#), as amended, [S 1096](#), as amended, and [S 1062](#), as amended, were filed for first reading.

March 12, 2015

The AGRICULTURAL AFFAIRS Committee reports out [H 148](#), [HCR 14](#), and [HJM 6](#) with the recommendation that they do pass.

RICE, Chairman

[H 148](#) was filed for second reading.

[HCR 14](#) and [HJM 6](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Brackett was recorded present at this order of business.

March 12, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 59](#), [H 120](#), as amended, [H 143](#), and [HCR 6](#) with the recommendation that they do pass.

TIPPETS, Chairman

[H 59](#), [H 120](#), as amended, and [H 143](#) were filed for second reading.

[HCR 6](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 12, 2015

The TRANSPORTATION Committee reports out [H 194](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, [H 194](#) was referred to the Fourteenth Order of Business, General Calendar.

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

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

[H 17](#), as amended in the Senate, and [H 15](#), as amended in the Senate, as amended in the Senate, by Transportation and Defense Committee, were read the first time at length and filed for second reading.

[H 142](#), as amended in the Senate, by Local Government Committee, was read the first time at length and filed for second reading.

Senators Lodge and Davis were recorded present at this order of business.

[S 1041](#), as amended, [S 1053](#), as amended, and [S 1095](#), as amended, by Judiciary and Rules Committee, were read the first time at length and filed for second reading.

[S 1096](#), as amended, by Education Committee, was read the first time at length and filed for second reading.

[S 1062](#), as amended, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

On request by Senator Winder, granted by unanimous consent, [S 1062](#), as amended, was referred to the Fourteenth Order of Business, General Calendar.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

[H 72](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Heider. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 72](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Siddoway, granted by unanimous consent, [H 94](#) retained its place on the Third Reading Calendar for Wednesday, March 18, 2015.

President Little assumed the Chair.

Senator Heider was recorded present at this order of business.

[H 108](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Tippetts arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 108](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Patrick, granted by unanimous consent, [H 114](#) retained its place on the Third Reading Calendar for one legislative day.

[H 147](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Buckner-Webb arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 147](#) passed, title was approved, and the bill ordered returned to the House.

[H 177](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Patrick, Schmidt, Stennett, Thayn, Tippetts, Ward-Engelking, Winder. Total - 23.

NAYS—Bair, Bayer, Guthrie, Hill, McKenzie, Mortimer, Nonini, Nuxoll, Rice, Siddoway, Souza, Vick. Total - 12.

Total - 35.

Whereupon the President declared [H 177](#) passed, title was approved, and the bill ordered returned to the House.

[H 206](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 206](#) passed, title was approved, and the bill ordered returned to the House.

[H 207](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 207](#) passed, title was approved, and the bill ordered returned to the House.

[H 39](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bayer, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lodge, Martin, Nonini, Nuxoll, Patrick, Souza, Thayn, Tippetts, Vick. Total - 21.

NAYS—Bair, Brackett, Cameron, Davis, Hill, Lee, McKenzie, Mortimer, Rice, Schmidt, Siddoway, Stennett, Ward-Engelking, Winder. Total - 14.

Total - 35.

Whereupon the President declared [H 39](#) passed, title was approved, and the bill ordered returned to the House.

[H 75](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES—Bayer, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Johnson, Jordan, Keough, Martin, Nonini, Nuxoll, Patrick, Souza, Stennett, Tippetts, Vick, Ward-Engelking. Total - 18.

NAYS—Bair, Brackett, Cameron, Davis, Heider, Hill, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Rice, Schmidt, Siddoway, Thayn, Winder. Total - 17.

Total - 35.

Whereupon the President declared [H 75](#) passed, title was approved, and the bill ordered returned to the House.

[H 47](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Heider, Hill, Johnson, Jordan, Lacey, Lee, Lodge, Martin, McKenzie, Nuxoll, Patrick, Schmidt, Stennett, Thayn, Tippetts, Vick, Ward-Engelking. Total - 24.

NAYS—Cameron, Guthrie, Hagedorn, Keough, Lakey, Mortimer, Nonini, Rice, Siddoway, Souza, Winder. Total - 11.

Total - 35.

Whereupon the President declared [H 47](#) passed, title was approved, and the bill ordered returned to the House.

[H 124](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Burgoyne, Jordan, Stennett. Total - 3.

Total - 35.

Whereupon the President declared [H 124](#) passed, title was approved, and the bill ordered returned to the House.

[H 125](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared [H 125](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Lakey, granted by unanimous consent, [H 161](#) retained its place on the Third Reading Calendar for one legislative day.

[H 61](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 61** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

**Miscellaneous Business**

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 6:05 p.m. until the hour of 9:30 a.m., Friday, March 13, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**SIXTY-FIRST LEGISLATIVE DAY**  
**FRIDAY, MARCH 13, 2015**

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Cameron, Johnson, and Lee, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Nolan Cole, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 12, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Petitions, Resolutions, and Memorials

#### SCR 119

#### BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE DOCKET OF THE STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION RELATING TO RULES GOVERNING UNIFORMITY.

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 a certain rule docket of the State Board of and State Department of Education relating to Rules Governing Uniformity is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 08.02.02, the State Board of and State Department of Education, Rules Governing Uniformity, adopted as a pending

rule under Docket Number 08-0202-1401, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

#### SCR 120

#### BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION RELATING TO RULES GOVERNING UNIFORMITY.

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 a certain rule of the State Board of and State Department of Education relating to Rules Governing Uniformity is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 08.02.02, the State Board of and State Department of Education, Rules Governing Uniformity, Section 028., all of Subsection 04., only, adopted as a pending rule under Docket Number 08-0202-1403, be, and the same is hereby rejected and declared null, void and of no force and effect.

#### SCR 121

#### BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION RELATING TO RULES GOVERNING THOROUGHNESS.

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 a certain rule of the State Board of and State Department of Education relating to Rules Governing Thoroughness is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 08.02.03, the State Board of and State Department of Education, Rules Governing Thoroughness, Section 105., Subsection 06., only, adopted as a pending rule under Docket Number 08-0203-1401, be, and the same is hereby rejected and declared null, void and of no force and effect.

#### SCR 122

#### BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN RULES OF THE STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION RELATING TO RULES GOVERNING THOROUGHNESS.

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 State Board of and State Department of Education relating to Rules Governing Thoroughness are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 08.02.03, the State Board of and State Department of Education, Rules Governing Thoroughness, Section 111., Subsections 04.c. and 06.l., only, adopted as pending rules under Docket Number 08-0203-1403, be, and the same are hereby rejected and declared null, void and of no force and effect.

[SCR 119](#), [SCR 120](#), [SCR 121](#), and [SCR 122](#) were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

#### Reports of Standing Committees

March 13, 2015

The JUDICIARY AND RULES Committee reports that [S 1148](#) and [S 1149](#) have been correctly printed.

LODGE, Chairman

[S 1148](#) and [S 1149](#) were referred to the Finance Committee.

March 12, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [S 1037](#), [S 1031](#), [S 1045](#), [S 1015](#), as amended, [S 1016](#), [S 1024](#), [S 1050](#), [S 1006](#), and [S 1009](#) were delivered to the Office of the Governor at 11:40 a.m., March 12, 2015.

LODGE, Chairman

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

March 12, 2015

The JUDICIARY AND RULES Committee reports that [S 1034](#), [S 1051](#), [S 1052](#), [S 1007](#), [S 1008](#), [S 1010](#), [S 1023](#), [S 1057](#), [S 1058](#), and [S 1099](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1034](#), [S 1051](#), [S 1052](#), [S 1007](#), [S 1008](#), [S 1010](#), [S 1023](#), [S 1057](#), [S 1058](#), and [S 1099](#) and ordered them transmitted to the House for the signature of the Speaker.

March 12, 2015

The FINANCE Committee reports out [S 1144](#) and [S 1145](#) with the recommendation that they do pass.

CAMERON, Chairman

[S 1144](#) and [S 1145](#) were filed for second reading.

March 13, 2015

The STATE AFFAIRS Committee reports out [H 128](#) with the recommendation that it do pass.

MCKENZIE, Chairman

[H 128](#) was filed for second reading.

March 13, 2015

The STATE AFFAIRS Committee reports out [H 113](#) and [S 1146](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, [H 113](#) and [S 1146](#) were referred to the Fourteenth Order of Business, General Calendar.

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

#### Messages from the House

March 12, 2015

Dear Mr. President:

I transmit herewith [H 214](#), [H 240](#), and [H 221](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 214](#), [H 240](#), and [H 221](#) were filed for first reading.

March 12, 2015

Dear Mr. President:

I return herewith [S 1115](#), which has failed to pass the House.

ALEXANDER, Chief Clerk

[S 1115](#) was ordered filed in the office of the Secretary of the Senate.

March 12, 2015

Dear Mr. President:

I return herewith [S 1110](#), [S 1114](#), [S 1097](#), and [S 1100](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1110](#), [S 1114](#), [S 1097](#), and [S 1100](#) were referred to the Judiciary and Rules Committee for enrolling.

March 12, 2015

Dear Mr. President:

I transmit herewith Enrolled [HCR 7](#) and [HCR 10](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [HCR 7](#) and [HCR 10](#) and ordered them returned to the House.

March 12, 2015

Dear Mr. President:

I return herewith Enrolled [S 1026](#), [S 1027](#), and [S 1029](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1026](#), [S 1027](#), and [S 1029](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 12, 2015

Dear Mr. President:

I return herewith Enrolled [SJM 101](#) and [SCR 104](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [SJM 101](#) and [SCR 104](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

Senator Lee was recorded present at this order of business.

The President announced that [SCR 118](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Winder, [SCR 118](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

Senator Johnson was recorded present at this order of business.

The President announced that [HJM 5](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Stennett, seconded by Senator Thayne, [HJM 5](#) was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The President announced that [HJM 7](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Heider, seconded by Senator Stennett, [HJM 7](#) was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The President announced that [HCR 9](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Burgoyne, [HCR 9](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

On request by Senator Lakey, granted by unanimous consent, [HCR 11](#) retained its place on the calendar for Monday, March 16, 2015.

The President announced that [HCR 14](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Heider, seconded by Senator Bair, [HCR 14](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [HJM 6](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

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

On motion by Senator Rice, seconded by Senator Winder, [HJM 6](#) was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

Senator Cameron was recorded present at this order of business.

The President announced that [HCR 6](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Patrick, seconded by Senator Burgoyne, [HCR 6](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

#### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 214](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 240](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 221](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

#### Second Reading of Bills

[S 1138](#), [S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), and [S 1143](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 90](#) and [H 91](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[H 107](#) and [H 153](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 126](#) and [H 190](#), by Education Committee, were read the second time at length and filed for third reading.

[H 148](#), by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

[H 59](#), by Business Committee, was read the second time at length and filed for third reading.

[H 120](#), as amended, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[H 143](#), [H 17](#), as amended in the Senate, and [H 15](#), as amended in the Senate, as amended in the Senate, by Transportation and Defense Committee, were read the second time at length and filed for third reading.

[H 142](#), as amended in the Senate, by Local Government Committee, was read the second time at length and filed for third reading.

[S 1041](#), as amended, [S 1053](#), as amended, and [S 1095](#), as amended, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[S 1096](#), as amended, by Education Committee, was read the second time at length and filed for third reading.

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

### General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

### Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out [S 1069](#), as amended, [H 194](#), and [S 1062](#), as amended, without recommendation, amended as follows:

#### SENATE AMENDMENT TO S 1069, As Amended

##### AMENDMENT TO SECTION 5

On page 2 of the engrossed bill, in line 34, delete "This act shall be in full force and effect on and after July"; and delete lines 35 and 36, and insert: "This act shall be in full force and effect on and after July 1, 2015, and shall apply only to judgments issued on and after July 1, 2015, by a court of competent jurisdiction."

#### SENATE AMENDMENT TO H 194

##### AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 4, delete "or pro-"; and in line 5, delete "cessed".

##### AMENDMENT TO SECTION 2

On page 4, in line 15, following "posts" insert: ", wood chips".

##### AMENDMENT TO SECTION 3

On page 6, in line 3, delete "~~unprocessed~~" and insert: "unprocessed".

##### AMENDMENT TO SECTION 4

On page 9, in line 24, delete "~~unprocessed~~" and insert: "unprocessed".

##### AMENDMENT TO SECTION 5

On page 10, in line 20, delete "~~unprocessed~~" and insert: "unprocessed".

##### AMENDMENT TO THE BILL

On page 14, following line 42, insert:

"SECTION 9. That Section 49-1001, Idaho Code, be, and the same is hereby amended to read as follows:

49-1001. ALLOWABLE GROSS LOADS. The gross load imposed on the highway by any vehicle or combination of vehicles shall not exceed the limits in this section. The maximum single axle gross weight shall be twenty thousand (20,000) pounds, the maximum single wheel gross weight shall be ten thousand (10,000) pounds and the maximum gross vehicle or combination weight shall be one hundred five thousand five hundred (105,500) pounds, provided that maximum gross vehicle or combination weight on United States federal interstate and defense highways of this state shall not exceed eighty thousand (80,000) pounds, except as permitted under the provisions of section 49-1004, Idaho Code.

(1) The total gross weight imposed on the highway by any group of consecutive axles shall be determined by the following formula:

$$W=500((LN/N-1)+12N+36)$$

Where W is the maximum weight in pounds (to the nearest 500 pounds) carried on any group of two (2) or more consecutive axles. L is the distance in feet between the extremes of any group of two (2) or more consecutive axles, and N is the number of axles under consideration.

The formula is modified as illustrated in the following table:

Distance in feet between  
the extremes of any group  
of 2 or more consecutive

Maximum load in pounds carried on any group of 2 or more consecutive axles

axles	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles	10 axles	11 axles	12 axles	13 axles
4	34,000											
5	34,000											
6	34,000											
7	34,000											
8	34,000											
8+	38,000	42,000										
9	39,000	42,500										
10	40,000	43,500										
11		44,000										
12		45,000	50,000									
13		45,500	50,500									
14		46,500	51,500									
15		47,000	52,000									
16		48,000	52,500	58,000								
17		48,500	53,500	58,500								
18		49,500	54,000	59,000								
19		50,000	54,500	60,000								
20		51,000	55,500	60,500	66,000							
21		51,500	56,000	61,000	66,500							
22		52,500	56,500	61,500	67,000							
23		53,000	57,500	62,500	68,000							
24		54,000	58,000	63,000	68,500	74,000						
25		54,500	58,500	63,500	69,000	74,500						
26		55,500	59,500	64,000	69,500	75,000						
27		56,000	60,000	65,000	70,000	75,500						
28		57,000	60,500	65,500	71,000	76,500	82,000					

WHEN NO ALLOWABLE WEIGHT IS  
LISTED FOR ANY AXLE SPACING,  
APPLY THE ALLOWABLE WEIGHT  
AS LISTED IN THE FIRST COLUMN  
TO THE LEFT

Distance in feet between  
the extremes of any group  
of 2 or more consecutive

Maximum load in pounds carried on any group of 2 or more consecutive axles

axles	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles	10 axles	11 axles	12 axles	13 axles
29		57,500	61,500	66,000	71,500	77,000	82,500					
30		58,500	62,000	66,500	72,000	77,500	83,000					
31		59,000	62,500	67,500	72,500	78,000	83,500					
32		60,000	63,500	68,000	73,000	78,500	84,500	90,000				
33			64,000	68,500	74,000	79,000	85,000	90,500				
34			64,500	69,000	74,500	80,000	85,500	91,000				
35			65,500	70,000	75,000	80,500	86,000	91,500				
36			66,000	70,500	75,500	81,000	86,500	92,000	98,000			
37			66,500	71,000	76,000	81,500	87,000	93,000	98,500			
38			67,500	71,500	77,000	82,000	87,500	93,500	99,000			
39			68,000	72,500	77,500	82,500	88,500	94,000	99,500			
40			68,500	73,000	78,000	83,500	89,000	94,500	100,000	106,000		
41			69,500	73,500	78,500	84,000	89,500	95,000	100,500	106,500		
42			70,000	74,000	79,000	84,500	90,000	95,500	101,000	107,000		
43			70,500	75,000	80,000	85,000	90,500	96,000	102,000	107,500		
44			71,500	75,500	80,500	85,500	91,000	96,500	102,500	108,000	114,000	
45			72,000	76,000	81,000	86,000	91,500	97,500	103,000	108,500	114,500	
46			72,500	76,500	81,500	87,000	92,500	98,000	103,500	109,000	115,000	
47			73,500	77,500	82,000	87,500	93,000	98,500	104,000	110,000	115,500	
48			74,000	78,000	83,000	88,000	93,500	99,000	104,500	110,500	116,000	122,000
49			74,500	78,500	83,500	88,500	94,000	99,500	105,000	111,000	116,500	122,500
50			75,500	79,000	84,000	89,000	94,500	100,000	105,500	111,500	117,000	123,000
51			76,000	80,000	84,500	89,500	95,000	100,500	106,000	112,000	118,000	123,500
52			76,500	80,500	85,000	90,500	95,500	101,000	107,000	112,500	118,500	124,000
53			77,500	81,000	86,000	91,000	96,500	102,000	107,500	113,000	119,000	124,500
54			78,000	81,500	86,500	91,500	97,000	102,500	108,000	113,500	119,500	125,000

Distance in feet between  
the extremes of any group  
of 2 or more consecutive

Maximum load in pounds carried on any group of 2 or more consecutive axles

axles	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles	10 axles	11 axles	12 axles	13 axles
55			78,500	82,500	87,000	92,000	97,500	103,000	108,500	114,000	120,000	125,500
56			79,500	83,000	87,500	92,500	98,000	103,500	109,000	115,000	120,500	126,000
57			80,000	83,500	88,000	93,000	98,500	104,000	109,500	115,500	121,000	127,000
58				84,000	89,000	94,000	99,000	104,500	110,000	116,000	121,500	127,500
59				85,000	89,500	94,500	99,500	105,000	110,500	116,500	122,000	128,000
60				85,500	90,000	95,000	100,500	105,500	111,000	117,000	122,500	128,500
61				86,000	90,500	95,500	101,000	106,000	112,000	117,500	123,000	129,000
62				87,000	91,000	96,000	101,500	107,000	112,500	118,000	124,000	
63				87,500	92,000	96,500	102,000	107,500	113,000	118,500	124,500	
64				88,000	92,500	97,500	102,500	108,000	113,500	119,000	125,000	
65				88,500	93,000	98,000	103,000	108,500	114,000	119,500	125,500	
66				89,500	93,500	98,500	103,500	109,000	114,500	120,000	126,000	
67				90,000	94,000	99,000	104,500	109,500	115,000	121,000	126,500	
68				90,500	95,000	99,500	105,000	110,000	115,500	121,500	127,000	
69				91,000	95,500	100,000	105,500	111,000	116,000	122,000	127,500	
70				92,000	96,000	101,000	106,000	111,500	117,000	122,500	128,000	
71				92,500	96,500	101,500	106,500	112,000	117,500	123,000	128,500	
72				93,000	97,000	102,000	107,000	112,500	118,000	123,500	129,000	
73				93,500	98,000	102,500	107,500	113,000	118,500	124,000		
74				94,500	98,500	103,000	108,000	113,500	119,000	124,500		
75				95,000	99,000	103,500	109,000	114,000	119,500	125,000		
76				95,500	99,500	104,500	109,500	114,500	120,000	126,000		
77				96,000	100,000	105,000	110,000	115,000	120,500	126,500		
78				97,000	101,000	105,500	110,500	116,000	121,000	127,000		
79				97,500	101,500	106,000	111,000	116,500	122,000	127,500		
80				98,000	102,000	106,500	111,500	117,000	122,500	128,000		

Distance in feet between  
the extremes of any group  
of 2 or more consecutive

Maximum load in pounds carried on any group of 2 or more consecutive axles

axles	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles	10 axles	11 axles	12 axles	13 axles
81				98,500	102,500	107,000	112,000	117,500	123,000	128,500		
82				99,000	103,000	108,000	113,000	118,000	123,500	129,000		
83				100,000	104,000	108,500	113,500	118,500	124,000			
84					104,500	109,000	114,000	119,000	124,500			
85					105,000	109,500	114,500	120,000	125,000			
86					105,500	110,000	115,000	120,500	125,500			
87					106,000	111,000	115,500	121,000	126,000			
88					107,000	111,500	116,000	121,500	127,000			
89					107,500	112,000	117,000	122,000	127,500			
90					108,000	112,500	117,500	122,500	128,000			
91					108,500	113,000	118,000	123,000	128,500			
92					109,000	113,500	118,500	123,500	129,000			
93					110,000	114,000	119,000	124,000				
94					110,500	115,000	119,500	125,000				
95					111,000	115,500	120,000	125,500				
96					111,500	116,000	121,000	126,000				
97					112,000	116,500	121,500	126,500				
98					113,000	117,000	122,000	127,000				
99					113,500	118,000	122,500	127,500				
100					114,000	118,500	123,000	128,000				
101					114,500	119,000	123,500	129,000				

(a) A public highway agency may limit the application of the weights authorized in this section as to certain highways within its jurisdiction which it determines have limited structural capacity of pavements, bridges, or other appurtenances. In designating such highways, it may specify a minimum wheelbase for combinations to be operated thereon. It may also designate specific highways or portions on which operation of a combination of vehicles with seven (7) through thirteen (13) axles will be subject to specified lesser allowable gross weights.

(b) Notwithstanding the figures shown in the table in this subsection (1), two (2) consecutive sets of tandem axles may carry a gross load of thirty-four thousand (34,000) pounds each, providing the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six (36) feet or more.

(c) Vehicles may operate with reducible loads at gross weights greater than one hundred five thousand five hundred (105,500) pounds but not exceeding one hundred twenty-nine thousand (129,000) pounds on noninterstate highways in accordance with the provisions of section 49-1004, Idaho Code, provided such vehicles are in compliance with the weight formula specified in this subsection (1) of this section, have registered and have paid the registration fees as specified in section 49-434, Idaho Code, and are in compliance with the length restrictions set forth in section 49-1010(7), Idaho Code.

(2) The weight limitations set forth in the table in subsection (1) of this section shall not apply to any vehicle, or combination of vehicles when a greater allowed weight in pounds would be permitted such vehicles under the table provided in this subsection, except that with regard to transportation on the United States federal interstate and defense highways of this state, the following table of allowable weights shall apply only to vehicles engaged in the transportation of logs, pulp wood, stull, rough lumber, poles or piling; or to any such vehicle engaged in the transportation of ores, concentrates, sand and gravel and aggregates thereof, in bulk; or to any such vehicle engaged in the transportation of agricultural commodities, including livestock:

Distance in feet between the extremes of any group of 2 or more consecutive axles	Allowed Load in Pounds	
	Vehicles with Three or Four axles	Vehicles with Five or more axles
3 through 12	37,800	37,800
13	56,470	56,470
14	57,940	57,940
15	59,400	59,400
16	60,610	60,610
17	61,820	61,820
18	63,140	63,140
19	64,350	64,350
20	65,450	65,450
21	66,000	66,330
22	66,000	67,250
23	66,000	67,880
24	66,000	68,510

Distance in feet between the extremes of any group of 2 or more consecutive axles	Allowed Load in Pounds	
	Vehicles with Three or Four axles	Vehicles with Five or more axles
25	66,000	69,150
26	66,000	69,770
27	66,000	70,400
28	66,000	70,950
29	66,000	71,500
30	66,000	72,050
31		72,600
32		73,150
33		73,700
34		74,250
35		74,800
36		75,350
37		75,900
38		76,450
39		77,000
40		77,550
41		78,100
42		78,650
43 and over		79,000

The weight allowances provided in this subsection do not apply if the total gross weight of a vehicle or combination of vehicles is intended to exceed seventy-nine thousand (79,000) pounds as declared by the operator. When the provisions of this subsection are applicable to a vehicle or combination of vehicles, it shall be a violation of the provisions of this subsection if that vehicle or combination of vehicles exceeds the weights specified in this table.

(3) In determining the gross weight of a vehicle or the gross weight of any two (2) or more consecutive axles under subsection (1) or (2) or (9) of this section, the total gross weight of the vehicle or combination of vehicles or the gross weight of any two (2) or more consecutive axles shall be the sum of the axle weights.

For the purposes of this chapter the gross weight of a vehicle or the gross weight of any two (2) or more consecutive axles may be determined by accumulatively adding the separate weights of individual axles and tandem axles or groups of axles to determine gross weight. The results of any weighing at a temporary or permanent port of entry and the records relating to the calibration and accuracy of any scale at a temporary or permanent port of entry shall be admissible in any proceeding in this state. In order to prove a violation of the provisions of this section the state must show that:

(a) The sum of the axle weights exceeds what is allowable under the provisions of subsection (1) or (2) or (9) of this section;

(b) The scale involved in the weighing was at the time of weighing calibrated in conformity with and met the



accuracy requirements of the standards for the enforcement of traffic and highway laws as set forth in the latest edition of handbook 44 of the national institute of standards and technology;

(c) Weights of individual axles or axles within a commonly suspended group of axles supported by a mechanical system designed to distribute equal wheel loads to individual axles in the group were utilized only to determine gross weights of that group of axles, and that any further evaluation of gross weights of combinations of axles considered only the accumulated gross weight of each such commonly suspended group of axles.

(4) In applying the weight limitations imposed in this section, a vehicle or combination of vehicles must comply exclusively with the weight limitations in either subsection (1) or (2) or (9) of this section.

(5) In applying the weight limitations imposed in this section, the distance between axles shall be measured to the nearest even foot. When a fraction is exactly one-half (1/2) foot the next larger whole number shall be used.

(6) The limitations imposed in this section are in addition and supplemental to all other laws imposing limitations upon the size and weight of vehicles. Further, single axles within groups of axles are subject to the provisions and limitations of this chapter. Single axles within groups of axles may be weighed and evaluated separately.

(7) Notwithstanding the other provisions of this chapter, no vehicle, motor vehicle, trailer and/or semitrailer, or combination thereof, may be operated on the public highways of the state under loads which would result in the withholding of funds by operation of controlling federal law as provided in the Federal Aid Highway Act of 1956, as amended.

(8) Except as provided herein, no vehicle or combination of vehicles may proceed past the place of weighing at temporary or permanent ports of entry or checking stations when: the weight of a single axle exceeds the maximum limitations set forth herein by two thousand (2,000) pounds or more; the weight of a combination of axles, or gross vehicle weight exceeds the maximum allowable weight as set forth herein by seven percent (7%) or more. Vehicles or combinations of vehicles which exceed the weight limitations set forth herein shall be required to be brought into compliance with applicable weight limitations contained within this subsection at the place of weighing prior to continuing, except those vehicles or combinations of vehicles which are transporting loads which, in the determination of the board or other proper authorities in charge of or having jurisdiction over a highway, are deemed unsafe or impractical to bring into compliance at the place of weighing, and except those vehicles which do not exceed fifteen percent (15%) over maximum axle and axle group weights set forth in this section. Vehicles or combinations of vehicles transporting loads in this latter category shall obtain a travel authorization to the nearest place of safe unloading, load adjustment or other means of legalization.

(a) Neither the state of Idaho or its employees, nor any authority and its employees in charge of or having jurisdiction over a highway, shall be held liable for personal injury or property damage resulting from the requirements of section 49-1001(8), Idaho Code.

(b) The fee for a travel authorization as set forth above shall be fifty dollars (\$50.00) and shall be on a form prescribed by the board or other proper authorities, and shall not be construed as contributing to a reduction in the penalties prescribed in section 49-1013, Idaho Code.

(c) The board or other proper authorities in charge of or having jurisdiction over a highway shall adopt and enforce

administrative rules as may be necessary to carry out the provisions of this section.

(9) For vehicles on all highways except the United States federal interstate and defense highways of this state, the following table shall apply:

Distance in feet between the extremes of any group of 2 or more consecutive axles	Allowed Load in Pounds	
	Vehicles with Three or Four axles	Vehicles with Five or more axles
3 through 12	37,800	37,800
13	56,470	56,470
14	57,940	57,940
15	59,400	59,400
16	60,610	60,610
17	61,820	61,820
18	63,140	63,140
19	64,350	64,350
20	65,450	65,450
21	66,000	66,330
22	66,000	67,250
23	66,000	67,880
24	66,000	68,510
25	66,000	69,150
26	66,000	69,770
27	66,000	70,400
28	66,000	70,950
29	66,000	71,500
30	66,000	72,050
31		72,600
32		73,150
33		73,700
34		74,250
35		74,800
36		75,350
37		75,900
38		76,450
39		77,000
40		77,550
41		78,100
42		78,650
43 and over		80,000

The weight allowances provided in this subsection do not apply if the total gross weight of a vehicle or combination of vehicles is intended to exceed eighty thousand (80,000) pounds as declared by the operator. When the provisions of this subsection are

applicable to a vehicle or combination of vehicles, it shall be a violation of the provisions of this subsection if that vehicle or combination of vehicles exceeds the weights specified in this table.

~~(10) When owned by or under contract to or under authority of a city, county, or state agency, refuse/sanitation trucks transporting refuse may be operated on public highways in accordance with the weights allowed in subsection (9) of this section, except that such trucks equipped with single rear axles are allowed twenty-four thousand (24,000) pounds on that single rear axle when specifically authorized by the public highway agency governing the highways over which the refuse/sanitation truck is operating and provided the following conditions are met:~~

~~(a) The weight allowances provided for in this subsection shall not apply to the United States federal interstate and defense highways of the state; and~~

~~(b) The owner or operator has paid an annual operating fee for a permit, not to exceed fifty dollars (\$50.00) per refuse/sanitation truck to each public agency governing the public highways over which the refuse/sanitation truck operates. The permit shall be carried in the refuse/sanitation truck. The permit fee may be waived by a public agency for refuse/sanitation trucks operated over public highways under that agency's jurisdiction.~~

~~(11) Variable load suspension axles shall meet the following criteria in order to be included in the computation of gross vehicle or axle weight limits for vehicles under the provisions of this section:~~

~~(a) The deployment control switch for such axles may be located inside of the driver's compartment but the pressure regulator valve for the operation of pressure on the pavement shall be located outside of and inaccessible to the driver's compartment.~~

~~(b) The manufacturer's gross axle weight rating of each such axle must not be less than the actual loading of the axle.~~

~~(c) All variable load suspension axles shall be designed to be self-steering; provided however, variable load suspension axles that are within sixty (60) inches of a drive axle or are within sixty (60) inches of a trailer axle, need not be self-steering.~~

~~(d) The manufacturer's gross tire weight rating of each tire must not be less than the actual loading of the tire.~~

~~(e) Variable load suspension axles must be fully deployed or fully raised. For applicable definitions, see sections 49-117 and 49-123, Idaho Code.~~

~~(12) Any person who operates a motor vehicle with a variable load suspension axle in violation of the provisions of this section shall be subject to the penalties provided in section 49-1013, Idaho Code.";~~  
and renumber sections accordingly.

#### CORRECTION TO TITLE

On page 1, in line 12, following ";" insert: "AMENDING SECTION 49-1001, IDAHO CODE, TO REMOVE LANGUAGE RELATING TO THE OPERATION OF REFUSE OR SANITATION TRUCKS;"

#### SENATE AMENDMENT TO S 1062, As Amended AMENDMENT TO SECTION 1

On page 3 of the engrossed bill, following line 12, insert: "39-9209. EFFECT OF THIS CHAPTER. This chapter does not prohibit health care providers who are not primary care providers from entering into agreements with patients to the extent such agreements do not violate the provisions of title 41, Idaho Code."

#### CORRECTION TO TITLE

On page 1, in line 10, following "DISCLAIMER" insert: ";"; also in line 10, delete "AND"; and in line 11, following "AGREEMENTS" insert: "AND TO CLARIFY THE EFFECT OF THIS CHAPTER".

The Committee also has [S 1033](#) and [H 157](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

[S 1069](#), as amended, as amended, and [S 1062](#), as amended, as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

[H 194](#), as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

#### Reports of Standing Committees

March 13, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1069](#), as amended, [H 194](#), and [S 1062](#), as amended, have been correctly printed.

LODGE, Chairman

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

March 13, 2015

The JUDICIARY AND RULES Committee reports that [S 1069](#), as amended, as amended, and [S 1062](#), as amended, as amended, have been correctly engrossed.

LODGE, Chairman

[S 1069](#), as amended, as amended, and [S 1062](#), as amended, as amended, were filed for first reading.

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

#### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 194](#), as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

[S 1069](#), as amended, as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

[S 1062](#), as amended, as amended, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

On request by Senator Lakey, granted by unanimous consent, [H 194](#), as amended in the Senate, was referred to the Fourteenth Order of Business, General Calendar.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

On request by Senator Lakey, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

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

**Miscellaneous Business**

On motion by Senator Lakey, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:10 a.m. until the hour of 10 a.m., Monday, March 16, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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SIXTY-FOURTH LEGISLATIVE DAY  
MONDAY, MARCH 16, 2015

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Lodge, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Lydia Deatherage, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 13, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Petitions, Resolutions, and Memorials

#### SCR 123

#### BY JUDICIARY AND RULES COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND CREATING A TASK FORCE TO STUDY ISSUES RELATING TO FAMILY CAREGIVERS.

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

WHEREAS, family caregivers are an essential part of Idaho's health care system, providing uncompensated support and care to ill or disabled family members or loved ones; and

WHEREAS, family caregivers are valued community members who are the backbone of Idaho's long-term care system; and

WHEREAS, the State Healthcare Innovation Plan is focused on redesigning Idaho's health care delivery system to evolve from a fee-for-service, volume-based system to a value-based system of care based on improved health outcomes; and

WHEREAS, uncompensated family caregivers in Idaho are an essential part of the medical neighborhood, the medical neighborhood being the array of services that are available to patients beyond the scope of a patient-centered medical home; and

WHEREAS, the State Healthcare Innovation Plan envisions better connection of the patient-centered medical home to the rest of the medical neighborhood in order to improve care coordination and care quality and reduce costs and duplication of services; and

WHEREAS, half of Idaho's 44 counties are frontier, with fewer than seven persons per square mile, resulting in areas that lack access to many levels of health care, including access to caregiving resources; and

WHEREAS, the population of the state that is 65 years or older is projected to reach 370,000 in 2032, a significant increase from 2012, and this demographic represents the fastest-growing population in the state; and

WHEREAS, Idaho has 137,099 veterans, with an estimated 19,041 who suffer disabilities, including 1,645 who are completely disabled; and

WHEREAS, an estimated 53,280 Idaho children have a special health care need, and an estimated 18,820 have a serious emotional disorder; and

WHEREAS, providing services and support to Idahoans in their homes and communities is generally less expensive than institutional care; and

WHEREAS, individuals who receive care at home are less likely to need public assistance; and

WHEREAS, at any time during the year an estimated 307,000 adults in Idaho provide care to adult relatives or friends, which equates to an estimated 201 million hours per year and an estimated value of \$2 billion per year; and

WHEREAS, approximately two-thirds of Idaho's unpaid caregivers are employed or looking for work, and their caregiving responsibilities therefore have an economic impact on families and employers in Idaho; and

WHEREAS, more than half of care recipients are under the age of 75, and almost one-third are under the age of 50, thus indicating that caregiving is a multigenerational issue in family life that also impacts a broad spectrum of individuals with chronic illnesses that necessitate family caregiving throughout the lifespan; and

WHEREAS, approximately 22,000 Idahoans are living with Alzheimer's disease or a related disorder, and an estimated 77,000 individuals, many of whom are unpaid, provide caregiving responsibilities for people with Alzheimer's disease or a related disorder; and

WHEREAS, to successfully address the surging population of older adults and people with disabilities who have significant needs for long-term services and support, the state must develop methods that both encourage and support individuals who assist family members and must also develop ways to recruit and retain a qualified, responsive in-home care workforce.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Idaho Caregiver Alliance convene a task force to coordinate and develop a comprehensive set of recommendations to inform stakeholders regarding innovative solutions to support uncompensated family caregivers in Idaho and to provide information to those who may serve as a caregiver in the future.

BE IT FURTHER RESOLVED that the Idaho Caregiver Alliance recruit members to the task force who represent a broad array of caregiving stakeholders.

BE IT FURTHER RESOLVED that any advisors to the task force who are not legislative members shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges.

BE IT FURTHER RESOLVED that the task force hold an organizational meeting by May 31, 2015, and at such meeting

elect a chair or co-chairs and adopt any rules or procedures that are necessary to conduct its business.

BE IT FURTHER RESOLVED that the task force identify policies, resources and programs available for family caregivers and methods to support family caregivers and integrate this component of Idaho's health care system into the State Healthcare Innovation Plan medical neighborhood model.

BE IT FURTHER RESOLVED that the task force compile an inventory of the resources available to family caregivers in Idaho.

BE IT FURTHER RESOLVED that the task force report its findings and recommendations to the Second Regular Session of the Sixty-third Idaho Legislature.

#### SCR 124

#### BY JUDICIARY AND RULES COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT AN INTERIM COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF POTENTIAL APPROACHES TO THE APPOINTMENT OF ADMINISTRATIVE HEARING OFFICERS FOR CONTESTED CASES.

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

WHEREAS, state agencies and members of the public are often opposing parties in a contested case administrative hearing; and

WHEREAS, an order issued in such a contested case can determine legal rights, duties, privileges, immunities and other legal interests; and

WHEREAS, administrative hearing officers in contested cases play an integral role in determining the outcome of contested cases and any orders that are issued; and

WHEREAS, hearing officers should have the independence and expertise to conduct a fair and thorough hearing; and

WHEREAS, allowing agencies to hire hearing officers in contested cases where the agency is a party is contrary to and does not promote independence of the hearing officers; and

WHEREAS, having an available pool of qualified hearing officers with consistent contract terms, and who are assigned randomly and independent of the agency involved in the contested case, will promote and preserve impartiality and due process for the citizens of Idaho; and

WHEREAS, current contested case procedures, including those pertaining to discovery, are uneven and inconsistent; and

WHEREAS, significant issues exist as to whether current standards for judicial review of contested case proceedings are adequate.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of contested case procedures, judicial review of contested case proceedings and potential approaches to appointing administrative hearing officers including, but not limited to: creating a viable pool of candidates to serve as impartial hearing officers; determining which cases and state agencies may require a pool of candidates with special technical expertise; and determining model contract terms for all hearing officers. The committee shall consist of ten legislators, with five from the Senate and five from the House of Representatives. The Legislative Council 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 the cochairs of the committee are authorized to appoint advisors with technical expertise in the area of contested case administrative hearings and hearing officers and are expected to receive input from stakeholders in various state agencies.

BE IT FURTHER RESOLVED that any advisors to the committee who are not legislative members shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges.

BE IT FURTHER RESOLVED that the committee shall report its findings, recommendations and proposed legislation, if any, to the Second Regular Session of the Sixty-third Idaho Legislature.

[SCR 123](#) and [SCR 124](#) were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

#### Reports of Standing Committees

March 16, 2015

The JUDICIARY AND RULES Committee reports that [SCR 119](#), [SCR 120](#), [SCR 121](#), and [SCR 122](#) have been correctly printed.

LODGE, Chairman

[SCR 119](#), [SCR 120](#), [SCR 121](#), and [SCR 122](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 13, 2015

The JUDICIARY AND RULES Committee reports that [S 1110](#), [S 1114](#), [S 1097](#), and [S 1100](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1110](#), [S 1114](#), [S 1097](#), and [S 1100](#) and ordered them transmitted to the House for the signature of the Speaker.

March 13, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [S 1026](#), [S 1027](#), and [S 1029](#) were delivered to the Office of the Governor at 10:09 a.m., March 13, 2015.

LODGE, Chairman

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

March 13, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [SJM 101](#) and [SCR 104](#) were delivered to the Office of the Secretary of State at 10:11 a.m., March 13, 2015.

LODGE, Chairman

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

Senator Lodge was recorded present at this order of business.

March 13, 2015

The JUDICIARY AND RULES Committee reports out [H 101](#), [H 102](#), [H 121](#), [H 159](#), and [S 1136](#) with the recommendation that they do pass.

LODGE, Chairman

[H 101](#), [H 102](#), [H 121](#), [H 159](#), and [S 1136](#) were filed for second reading.

March 13, 2015

The FINANCE Committee reports out [H 240](#), [S 1148](#), and [S 1149](#) with the recommendation that they do pass.

CAMERON, Chairman

[H 240](#), [S 1148](#), and [S 1149](#) were filed for second reading.

March 13, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 172](#) and [H 209](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 172](#) and [H 209](#) were filed for second reading.

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

#### Messages from the Governor

March 11, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Celia Gould of Boise, Idaho, was appointed as a member of the Public Employee Retirement System of Idaho Board to serve a term commencing March 11, 2015, and expiring July 1, 2018.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

March 11, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Rod Higgins of Boise, Idaho, was reappointed as a member of the State Insurance Fund Board to serve a term commencing April 3, 2014, and expiring April 3, 2018.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Commerce and Human Resources Committee.

March 11, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Suzanne Budge of Boise, Idaho, was reappointed as a member of the Hazardous Waste Facility Siting License Application Review Panel to serve a term commencing March 6, 2015, and expiring March 6, 2018.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Health and Welfare Committee.

March 11, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Mark Von Lindern of Lewiston, Idaho, was reappointed as a member of the Hazardous Waste Facility Siting License Application Review Panel to serve a term commencing March 6, 2015, and expiring March 6, 2018.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Health and Welfare Committee.

March 11, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Max Black of Boise, Idaho, was reappointed as a member of the State Insurance Fund Board to serve a term commencing April 3, 2014, and expiring April 3, 2018.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Commerce and Human Resources Committee.

The Senate advanced to the Ninth Order of Business.

#### Messages from the House

March 13, 2015

Dear Mr. President:

I transmit herewith [H 247](#), [H 248](#), [H 249](#), [H 250](#), [H 251](#), and [H 204](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 247](#), [H 248](#), [H 249](#), [H 250](#), [H 251](#), and [H 204](#) were filed for first reading.

March 13, 2015

Dear Mr. President:

I return herewith [S 1046](#), [S 1063](#), [S 1004](#), [S 1014](#), [S 1035](#), [S 1054](#), [S 1082](#), [S 1001](#), [S 1116](#), [S 1117](#), and [S 1119](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1046](#), [S 1063](#), [S 1004](#), [S 1014](#), [S 1035](#), [S 1054](#), [S 1082](#), [S 1001](#), [S 1116](#), [S 1117](#), and [S 1119](#) were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

The President announced that [HCR 11](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lee, seconded by Senator Schmidt, [HCR 11](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

#### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

##### S 1150

#### BY FINANCE COMMITTEE

##### AN ACT

APPROPRIATING MONEYS TO THE AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2016; AND EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS.

##### S 1151

#### BY FINANCE COMMITTEE

##### AN ACT

APPROPRIATING MONEYS TO THE DIVISION OF PROFESSIONAL-TECHNICAL EDUCATION FOR FISCAL YEAR 2016; EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS FOR THE POSTSECONDARY PROGRAM; AND PROVIDING NON-GENERAL FUND REAPPROPRIATION FOR FISCAL YEAR 2015.

##### S 1152

#### BY FINANCE COMMITTEE

##### AN ACT

RELATING TO STATE AGENCY RECEIPT OF FEDERAL FUNDS; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 67-1917, IDAHO CODE, TO REVISE REPORTING REQUIREMENTS BY STATE AGENCIES THAT RECEIVE FEDERAL FUNDS, TO PROVIDE AN EXCEPTION FOR HIGHER EDUCATIONAL INSTITUTIONS AND TO DEFINE "FEDERAL FUNDS"; AMENDING SECTION 67-3502, IDAHO CODE, TO ESTABLISH THAT BUDGET REQUESTS PROVIDE A REPORT THAT DISCLOSES ANY KNOWN FUTURE REDUCTIONS OR ELIMINATIONS OF FEDERAL FUNDS AND AN AGENCY'S PLAN FOR OPERATING IF CERTAIN CIRCUMSTANCES OCCUR AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-3506, IDAHO CODE, TO PROVIDE THAT THE BUDGET DOCUMENT SHALL CONSIST OF FOUR PARTS; AMENDING SECTION 67-3507, IDAHO CODE, TO PROVIDE THAT PART IV OF THE BUDGET DOCUMENT SHALL CONSIST OF FEDERAL FUNDING REPORTS AND CERTAIN DISCLOSURES AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-3513, IDAHO CODE, TO PROVIDE FOR LEGISLATIVE COMMITTEE CONSIDERATION OF A REPORT REGARDING FEDERAL FUNDS.

##### S 1153

#### BY JUDICIARY AND RULES COMMITTEE

##### AN ACT

RELATING TO INDIGENT SICK; AMENDING SECTION 31-3501, IDAHO CODE, TO REVISE THE DECLARATION OF POLICY RELATING TO WHO IS ELIGIBLE FOR THE COUNTY MEDICALLY INDIGENT PROGRAM AND CATASTROPHIC HEALTH CARE COST PROGRAM; AMENDING SECTION 31-3502, IDAHO CODE, TO DEFINE A TERM AND TO REVISE A DEFINITION; AMENDING SECTION 67-7903, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND PROVIDING AN EFFECTIVE DATE.

##### S 1154

#### BY JUDICIARY AND RULES COMMITTEE

##### AN ACT

RELATING TO CRIMINAL HISTORY RECORDS; AMENDING CHAPTER 30, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-3014, IDAHO CODE, TO PROVIDE APPLICABILITY, TO PROVIDE THAT A VICTIM OF HUMAN TRAFFICKING MAY PETITION FOR EXPUNGEMENT OF A CRIMINAL HISTORY RECORD UNDER CERTAIN CONDITIONS, TO PROVIDE WHEN A PETITION SHALL BE FILED, TO PROVIDE FOR DENIAL OF A PETITION, TO PROVIDE FOR INFORMATION REQUIRED IN A PETITION, TO PROVIDE FOR SERVICE OF A PETITION, TO PROVIDE WHEN PRETRIAL FOR A PETITION SHALL BE SET, TO PROVIDE FOR CONSIDERATION OF EVIDENCE, TO PROVIDE FOR THE GRANTING OF A PETITION, TO PROVIDE THAT RECORDS AND INFORMATION IN CONNECTION WITH A PETITION SHALL BE SEALED AND USED TO PROSECUTE HUMAN TRAFFICKERS, TO PROVIDE THAT THE STATE OF IDAHO SHALL NOT BE SUBJECT TO CIVIL LIABILITY AND TO DEFINE TERMS.

[S 1150](#), [S 1151](#), [S 1152](#), [S 1153](#), and [S 1154](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 247](#), [H 248](#), [H 249](#), [H 250](#), and [H 251](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 204](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

[S 1144](#) and [S 1145](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 128](#), by Local Government Committee, was read the second time at length and filed for third reading.

[S 1069](#), as amended, as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1062](#), as amended, as amended, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

On request by Senator Winder, granted by unanimous consent, [S 1067](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1092](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bayer, Brackett, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippetts, Vick, Winder. Total - 25.

NAYS—Bair, Buckner-Webb, Burgoyne, Jordan, Keough, Lacey, Mortimer, Schmidt, Stennett, Ward-Engelking. Total - 10.

Total - 35.

Whereupon the President declared [S 1092](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1112](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1112](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1138](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1138](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1139](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippetts, Ward-Engelking, Winder. Total - 30.

NAYS—Bayer, Den Hartog, Nonini, Souza, Vick. Total - 5.

Total - 35.

Whereupon the President declared [S 1139](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1140](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1140](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1141](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1141](#) passed, title was approved, and the bill ordered transmitted to the House.



[S 1142](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1142](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1143](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1143](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1041](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1041](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1053](#), as amended, retained its place on the Third Reading Calendar for one legislative day.

[S 1095](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate.

On request by Senator Hagedorn, granted by unanimous consent, [S 1095](#), as amended, retained its place on the Third Reading Calendar for one legislative day.

[S 1096](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Under the provisions of Joint Rule 18, Senator Johnson challenged the fiscal note on [S 1096](#), as amended.

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Lakey, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippetts, Vick, Winder. Total - 23.

NAYS—Buckner-Webb, Burgoyne, Cameron, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Schmidt, Stennett, Ward-Engelking. Total - 12.

Total - 35.

Whereupon the President declared [S 1096](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

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

#### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:20 p.m. until the hour of 9 a.m., Tuesday, March 17, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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SIXTY-FIFTH LEGISLATIVE DAY  
TUESDAY, MARCH 17, 2015

Senate Chamber

President Little called the Senate to order at 9 a.m.

Roll call showed all members present except Senator Den Hartog, absent and formally excused by the Chair; and Senators Bair, Cameron, Guthrie, Johnson, Keough, Lacey, Mortimer, Nuxoll, and Schmidt, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Savannah Martin, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 16, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

March 17, 2015

The JUDICIARY AND RULES Committee reports that [SCR 123](#), [SCR 124](#), [S 1150](#), [S 1151](#), [S 1152](#), [S 1153](#), and [S 1154](#) have been correctly printed.

LODGE, Chairman

[SCR 123](#) and [SCR 124](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1150](#), [S 1151](#), and [S 1152](#) were referred to the Finance Committee.

[S 1153](#) was referred to the Health and Welfare Committee.

[S 1154](#) was referred to the Judiciary and Rules Committee.

March 16, 2015

The JUDICIARY AND RULES Committee reports that [S 1046](#), [S 1063](#), [S 1004](#), [S 1014](#), [S 1035](#), [S 1054](#), [S 1082](#), [S 1001](#), [S 1116](#), [S 1117](#), and [S 1119](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1046](#), [S 1063](#), [S 1004](#), [S 1014](#), [S 1035](#), [S 1054](#), [S 1082](#), [S 1001](#), [S 1116](#), [S 1117](#), and [S 1119](#) and ordered them transmitted to the House for the signature of the Speaker.

March 16, 2015

The STATE AFFAIRS Committee reports out [H 154](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, [H 154](#) was referred to the Fourteenth Order of Business, General Calendar.

March 16, 2015

The FINANCE Committee reports out [H 247](#), [H 248](#), [H 249](#), [H 250](#), and [H 251](#) with the recommendation that they do pass.

CAMERON, Chairman

[H 247](#), [H 248](#), [H 249](#), [H 250](#), and [H 251](#) were filed for second reading.

March 16, 2015

The JUDICIARY AND RULES Committee reports out [H 104](#), [H 158](#), [H 160](#), [H 163](#), and [HCR 13](#) with the recommendation that they do pass.

LODGE, Chairman

[H 104](#), [H 158](#), [H 160](#), and [H 163](#) were filed for second reading.

[HCR 13](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 16, 2015

The JUDICIARY AND RULES Committee reports out [S 1135](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [S 1135](#) was referred to the Fourteenth Order of Business, General Calendar.

March 16, 2015

The HEALTH AND WELFARE Committee reports out [H 181](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

HEIDER, Chairman

There being no objection, [H 181](#) was referred to the Fourteenth Order of Business, General Calendar.

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

### Messages from the Governor

March 16, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1020](#), [S 1036](#), [S 1042](#), [S 1043](#), [S 1079](#), and [S 1081](#)

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

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

The Senate advanced to the Ninth Order of Business.

#### Messages from the House

March 16, 2015

Dear Mr. President:

I transmit herewith [H 242](#), [H 253](#), [H 254](#), [H 238](#), [H 236](#), and [H 237](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 242](#), [H 253](#), [H 254](#), [H 238](#), [H 236](#), and [H 237](#) were filed for first reading.

March 16, 2015

Dear Mr. President:

I return herewith [S 1044](#), which has passed the House.

ALEXANDER, Chief Clerk

[S 1044](#) was referred to the Judiciary and Rules Committee for enrolling.

Senator Bair was recorded present at this order of business.

March 16, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 39](#), [H 47](#), [H 61](#), [H 75](#), [H 108](#), [H 124](#), [H 125](#), [H 147](#), [H 177](#), [H 206](#), [H 207](#), and [HJM 8](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 39](#), [H 47](#), [H 61](#), [H 75](#), [H 108](#), [H 124](#), [H 125](#), [H 147](#), [H 177](#), [H 206](#), [H 207](#), and [HJM 8](#) and ordered them returned to the House.

March 16, 2015

Dear Mr. President:

I return herewith Enrolled [S 1034](#), [S 1051](#), [S 1052](#), [S 1007](#), [S 1008](#), [S 1010](#), [S 1023](#), [S 1057](#), [S 1058](#), and [S 1099](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1034](#), [S 1051](#), [S 1052](#), [S 1007](#), [S 1008](#), [S 1010](#), [S 1023](#), [S 1057](#), [S 1058](#), and [S 1099](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

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

#### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

Senator Mortimer was recorded present at this order of business.

#### S 1155

#### BY STATE AFFAIRS COMMITTEE

#### AN ACT

RELATING TO FLAGS FLOWN AT HALF-STAFF; AMENDING SECTION 67-820, IDAHO CODE, TO PROVIDE THAT THE GOVERNOR, UNLESS PROHIBITED BY THE UNITED STATES FLAG CODE, MAY DIRECT THAT THE FLAG OF THE UNITED STATES BE FLOWN AT HALF-STAFF AT CERTAIN MONUMENTS, TO PROVIDE FOR THE DURATION AND RENEWAL OF THE DIRECTIVE AND TO PROVIDE THAT THE GOVERNOR MAY REQUEST THE TIME, MANNER AND CONDITION OF SUCH DIRECTION IN KEEPING WITH THE TRADITIONS OF THE UNITED STATES FLAG CODE.

#### S 1156

#### BY STATE AFFAIRS COMMITTEE

#### AN ACT

RELATING TO INVESTIGATIONAL DRUGS; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1056, IDAHO CODE, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND WELFARE TO ENTER INTO CERTAIN AGREEMENTS CONCERNING INVESTIGATIONAL DRUGS.

#### S 1157

#### BY FINANCE COMMITTEE

#### AN ACT

APPROPRIATING MONEYS TO THE COMMISSION FOR PARDONS AND PAROLE FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

#### S 1158

#### BY FINANCE COMMITTEE

#### AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; EXEMPTING THE DEPARTMENT FROM CERTAIN TRANSFER LIMITATIONS; PROVIDING REAPPROPRIATION AUTHORITY FOR CERTAIN BALANCES; AND TRANSFERRING MONEYS TO THE HARRIMAN STATE PARK TRUST FUND.

#### S 1159

#### BY FINANCE COMMITTEE

#### AN ACT

APPROPRIATING MONEYS TO THE SUPREME COURT FOR FISCAL YEAR 2016; AND EXEMPTING APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS.

[S 1155](#), [S 1156](#), [S 1157](#), [S 1158](#), and [S 1159](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senators Schmidt, Lacey, and Guthrie were recorded present at this order of business.

[H 242](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 253](#) and [H 254](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 238](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 236](#) and [H 237](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

[H 101](#), [H 102](#), [H 121](#), and [H 159](#), by Judiciary, Rules, and Administration Committee, were read the second time at length and filed for third reading.

[S 1136](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[H 240](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1148](#) and [S 1149](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 172](#) and [H 209](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

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

Senator Nuxoll was recorded present at this order of business.

On request by Senator Hagedorn, granted by unanimous consent, [H 194](#), as amended in the Senate, was filed for second reading.

Senators Cameron, Johnson, and Keough were recorded present at this order of business.

### General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

### Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out [S 1033](#) and [H 157](#), without recommendation, amended as follows:

#### SENATE AMENDMENT TO S 1033

##### AMENDMENT TO SECTION 2

On page 2 of the printed bill, delete lines 36 through 39, and insert:

"authorized purposes. The bureau shall submit such fingerprints to the federal bureau of investigation central fingerprint database for completion of a criminal background check and report. Once complete, the federal bureau of investigation shall provide the criminal background check report to the bureau, and the bureau

shall transmit the report to the appropriate authorized agency or entity.

(2) The bureau shall retain fingerprints submitted pursuant to subsection (1) of this section in the state central fingerprint database following the initial criminal background check for purposes of notification to those agencies or entities authorized by law and choosing to participate in the rap back service and for criminal justice purposes.

(a) Each agency or entity receiving a notification under the rap back service shall provide a copy of any notification to the individual who is the subject of the notification prior to taking any adverse action against such individual.

(b) An individual fingerprinted for a noncriminal justice purpose shall have his fingerprints expunged by the bureau:

(i) When he is no longer in a position or no longer holds a license subject to criminal background checks and notifications in the rap back service; or

(ii) Upon any withdrawal of the agency or entity from participation in the rap back service.

(c) The bureau shall provide notice to an individual fingerprinted for a noncriminal justice purpose of his right to expunge when he is initially fingerprinted and when the rap back service is no longer applicable to him for any reason.

(d) No fee shall be charged to an individual for expungement of his fingerprints."

and in line 40, delete "2" and insert: "23".

On page 3, in line 17, delete "3" and insert: "34"; in line 19, delete "4" and insert: "45"; in line 25, delete "5" and insert: "56"; in line 29, delete "6" and insert: "67"; in line 34, delete "7" and insert: "78"; and following line 36, insert:

"(9) For purposes of this section, "criminal justice purpose" means biometric matching to arrest fingerprints, to unidentified or missing person fingerprints or to latent or unknown fingerprints from criminal or suspected events."

#### CORRECTION TO TITLE

On page 1, in line 5, following "STANCES" insert: ", TO PROVIDE NOTICE TO CERTAIN INDIVIDUALS WHO ARE FINGERPRINTED, TO PROVIDE THAT NO FEE SHALL BE CHARGED FOR EXPUNGEMENT OF FINGERPRINTS AND TO DEFINE A TERM".

#### SENATE AMENDMENT TO H 157

##### AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 48, delete "for" and insert: "to reimburse"; also in line 48, delete "to" and insert: "for"; in line 49, delete "provide"; and also in line 49, following "services" insert: "provided".

On page 3, in line 1, following "services" insert: "or resources".

The Committee also has [H 113](#) and [S 1146](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

[S 1033](#), as amended, was referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

[H 157](#), as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

### Third Reading of Bills

On request by Senator Burgoyne, granted by unanimous consent, [S 1067](#) retained its place on the Third Reading Calendar for Friday, March 20, 2015.

[S 1053](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [S 1053](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1095](#), as amended, having been held, having previously been read the third time at length and debate having previously been opened, was before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and reopened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Hagedorn, Heider, Hill, Jordan, Lakey, Lee, Lodge, Martin, McKenzie, Patrick, Rice, Stennett, Tippetts, Ward-Engelking, Winder. Total - 20.

NAYS—Bair, Cameron, Guthrie, Johnson, Keough, Lacey, Mortimer, Nonini, Nuxoll, Schmidt, Siddoway, Souza, Thayn, Vick. Total - 14.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [S 1095](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1144](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [S 1144](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1145](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [S 1145](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1069](#), as amended, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Ward-Engelking, Winder. Total - 32.

NAYS—Mortimer. Total - 1.

Absent and excused—Den Hartog, Vick. Total - 2.

Total - 35.

Whereupon the President declared [S 1069](#), as amended, as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1062](#), as amended, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [S 1062](#), as amended, as amended, passed, title was approved, and the bill ordered transmitted to the House.

[H 17](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [H 17](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 15](#), as amended in the Senate, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [H 15](#), as amended in the Senate, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 142](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [H 142](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 114](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 29.

NAYS—Buckner-Webb, Burgoyne, Jordan, Schmidt, Stennett. Total - 5.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [H 114](#) passed, title was approved, and the bill ordered returned to the House.

[H 161](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [H 161](#) passed, title was approved, and the bill ordered returned to the House.

[H 62](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Tippetts arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [H 62](#) passed, title was approved, and the bill ordered returned to the House.

**H 64** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 64** passed, title was approved, and the bill ordered returned to the House.

**H 205** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Ward-Engelking, Winder. Total - 31.

NAYS—Nonini, Nuxoll, Vick. Total - 3.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 205** passed, title was approved, and the bill ordered returned to the House.

**H 210** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES—Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippetts, Ward-Engelking, Winder. Total - 28.

NAYS—Bayer, Mortimer, Nonini, Nuxoll, Souza, Vick. Total - 6.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 210** passed, title was approved, and the bill ordered returned to the House.

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

## Reports of Standing Committees

March 17, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to **S 1033** and **H 157** have been correctly printed.

LODGE, Chairman

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

March 17, 2015

The JUDICIARY AND RULES Committee reports that **S 1033**, as amended, has been correctly engrossed.

LODGE, Chairman

**S 1033**, as amended, was filed for first reading.

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

### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

**H 157**, as amended in the Senate, by Judiciary, Rules, and Administration Committee, was read the first time at length and filed for second reading.

**S 1033**, as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

**H 194**, as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

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

### Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:05 p.m. until the hour of 4:30 p.m. of this day.

## RECESS AFTERNOON SESSION

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

Roll call showed all members present except Senator Den Hartog, absent and formally excused by the Chair; and Senator Cameron, absent and excused.

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

The Senate advanced to the Sixth Order of Business.

## Reports of Standing Committees

March 17, 2015

The FINANCE Committee reports out **H 253**, **H 254**, **S 1150**, and **S 1151** with the recommendation that they do pass.

CAMERON, Chairman

[H 253](#), [H 254](#), [S 1150](#), and [S 1151](#) were filed for second reading.

March 17, 2015

The TRANSPORTATION Committee reports out [H 129](#) and [H 132](#) with the recommendation that they do pass.

BRACKETT, Chairman

[H 129](#) and [H 132](#) were filed for second reading.

March 17, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 99](#), [H 116](#), [H 117](#), and [H 137](#), as amended, with the recommendation that they do pass.

TIPPETS, Chairman

[H 99](#), [H 116](#), [H 117](#), and [H 137](#), as amended, were filed for second reading.

Senator Cameron was recorded present at this order of business.

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

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1160**

**BY FINANCE COMMITTEE  
AN ACT**

APPROPRIATING AND TRANSFERRING MONEYS TO THE WOLF CONTROL FUND FOR FISCAL YEAR 2016.

**S 1161**

**BY FINANCE COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**S 1162**

**BY FINANCE COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE SOIL AND WATER CONSERVATION COMMISSION FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING LEGISLATIVE INTENT.

**S 1163**

**BY FINANCE COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING AND TRANSFERRING MONEYS TO THE ENVIRONMENTAL REMEDIATION BASIN FUND; EXPRESSING LEGISLATIVE INTENT REGARDING THE ENVIRONMENTAL REMEDIATION BASIN FUND AND REQUIRING AN ANNUAL REPORT; AND EXPRESSING LEGISLATIVE INTENT WITH REGARD TO USE OF THE WATER POLLUTION CONTROL FUND.

**S 1164**

**BY FINANCE COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE BOARD OF TAX APPEALS FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**S 1165**

**BY FINANCE COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE STATE TAX COMMISSION FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**S 1166**

**BY FINANCE COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING AN APPROPRIATION AND TRANSFER OF MONEYS TO THE IDAHO OPPORTUNITY FUND.

[S 1160](#), [S 1161](#), [S 1162](#), [S 1163](#), [S 1164](#), [S 1165](#), and [S 1166](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

**Third Reading of Bills**

[H 211](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [H 211](#) passed, title was approved, and the bill ordered returned to the House.

[H 31](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.



NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [H 31](#) passed, title was approved, and the bill ordered returned to the House.

[H 58](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [H 58](#) passed, title was approved, and the bill ordered returned to the House.

[H 123](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Burgoyne. Total - 1.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [H 123](#) passed, title was approved, and the bill ordered returned to the House.

[H 166](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [H 166](#) passed, title was approved, and the bill ordered returned to the House.

[H 150](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [H 150](#) passed, title was approved, and the bill ordered returned to the House.

[H 189](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—Buckner-Webb, Burgoyne, Jordan. Total - 3.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [H 189](#) passed, title was approved, and the bill ordered returned to the House.

[H 169](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippetts, Vick, Winder. Total - 28.

NAYS—Buckner-Webb, Burgoyne, Jordan, Schmidt, Stennett, Ward-Engelking. Total - 6.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [H 169](#) passed, title was approved, and the bill ordered returned to the House.

**H 136** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 136** passed, title was approved, and the bill ordered returned to the House.

**H 138** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 138** passed, title was approved, and the bill ordered returned to the House.

**H 139** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 139** passed, title was approved, and the bill ordered returned to the House.

**H 218** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Nonini. Total - 1.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 218** passed, title was approved, and the bill ordered returned to the House.

**H 223** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 223** passed, title was approved, and the bill ordered returned to the House.

**H 224** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 224** passed, title was approved, and the bill ordered returned to the House.

**H 225** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–Burgoyne. Total - 1.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [H 225](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 6:10 p.m. until the hour of 10 a.m., Wednesday, March 18, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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SIXTY-SIXTH LEGISLATIVE DAY  
WEDNESDAY, MARCH 18, 2015

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Lakey and McKenzie, absent and formally excused by the Chair; and Senators Lodge, and Ward-Engelking, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Christopher Miller, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 17, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

March 18, 2015

The JUDICIARY AND RULES Committee reports that [S 1155](#), [S 1156](#), [S 1157](#), [S 1158](#), [S 1159](#), [S 1160](#), [S 1161](#), [S 1162](#), [S 1163](#), [S 1164](#), [S 1165](#), and [S 1166](#) have been correctly printed.

LODGE, Chairman

[S 1155](#) and [S 1156](#) were referred to the State Affairs Committee.

[S 1157](#), [S 1158](#), [S 1159](#), [S 1160](#), [S 1161](#), [S 1162](#), [S 1163](#), [S 1164](#), [S 1165](#), and [S 1166](#) were referred to the Finance Committee.

March 17, 2015

The JUDICIARY AND RULES Committee reports that [S 1044](#) has been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1044](#) and ordered it transmitted to the House for the signature of the Speaker.

March 17, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [S 1034](#), [S 1051](#), [S 1052](#), [S 1007](#), [S 1008](#), [S 1010](#), [S 1023](#), [S 1057](#), [S 1058](#), and [S 1099](#) were delivered to the Office of the Governor at 10:20 a.m., March 17, 2015.

LODGE, Chairman

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

March 18, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 208](#), [H 220](#), and [S 1147](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 208](#), [H 220](#), and [S 1147](#) were filed for second reading.

March 18, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 109](#) and [H 202](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

SIDDOWAY, Chairman

There being no objection, [H 109](#) and [H 202](#) were referred to the Fourteenth Order of Business, General Calendar.

March 18, 2015

The FINANCE Committee reports out [S 1152](#) with the recommendation that it do pass.

CAMERON, Chairman

[S 1152](#) was filed for second reading.

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

### Messages from the House

March 16, 2015

Dear Mr. President:

I transmit herewith [H 262](#), which has passed the House.

ALEXANDER, Chief Clerk

[H 262](#) was filed for first reading.

March 17, 2015

Dear Mr. President:

I transmit herewith [H 263](#), [H 264](#), [H 182](#), as amended, [H 216](#), as amended, and [HCR 17](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 263](#), [H 264](#), [H 182](#), as amended, [H 216](#), as amended, and [HCR 17](#) were filed for first reading.

March 17, 2015

Dear Mr. President:

I return herewith [S 1118](#), [S 1087](#), [S 1078](#), [S 1059](#), as amended, [S 1126](#), [S 1127](#), [S 1128](#), [S 1129](#), [S 1130](#), [S 1131](#), [S 1132](#), [S 1133](#), [S 1080](#), as amended, [S 1074](#), [S 1075](#), [S 1077](#), [SCR 107](#), [SCR 109](#), [SCR 110](#), and [SCR 113](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1118](#), [S 1087](#), [S 1078](#), [S 1059](#), as amended, [S 1126](#), [S 1127](#), [S 1128](#), [S 1129](#), [S 1130](#), [S 1131](#), [S 1132](#), [S 1133](#), [S 1080](#), as amended, [S 1074](#), [S 1075](#), [S 1077](#), [SCR 107](#), [SCR 109](#), [SCR 110](#), and [SCR 113](#) were referred to the Judiciary and Rules Committee for enrolling.

Senator Lodge was recorded present at this order of business.

March 17, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 29](#), as amended in the Senate, [HCR 6](#), [HCR 9](#), [HCR 14](#), [HJM 5](#), [HJM 6](#), and [HJM 7](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President Pro Tempore signed Enrolled [H 29](#), as amended in the Senate, [HCR 6](#), [HCR 9](#), [HCR 14](#), [HJM 5](#), [HJM 6](#), and [HJM 7](#) and ordered them returned to the House.

March 17, 2015

Dear Mr. President:

I return herewith Enrolled [S 1110](#), [S 1114](#), [S 1097](#), and [S 1100](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1110](#), [S 1114](#), [S 1097](#), and [S 1100](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Senator Ward-Engelking was recorded present at this order of business.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

The President Pro Tempore announced that [SCR 119](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Mortimer, seconded by Senator Bayer, [SCR 119](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that [SCR 120](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Mortimer, seconded by Senator Siddoway, [SCR 120](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that [SCR 121](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Mortimer, seconded by Senator Siddoway, [SCR 121](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that [SCR 122](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Mortimer, seconded by Senator Siddoway, [SCR 122](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that [SCR 123](#) was before the Senate for final consideration.

Moved by Senator Heider, seconded by Senator Schmidt, that [SCR 123](#) be adopted. The question being, "Shall the resolution be adopted?"

Senator Lakey was recorded present at this order of business.

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Nuxoll. Total - 1.

Absent and excused—McKenzie. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [SCR 123](#) adopted, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that [SCR 124](#) was before the Senate for final consideration.

Moved by Senator Burgoyne, seconded by Senator Tippetts, that [SCR 124](#) be adopted. The question being, "Shall the resolution be adopted?"

Senator McKenzie was recorded present at this order of business.

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Martin. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [SCR 124](#) adopted, title was approved, and the resolution ordered transmitted to the House.

President Little assumed the Chair.

The President announced that [HCR 13](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Hagedorn, seconded by Senator Guthrie, [HCR 13](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1167**

**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO HEMP EXTRACT; AMENDING CHAPTER 27, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-2728, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR A HEMP EXTRACT REGISTRATION CARD, TO PROVIDE FOR AN APPLICATION AND TO PROVIDE FEES; AMENDING CHAPTER 27, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-2729, IDAHO CODE, TO PROVIDE AN EXEMPTION TO THE UNIFORM CONTROLLED SUBSTANCES ACT FOR LAWFUL USE AND POSSESSION OF HEMP EXTRACT; PROVIDING AN EFFECTIVE DATE, PROVIDING APPLICATION AND PROVIDING A SUNSET DATE.

**S 1168**

**BY FINANCE COMMITTEE**

AN ACT

RELATING TO THE INDUSTRIAL COMMISSION; AMENDING SECTION 72-523, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A CERTAIN PREMIUM TAX AND TO REVISE PROVISIONS RELATING TO THE DEDUCTION OF A CERTAIN PREMIUM TAX.

**S 1169**

**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO GROUND WATER DISTRICTS; AMENDING SECTION 42-5233, IDAHO CODE, TO INCREASE THE TOTAL DOLLAR AMOUNT OF CERTAIN WARRANTS THAT ARE AUTHORIZED TO BE ISSUED RELATING TO INDEBTEDNESS OF THE DISTRICT.

[S 1167](#), [S 1168](#), and [S 1169](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 262](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 263](#) and [H 264](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 182](#), as amended, by State Affairs Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 216](#), as amended, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[HCR 17](#), by Ways and Means Committee, was introduced, read at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[H 247](#), [H 248](#), [H 249](#), [H 250](#), and [H 251](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[H 104](#), [H 158](#), [H 160](#), [H 163](#), and [H 157](#), as amended in the Senate, by Judiciary, Rules, and Administration Committee, were read the second time at length and filed for third reading.

[S 1033](#), as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[H 253](#) and [H 254](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1150](#) and [S 1151](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 129](#) and [H 132](#), by Transportation and Defense Committee, were read the second time at length and filed for third reading.

[H 99](#), [H 116](#), and [H 117](#), by Business Committee, were read the second time at length and filed for third reading.

[H 137](#), as amended, by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

[S 1136](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1136](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1148](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1148](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1149](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 31.

NAYS—Nuxoll, Vick. Total - 2.

Absent and excused—Davis, Hill. Total - 2.

Total - 35.

Whereupon the President declared [S 1149](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 194](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 28.

NAYS—Buckner-Webb, Burgoyne, Jordan, Schmidt, Stennett. Total - 5.

Absent and excused—Davis, Hill. Total - 2.

Total - 35.

Whereupon the President declared [H 194](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

On request by Senator Rice, granted by unanimous consent, [H 95](#) retained its place on the Third Reading Calendar for Wednesday, March 25, 2015.

On request by Senator Siddoway, granted by unanimous consent, [H 94](#) was referred to the Fourteenth Order of Business, General Calendar.

[H 226](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—Lakey. Total - 1.

Absent and excused—Davis, Hill, Patrick. Total - 3.

Total - 35.

Whereupon the President declared [H 226](#) passed, title was approved, and the bill ordered returned to the House.

[H 227](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 227](#) passed, title was approved, and the bill ordered returned to the House.

[H 228](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 228](#) passed, title was approved, and the bill ordered returned to the House.

[H 229](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Schmidt. Total - 1.

Absent and excused—Davis, Hill. Total - 2.

Total - 35.

Whereupon the President declared [H 229](#) passed, title was approved, and the bill ordered returned to the House.

[H 230](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 230](#) passed, title was approved, and the bill ordered returned to the House.

[H 231](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 231](#) passed, title was approved, and the bill ordered returned to the House.

[H 232](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 232](#) passed, title was approved, and the bill ordered returned to the House.

[H 178](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 29.

NAYS—Bayer, Den Hartog, Guthrie, Nonini, Nuxoll, Souza. Total - 6.

Total - 35.

Whereupon the President declared [H 178](#) passed, title was approved, and the bill ordered returned to the House.

[H 156](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 156](#) passed, title was approved, and the bill ordered returned to the House.

[H 30](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 30](#) passed, title was approved, and the bill ordered returned to the House.

[H 46](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 46](#) passed, title was approved, and the bill ordered returned to the House.

[H 78](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 78](#) passed, title was approved, and the bill ordered returned to the House.

[H 81](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:



AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 81](#) passed, title was approved, and the bill ordered returned to the House.

[H 90](#) was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 90](#) passed, title was approved, and the bill ordered returned to the House.

[H 91](#) was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 91](#) passed, title was approved, and the bill ordered returned to the House.

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

#### **Petitions, Resolutions, and Memorials**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:10 p.m. until the hour of 4:30 p.m. of this day.

#### **RECESS AFTERNOON SESSION**

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

Roll call showed all members present except Senators Brackett, Guthrie, and Johnson, absent and excused.

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

The Senate advanced to the Sixth Order of Business.

#### **Reports of Standing Committees**

March 18, 2015

The JUDICIARY AND RULES Committee reports that [S 1167](#), [S 1168](#), and [S 1169](#) have been correctly printed.

LODGE, Chairman

[S 1167](#) was referred to the State Affairs Committee.

[S 1168](#) was referred to the Commerce and Human Resources Committee.

[S 1169](#) was referred to the Resources and Environment Committee.

March 18, 2015

The STATE AFFAIRS Committee reports out [H 185](#) with the recommendation that it do pass.

MCKENZIE, Chairman

[H 185](#) was filed for second reading.

March 18, 2015

The STATE AFFAIRS Committee reports out [H 167](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, [H 167](#) was referred to the Fourteenth Order of Business, General Calendar.

March 17, 2015

The HEALTH AND WELFARE Committee reports it has had under consideration the Gubernatorial reappointment listed below and the Committee recommends that said reappointment be confirmed by the Senate:

Mark Von Lindern to the Hazardous Waste Facility Siting License Application Review Panel, term to expire March 6, 2018.

HEIDER, Chairman

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

Senators Guthrie and Johnson were recorded present at this order of business.

March 18, 2015

The JUDICIARY AND RULES Committee reports out [S 1154](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [S 1154](#) was referred to the Fourteenth Order of Business, General Calendar.

March 18, 2015

The RESOURCES AND ENVIRONMENT Committee reports out [H 197](#) and [HCR 12](#) with the recommendation that they do pass.

BAIR, Chairman

[H 197](#) was filed for second reading.

[HCR 12](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 18, 2015

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

Brent Baker to the Lake Pend Oreille Basin Commission, term to expire July 24, 2017.

BAIR, Chairman

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

March 18, 2015

The FINANCE Committee reports out [H 263](#), [H 264](#), [S 1157](#), [S 1158](#), [S 1159](#), [S 1160](#), [S 1161](#), [S 1162](#), [S 1163](#), [S 1164](#), [S 1165](#), and [S 1166](#) with the recommendation that they do pass.

CAMERON, Chairman

[H 263](#), [H 264](#), [S 1157](#), [S 1158](#), [S 1159](#), [S 1160](#), [S 1161](#), [S 1162](#), [S 1163](#), [S 1164](#), [S 1165](#), and [S 1166](#) were filed for second reading.

March 18, 2015

The HEALTH AND WELFARE Committee reports out [S 1123](#) with the recommendation that it do pass.

HEIDER, Chairman

[S 1123](#) was filed for second reading.

March 18, 2015

The HEALTH AND WELFARE Committee reports it has had under consideration the Gubernatorial reappointment listed below and the Committee recommends that said reappointment be confirmed by the Senate:

Suzanne Budge to the Hazardous Waste Facility Siting License Application Review Panel, term to expire March 6, 2018.

HEIDER, Chairman

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

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

#### Messages from the Governor

March 17, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1006](#), [S 1009](#), [S 1015](#), as amended, [S 1016](#),  
[S 1031](#), [S 1037](#), [S 1045](#), and [S 1050](#)

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

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

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

#### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

##### S 1170 BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO JUDGES; AMENDING SECTION 1-2206, IDAHO CODE, TO REVISE QUALIFICATIONS FOR MAGISTRATES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 1-2404, IDAHO CODE, TO REVISE QUALIFICATIONS FOR JUDGES ON THE COURT OF APPEALS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-615, IDAHO CODE, TO REVISE QUALIFICATIONS FOR SUPREME COURT JUSTICES AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 34-616, IDAHO CODE, TO REVISE QUALIFICATIONS FOR DISTRICT COURT JUDGES.

[S 1170](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

#### Third Reading of Bills

[H 107](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayne, Tippets, Ward-Engelking, Winder. Total - 30.

NAYS—Nonini, Nuxoll, Souza, Vick. Total - 4.

Absent and excused—Brackett. Total - 1.

Total - 35.

Whereupon the President declared [H 107](#) passed, title was approved, and the bill ordered returned to the House.

[H 153](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Senator Brackett was recorded present at this order of business.

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 153](#) passed, title was approved, and the bill ordered returned to the House.

[H 126](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Patrick and Bayer arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Cameron, Hill, Schmidt. Total - 3.

Total - 35.

Whereupon the President declared [H 126](#) passed, title was approved, and the bill ordered returned to the House.

[H 190](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Heider, Hill, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippetts, Ward-Engelking, Winder. Total - 28.

NAYS—Guthrie, Hagedorn, Johnson, Nonini, Nuxoll, Souza, Vick. Total - 7.

Total - 35.

Whereupon the President declared [H 190](#) passed, title was approved, and the bill ordered returned to the House.

[H 148](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 148](#) passed, title was approved, and the bill ordered returned to the House.

[H 59](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 59](#) passed, title was approved, and the bill ordered returned to the House.

[H 120](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 120](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 143](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 27.

NAYS—Buckner-Webb, Burgoyne, Davis, Johnson, Jordan, Mortimer, Stennett. Total - 7.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [H 143](#) passed, title was approved, and the bill ordered returned to the House.

**H 128** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 128** passed, title was approved, and the bill ordered returned to the House.

**H 101** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Bair. Total - 1.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared **H 101** passed, title was approved, and the bill ordered returned to the House.

**H 102** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 102** passed, title was approved, and the bill ordered returned to the House.

**H 121** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Rice, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—Guthrie, Hill, Patrick. Total - 3.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared **H 121** passed, title was approved, and the bill ordered returned to the House.

**H 159** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 159** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, **H 240** retained its place on the Third Reading Calendar for one legislative day.

**H 172** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Hagedorn, Heider, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Rice, Siddoway, Stennett, Thayn, Ward-Engelking, Winder. Total - 22.

NAYS—Bayer, Den Hartog, Guthrie, Hill, Johnson, Jordan, Keough, Nuxoll, Patrick, Souza, Tippetts, Vick. Total - 12.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared **H 172** passed, title was approved, and the bill ordered returned to the House.

**H 209** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippetts, Vick, Winder. Total - 29.

NAYS—Cameron, Keough, Lacey, Schmidt, Ward-Engelking. Total - 5.

Absent and excused—Stennett. Total - 1.

Total - 35.

Whereupon the President declared **H 209** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Buckner-Webb, by voice vote, the Senate adjourned at 6:35 p.m. until the hour of 9:15 a.m., Thursday, March 19, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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SIXTY-SEVENTH LEGISLATIVE DAY  
THURSDAY, MARCH 19, 2015

Senate Chamber

President Little called the Senate to order at 9:15 a.m.

Roll call showed all members present except Senators Johnson and McKenzie, absent and formally excused by the Chair; and Senators Bayer, Brackett, Den Hartog, and Lodge, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Samantha Mooney, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 18, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

March 19, 2015

The JUDICIARY AND RULES Committee reports that [S 1170](#) has been correctly printed.

LODGE, Chairman

[S 1170](#) was referred to the Judiciary and Rules Committee.

March 18, 2015

The JUDICIARY AND RULES Committee reports that [S 1118](#), [S 1087](#), [S 1078](#), [S 1059](#), as amended, [S 1126](#), [S 1127](#), [S 1128](#), [S 1129](#), [S 1130](#), [S 1131](#), [S 1132](#), [S 1133](#), [S 1080](#), as amended, [S 1074](#), [S 1075](#), [S 1077](#), [SCR 107](#), [SCR 109](#), [SCR 110](#), and [SCR 113](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1118](#), [S 1087](#), [S 1078](#), [S 1059](#), as amended, [S 1126](#), [S 1127](#), [S 1128](#), [S 1129](#), [S 1130](#), [S 1131](#), [S 1132](#), [S 1133](#), [S 1080](#), as amended, [S 1074](#), [S 1075](#), [S 1077](#), [SCR 107](#), [SCR 109](#), [SCR 110](#), and [SCR 113](#) and ordered them transmitted to the House for the signature of the Speaker.

Senator Brackett was recorded present at this order of business.

March 18, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [S 1110](#), [S 1114](#), [S 1097](#), and [S 1100](#) were delivered to the Office of the Governor at 11:30 a.m., March 18, 2015.

LODGE, Chairman

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

Senator Lodge was recorded present at this order of business.

March 18, 2015

The JUDICIARY AND RULES Committee reports out [H 195](#) with the recommendation that it do pass.

LODGE, Chairman

[H 195](#) was filed for second reading.

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

### Messages from the Governor

March 18, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1024](#)

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

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

The Senate advanced to the Ninth Order of Business.

### Messages from the House

March 18, 2015

Dear Mr. President:

I transmit herewith [H 268](#), [H 271](#), [H 272](#), and [H 273](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 268](#), [H 271](#), [H 272](#), and [H 273](#) were filed for first reading.

March 18, 2015

Dear Mr. President:

I return herewith [S 1125](#) and [S 1086](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1125](#) and [S 1086](#) were referred to the Judiciary and Rules Committee for enrolling.

March 18, 2015

Dear Mr. President:

I transmit herewith Enrolled [HCR 11](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [HCR 11](#) and ordered it returned to the House.

March 18, 2015

Dear Mr. President:

I return herewith Enrolled [S 1046](#), [S 1063](#), [S 1004](#), [S 1014](#), [S 1035](#), [S 1054](#), [S 1082](#), [S 1001](#), [S 1116](#), [S 1117](#), and [S 1119](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1046](#), [S 1063](#), [S 1004](#), [S 1014](#), [S 1035](#), [S 1054](#), [S 1082](#), [S 1001](#), [S 1116](#), [S 1117](#), and [S 1119](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

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

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1171  
BY FINANCE COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT RELATED TO SCHOOL DISTRICT BROADBAND SERVICES; PROVIDING LEGISLATIVE INTENT RELATED TO THE USE OF FUNDS; AND PROVIDING LEGISLATIVE INTENT RELATED TO REPORTING REQUIREMENTS.

[S 1171](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 268](#), [H 271](#), [H 272](#), and [H 273](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[H 208](#) and [H 220](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

[S 1147](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1152](#), by Finance Committee, was read the second time at length and filed for third reading.

[H 185](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 197](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 263](#) and [H 264](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1157](#), [S 1158](#), [S 1159](#), [S 1160](#), [S 1161](#), [S 1162](#), [S 1163](#), [S 1164](#), [S 1165](#), and [S 1166](#), by Finance Committee, were read the second time at length and filed for third reading.

[S 1123](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

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

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

**General Calendar**

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

**Report of the Committee of the Whole**

Senator Winder, Chairman of the Committee of the Whole, reported out [H 113](#), [H 154](#), [S 1135](#), [H 109](#), [H 202](#), [H 167](#), [S 1154](#), and [S 1146](#), without recommendation, amended as follows:

**SENATE AMENDMENT TO H 113  
AMENDMENT TO THE BILL**

On page 1 of the printed bill, delete lines 6 through 20, and insert:

"SECTION 1. That Chapter 10, Title 32, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 32-1010, Idaho Code, and to read as follows:

32-1010. INTENT OF THE LEGISLATURE – PARENTAL RIGHTS. (1) The interests and role of parents in the care, custody and control of their children are both implicit in the concept of ordered liberty and deeply rooted in our nation's history and tradition. They are also among the unalienable rights retained by the people under the ninth amendment to the constitution of the United States.

(2) The interests of the parents includes the high duty and right to nurture and direct their children's destiny, including their upbringing and education.

(3) The state of Idaho has independent authority to protect its parents' fundamental right to nurture and direct their children's destiny, upbringing and education.

(4) The protections and rights recognized in sections 32-1011 through 32-1013, Idaho Code, are rooted in the due process of law guaranteed pursuant to section 13, article I, of the constitution of the state of Idaho.

(5) Governmental efforts that restrict or interfere with these fundamental rights are only permitted if that restriction or interference satisfies the strict scrutiny standard provided in section 32-1013, Idaho Code.

(6) Nothing in this act shall be construed as altering the established presumption in favor of the constitutionality of statutes and regulations.

SECTION 2. That Chapter 10, Title 32, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW

SECTION, to be known and designated as Section 32-1011, Idaho Code, and to read as follows:

32-1011. PARENTAL RIGHT TO THE CARE, CUSTODY AND CONTROL OF CHILDREN. Parents who have legal custody of any minor child or children have the fundamental right to make decisions concerning their care, custody and control.

SECTION 3. That Chapter 10, Title 32, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 32-1012, Idaho Code, and to read as follows:

32-1012. PARENTAL RIGHT TO DIRECT THE EDUCATION OF CHILDREN. Parents who have legal custody of any minor child or children have the fundamental right and duty to make decisions concerning their education, including the right to cause the child to be educated in any manner authorized under section 33-202, Idaho Code, and section 9, article IX, of the constitution of the state of Idaho.

SECTION 4. That Chapter 10, Title 32, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 32-1013, Idaho Code, and to read as follows:

32-1013. INTERFERENCE WITH FUNDAMENTAL PARENTAL RIGHTS RESTRICTED. (1) Neither the state of Idaho, nor any political subdivision thereof, may violate a parent's fundamental and established rights protected by this act, and any restriction of or interference with such rights shall not be upheld unless it demonstrates by clear and convincing evidence that the restriction or interference is both:

- (a) Essential to further a compelling governmental interest; and
  - (b) The least restrictive means available for the furthering of that compelling governmental interest.
- (2) The foregoing principles apply to any interference whether now existing or hereafter enacted.
- (3) Nothing in this act shall be construed as invalidating the provisions of the child protective act in chapter 16, title 16, Idaho Code, or modify the burden of proof at any stage of proceedings under the child protective act.
- (4) When a parent's fundamental rights protected by this act are violated, a parent may assert that violation as a claim or defense in a judicial proceeding and may obtain appropriate relief against the governmental entity.
- (5) If a parent prevails in a civil action against the state, or a political subdivision thereof, as provided in subsection (4) of this section, the parent is entitled to reasonable attorney's fees and costs.

SECTION 5. 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."

#### CORRECTION TO TITLE

On page 1, delete lines 2 through 4, and insert:  
"RELATING TO PARENT AND CHILD; AMENDING CHAPTER 10, TITLE 32, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 32-1010, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT; AMENDING CHAPTER 10, TITLE 32, IDAHO CODE,

BY THE ADDITION OF A NEW SECTION 32-1011, IDAHO CODE, TO PROVIDE THE PARENTAL RIGHT TO DIRECT THE CARE, CUSTODY AND CONTROL OF CHILDREN; AMENDING CHAPTER 10, TITLE 32, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 32-1012, IDAHO CODE, TO PROVIDE THE PARENTAL RIGHT TO DIRECT THE EDUCATION OF CHILDREN; AMENDING CHAPTER 10, TITLE 32, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 32-1013, IDAHO CODE, TO RESTRICT INTERFERENCE WITH FUNDAMENTAL PARENTAL RIGHTS, TO PROVIDE THAT THIS ACT SHALL NOT INVALIDATE THE CHILD PROTECTIVE ACT, TO AUTHORIZE A CLAIM, DEFENSE AND APPROPRIATE RELIEF AND TO PROVIDE FOR ATTORNEY'S FEES; AND PROVIDING SEVERABILITY."

#### SENATE AMENDMENT TO H 154 AMENDMENT TO SECTION 2

On page 1 of the printed bill, in line 18, following "Code" insert: ". Nothing in the definition shall apply when used to treat ectopic pregnancy".

#### SENATE AMENDMENT TO S 1135 AMENDMENT TO THE BILL

On page 1 of the printed bill, following line 32, insert:

"SECTION 2. That Section 45-510, Idaho Code, be, and the same is hereby amended to read as follows:

45-510. DURATION OF LIEN. (1) No lien provided for in this chapter binds any building, mining claim, improvement or structure for a longer period than six (6) months after the claim has been filed, unless proceedings be commenced in a proper court within that time to enforce such lien; or unless a payment on account is made, or extension of credit given with expiration date thereof, and such payment or credit and expiration date, is endorsed on the record of the lien, then six (6) months after the date of such payment or expiration of extension. The lien of a final judgment obtained on any lien provided for in this chapter shall cease five (5) years from the date the judgment becomes final, but if such period of five (5) years has expired or will expire before September 1, 1947, the owner of such judgment lien shall have until September 1, 1947, within which to levy execution under such judgment.

(2) Nothing in this chapter requires that a trustee of a deed of trust as defined and required by section 45-1502 et seq., Idaho Code, be included in a claim of lien or foreclosure or judgment under this chapter."

#### CORRECTION TO TITLE

On page 1, in line 2, delete "CLAIMS OF LIEN" and insert: "LIENS"; and in line 4, following "TRUST" insert: "; AND AMENDING SECTION 45-510, IDAHO CODE, TO PROVIDE THAT A TRUSTEE OF A DEED OF TRUST SHALL NOT BE INCLUDED IN A CLAIM OF LIEN, FORECLOSURE OR JUDGMENT".

#### SENATE AMENDMENT TO H 109 AMENDMENT TO SECTION 1

On page 2 of the printed bill, delete lines 10 through 12, and insert:

"(5) As used in this section the term "real property" means land and ~~other tangible property permanently upon or affixed to the land~~ includes the following:"; and following line 24, insert:



"(6) Property that has been depreciated pursuant to section 1245 of the Internal Revenue Code is not eligible to be treated as real property for purposes of this deduction."

**CORRECTION TO TITLE**

On page 1, in line 4, following "POSES" insert: "AND TO PROVIDE THAT PROPERTY THAT HAS BEEN DEPRECIATED IS NOT ELIGIBLE TO BE TREATED AS REAL PROPERTY".

**SENATE AMENDMENT TO H 202**

**AMENDMENT TO SECTION 1**

On page 1 of the printed bill, delete line 20, and insert: "individuals independent of the board who have the knowledge and expertise to determine the value of the personal property to as-".

**SENATE AMENDMENT TO H 167**

**AMENDMENT TO SECTION 2**

On page 2 of the printed bill, in line 29, delete "board" and insert: "body"; in line 31, delete "board's" and insert: "body's"; and in line 34, delete "board" and insert: "body".

**SENATE AMENDMENT TO S 1154**

**AMENDMENT TO SECTION 1**

On page 2 of the printed bill, in line 4, delete "action" and insert: "petition"; also in line 4, delete "and the" and insert: "without prejudice."; delete line 5; in line 23, delete "prosecutor who" and insert: "prosecuting attorney's office that"; and in line 26, delete "prosecutor" and insert: "prosecuting attorney".

**SENATE AMENDMENT TO S 1146**

**AMENDMENT TO SECTION 1**

On page 5 of the printed bill, delete lines 1 through 27, and insert:

"(1) As used in this title, "cannabidiol oil" means an extract from a cannabis plant in an oral suspension or oil that:

- (i) Is composed of no more than three-tenths percent (0.3%) total tetrahydrocannabinol (the sum of tetrahydrocannabinol and tetrahydrocannabinolic acid) by weight;
- (ii) Is composed of at least fifteen (15) times more cannabidiol (the sum of cannabidiol and cannabidiolic acid) than total tetrahydrocannabinol by weight; and
- (iii) Contains no other substance controlled by the state of Idaho.

(2) Notwithstanding any other provision of law, a person who possesses or uses cannabidiol oil is not subject to the penalties set forth in this chapter for the possession or use of the cannabidiol oil if:

- (i) The cannabidiol oil meets the requirements of subsection (t)(1) of this section;
- (ii) The individual has or is the parent or legal guardian of a minor that has an intractable seizure disorder and possesses and uses the cannabidiol oil only to treat the intractable seizure disorder;
- (iii) The individual has a written recommendation for the use of cannabidiol oil from a physician licensed under chapter 18, title 54, Idaho Code, to practice medicine in the state of Idaho;
- (iv) The cannabidiol oil is in a container with a capacity of thirty-two (32) fluid ounces or less that is labeled by the manufacturer showing the total tetrahydrocannabinol by weight and that the ratio of total cannabidiol to total tetrahydrocannabinol is in compliance with this subsection; and

(v) A laboratory unaffiliated with the producer of the cannabidiol oil has verified the tetrahydrocannabinol and cannabidiol oil by weight."

The Committee also has [H 181](#) and [H 94](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

[S 1135](#), as amended, [S 1154](#), as amended, and [S 1146](#), as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

[H 113](#), as amended in the Senate, [H 154](#), as amended in the Senate, [H 109](#), as amended in the Senate, [H 202](#), as amended in the Senate, and [H 167](#), as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

**Motions and Resolutions**

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of Mark Von Lindern retained its place on the calendar.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Brent Baker was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Keough, seconded by Senator Jordan, the Gubernatorial reappointment of Brent Baker as a member of the Lake Pend Oreille Basin Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, the Health and Welfare Committee report relative to the Gubernatorial reappointment of Mark Von Lindern was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Nuxoll, seconded by Senator Lacey, the Gubernatorial reappointment of Mark Von Lindern as a member of the Hazardous Waste Facility Siting License Application Review Panel was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of Suzanne Budge retained its place on the calendar for Friday, March 20, 2015.

On request by Senator Bair, granted by unanimous consent, [HCR 12](#) retained its place on the calendar for Thursday, March 26, 2015.

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

### Third Reading of Bills

[S 1033](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Hagedorn, Heider, Hill, Jordan, Keough, Lacey, Lee, Lodge, McKenzie, Patrick, Schmidt, Stennett, Tippetts, Ward-Engelking, Winder. Total - 23.

NAYS—Guthrie, Lakey, Martin, Mortimer, Nonini, Nuxoll, Rice, Siddoway, Souza, Thayn, Vick. Total - 11.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [S 1033](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1150](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [S 1150](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1151](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [S 1151](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 157](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Hagedorn, Heider, Hill, Jordan, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Guthrie, Keough, Lacey, Schmidt. Total - 4.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [H 157](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 240](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippetts, Ward-Engelking, Winder. Total - 29.

NAYS—Mortimer, Nonini, Nuxoll, Souza, Vick. Total - 5.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [H 240](#) passed, title was approved, and the bill ordered returned to the House.

[H 247](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [H 247](#) passed, title was approved, and the bill ordered returned to the House.

[H 248](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Ward-Engelking, Winder. Total - 31.

NAYS—Nonini, Nuxoll, Vick. Total - 3.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [H 248](#) passed, title was approved, and the bill ordered returned to the House.

[H 249](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippetts, Ward-Engelking, Winder. Total - 28.

NAYS—Bayer, Den Hartog, Nonini, Nuxoll, Souza, Vick. Total - 6.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [H 249](#) passed, title was approved, and the bill ordered returned to the House.

[H 250](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [H 250](#) passed, title was approved, and the bill ordered returned to the House.

[H 251](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [H 251](#) passed, title was approved, and the bill ordered returned to the House.

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

### Reports of Standing Committees

March 19, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 113](#), [H 154](#), [S 1135](#), [H 109](#), [H 202](#), [H 167](#), [S 1154](#), and [S 1146](#) have been correctly printed.

LODGE, Chairman

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

March 19, 2015

The JUDICIARY AND RULES Committee reports that [S 1135](#), as amended, [S 1154](#), as amended, and [S 1146](#), as amended, have been correctly engrossed.

LODGE, Chairman

[S 1135](#), as amended, [S 1154](#), as amended, and [S 1146](#), as amended, were filed for first reading.

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

### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 113](#), as amended in the Senate, and [H 154](#), as amended in the Senate, by State Affairs Committee, were read the first time at length and filed for second reading.

[H 109](#), as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

[H 202](#), as amended in the Senate, by Ways and Means Committee, was read the first time at length and filed for second reading.

[H 167](#), as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

[S 1135](#), as amended, and [S 1154](#), as amended, by Judiciary and Rules Committee, were read the first time at length and filed for second reading.

[S 1146](#), as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

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

### Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:05 p.m. until the hour of 4 p.m. of this day.

### RECESS AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senators Bayer, Brackett, Cameron, Davis, Lee, Lodge, McKenzie, and Stennett, absent and excused.

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

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

Senators Bayer and Lee were recorded present at this order of business.

March 19, 2015

The FINANCE Committee reports out [H 268](#), [H 271](#), [H 272](#), and [H 273](#) with the recommendation that they do pass.

CAMERON, Chairman

[H 268](#), [H 271](#), [H 272](#), and [H 273](#) were filed for second reading.

March 19, 2015

The TRANSPORTATION Committee reports out [H 183](#) with the recommendation that it do pass.

BRACKETT, Chairman

[H 183](#) was filed for second reading.

March 19, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 179](#) and [H 238](#) with the recommendation that they do pass.

TIPPETS, Chairman

[H 179](#) and [H 238](#) were filed for second reading.

Senator McKenzie was recorded present at this order of business.

March 19, 2015

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

Celia Gould to the Public Employee Retirement System of Idaho Board, term to expire July 1, 2018.

Max Black to the State Insurance Fund Board, term to expire April 3, 2018.

Rod Higgins to the State Insurance Fund Board, term to expire April 3, 2018.

TIPPETS, Chairman

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

Senators Stennett and Davis were recorded present at this order of business.

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

### Messages from the Governor

Senator Brackett was recorded present at this order of business.

March 19, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Ralph Powell of Meridian, Idaho, was reappointed as the Director of the Idaho State Police to serve a term commencing March 18, 2015, and expiring January 7, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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

The Gubernatorial reappointment was referred to the Judiciary and Rules Committee.

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

### Third Reading of Bills

[H 104](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Cameron, Lodge. Total - 2.

Total - 35.

Whereupon the President declared [H 104](#) passed, title was approved, and the bill ordered returned to the House.

Senators Lodge and Cameron were recorded present at this order of business.

**H 158** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 158** passed, title was approved, and the bill ordered returned to the House.

**H 160** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Patrick, Schmidt, Souza, Stennett, Tippetts, Ward-Engelking, Winder. Total - 28.

NAYS—Martin, Nonini, Nuxoll, Rice, Thayn, Vick. Total - 6.

Absent and excused—Siddoway. Total - 1.

Total - 35.

Whereupon the President declared **H 160** passed, title was approved, and the bill ordered returned to the House.

**H 163** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 163** passed, title was approved, and the bill ordered returned to the House.

**H 253** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 253** passed, title was approved, and the bill ordered returned to the House.

**H 254** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Tippetts, Ward-Engelking, Winder. Total - 32.

NAYS—Den Hartog, Vick. Total - 2.

Absent and excused—Siddoway. Total - 1.

Total - 35.

Whereupon the President declared **H 254** passed, title was approved, and the bill ordered returned to the House.

**H 129** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 129** passed, title was approved, and the bill ordered returned to the House.

**H 132** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Davis, Den Hartog, Hagedorn, Heider, Hill, Johnson, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Patrick, Rice, Siddoway, Tippetts, Ward-Engelking, Winder. Total - 19.

NAYS—Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Guthrie, Jordan, Keough, Martin, Nonini, Nuxoll, Schmidt, Souza, Stennett, Thayn, Vick. Total - 16.

Total - 35.

Whereupon the President declared **H 132** passed, title was approved as corrected, and the bill ordered returned to the House.

On request by Senator Lakey, granted by unanimous consent, [H 99](#) retained its place on the Third Reading Calendar for one legislative day.

[H 116](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Brackett, Buckner-Webb, Cameron, Davis, Hagedorn, Hill, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Patrick, Schmidt, Stennett, Tippetts, Ward-Engelking, Winder. Total - 18.

NAYS—Bair, Bayer, Burgoyne, Den Hartog, Guthrie, Heider, Johnson, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Rice, Siddoway, Souza, Thayn, Vick. Total - 17.

Total - 35.

Whereupon the President declared [H 116](#) passed, title was approved, and the bill ordered returned to the House.

[H 117](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Brackett, Buckner-Webb, Cameron, Davis, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Patrick, Schmidt, Siddoway, Stennett, Tippetts, Ward-Engelking. Total - 22.

NAYS—Bayer, Burgoyne, Den Hartog, Guthrie, Lakey, Mortimer, Nonini, Nuxoll, Rice, Souza, Thayn, Vick, Winder. Total - 13.

Total - 35.

Whereupon the President declared [H 117](#) passed, title was approved, and the bill ordered returned to the House.

[H 137](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Tippetts, Ward-Engelking. Total - 29.

NAYS—Mortimer, Nonini, Nuxoll, Thayn, Vick, Winder. Total - 6.

Total - 35.

Whereupon the President declared [H 137](#), as amended, passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1157](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1157](#) was before the Senate for final consideration.

[S 1157](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1157](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1158](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1158](#) was before the Senate for final consideration.

[S 1158](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1158](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1159](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1159](#) was before the Senate for final consideration.

[S 1159](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1159](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1160](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Burgoyne. Total - 1.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1160](#) was before the Senate for final consideration.

[S 1160](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippetts, Vick, Winder. Total - 29.

NAYS—Burgoyne, Lacey, Schmidt, Stennett, Ward-Engelking. Total - 5.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [S 1160](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1161](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1161](#) was before the Senate for final consideration.

[S 1161](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1161](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1162](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1162](#) was before the Senate for final consideration.

[S 1162](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1162](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 6:05 p.m. until the hour of 10 a.m., Friday, March 20, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary



# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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SIXTY-EIGHTH LEGISLATIVE DAY  
FRIDAY, MARCH 20, 2015

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Mortimer, absent and formally excused by the Chair; and Senators Bayer, Cameron, and Rice, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Joshua Price, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 19, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Petitions, Resolutions, and Memorials

#### SCR 125

#### BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND RECOGNIZING THE MUTUAL BENEFIT THAT WOULD BE CREATED IF CITIZENS WHO OPENED A HEALTH SAVINGS ACCOUNT WOULD HAVE THE ABILITY TO CHOOSE BETWEEN PARTICIPATION IN A HEALTH CARE SHARING MINISTRY OR THE PURCHASE OF A HIGH-DEDUCTIBLE HEALTH INSURANCE PLAN AND ENCOURAGING CONGRESS TO SUPPORT FEDERAL LEGISLATION TO CREATE THIS ADDITIONAL HEALTH CARE COST SUPPORT CHOICE.

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

WHEREAS, health care cost support is an essential element of economic security for American families, and individuals and families require more health care cost support choices, not fewer; and

WHEREAS, Health Care Sharing Ministries (HCSM) provide health care cost sharing arrangements among persons

of similar and sincerely held religious beliefs, administered by not-for-profit religious organizations; and

WHEREAS, Congress recognized the legitimacy of HCSMs in 2010 when it granted participants in these ministries one of the nine exemptions from the individual mandate in the Affordable Care Act; and

WHEREAS, participation in a HCSM typically costs 40% to 65% less than conventional health insurance; and

WHEREAS, for income earned in 2011, approximately 72% of HCSM participants were at or below 400% of the Federal Poverty Level (FPL), including approximately 44% of HCSM participants who were at or below 200% of FPL; and

WHEREAS, when Health Savings Accounts (HSA) were established as part of the Medicare Modernization Act in December 2003, citizens opening up a HSA were also required to purchase a high-deductible health insurance plan; and

WHEREAS, according to a June 2013 report from America's Health Insurance Plans (AHIP) Center for Policy and Research, as of January 2013, 15.5 million people in America have made HSAs their choice for health care cost support; and

WHEREAS, according to the same report, the states with the highest HSA enrollment are Illinois, Texas, California, Ohio and Michigan; and

WHEREAS, according to the same report, children ages 0 to 19 comprise the largest group of lives covered by a HSA; and

WHEREAS, another AHIP report shows that 83% of HSA owners have incomes that put them in the middle-income class or lower; and

WHEREAS, according to the Society for Human Resource Management, 43% of employers offered HSAs in 2012.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we recognize the mutual benefit that would be created if citizens who opened a Health Savings Account would have the ability to choose between participation in a HCSM or the purchase of a high-deductible health insurance plan.

BE IT FURTHER RESOLVED that the Legislature of the State of Idaho encourages Congress to support federal legislation as necessary to create this additional health care cost support choice.

[SCR 125](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

March 20, 2015

The JUDICIARY AND RULES Committee reports that [S 1171](#) has been correctly printed.

LODGE, Chairman

[S 1171](#) was referred to the Finance Committee.

March 20, 2015

The JUDICIARY AND RULES Committee reports that [S 1125](#) and [S 1086](#) have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1125](#) and [S 1086](#) and ordered them transmitted to the House for the signature of the Speaker.

Senators Bayer and Rice were recorded present at this order of business.

March 20, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [S 1046](#), [S 1063](#), [S 1004](#), [S 1014](#), [S 1035](#), [S 1054](#), [S 1082](#), [S 1001](#), [S 1116](#), [S 1117](#), and [S 1119](#) were delivered to the Office of the Governor at 10:40 a.m., March 19, 2015.

LODGE, Chairman

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

March 19, 2015

The EDUCATION Committee reports out [H 170](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, [H 170](#) was referred to the Fourteenth Order of Business, General Calendar.

March 20, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 221](#), [H 236](#), [H 237](#), and [HCR 17](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 221](#), [H 236](#), and [H 237](#) were filed for second reading.

[HCR 17](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 20, 2015

The STATE AFFAIRS Committee reports out [H 184](#) and [S 1156](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[H 184](#) and [S 1156](#) were filed for second reading.

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

### Messages from the Governor

March 19, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1026](#), [S 1027](#), and [S 1029](#)

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

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

The Senate advanced to the Ninth Order of Business.

### Messages from the House

March 19, 2015

Dear Mr. President:

I transmit herewith [H 274](#), [H 245](#), [H 276](#), [H 219](#), [H 257](#), [H 256](#), [H 269](#), and [H 92](#), as amended, which have passed the House.

ALEXANDER, Chief Clerk

[H 274](#), [H 245](#), [H 276](#), [H 219](#), [H 257](#), [H 256](#), [H 269](#), and [H 92](#), as amended, were filed for first reading.

March 19, 2015

Dear Mr. President:

I return herewith [S 1138](#), [S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), [S 1143](#), [S 1144](#), and [S 1145](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1138](#), [S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), [S 1143](#), [S 1144](#), and [S 1145](#) were referred to the Judiciary and Rules Committee for enrolling.

March 19, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 31](#), [H 58](#), [H 62](#), [H 64](#), [H 72](#), as amended in the Senate, [H 114](#), [H 123](#), [H 136](#), [H 138](#), [H 139](#), [H 150](#), [H 161](#), [H 166](#), [H 169](#), [H 189](#), [H 205](#), [H 210](#), [H 211](#), [H 218](#), [H 223](#), [H 224](#), and [H 225](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President Pro Tempore signed Enrolled [H 31](#), [H 58](#), [H 62](#), [H 64](#), [H 72](#), as amended in the Senate, [H 114](#), [H 123](#), [H 136](#), [H 138](#), [H 139](#), [H 150](#), [H 161](#), [H 166](#), [H 169](#), [H 189](#), [H 205](#), [H 210](#), [H 211](#), [H 218](#), [H 223](#), [H 224](#), and [H 225](#) and ordered them returned to the House.

March 19, 2015

Dear Mr. President:

I return herewith Enrolled [S 1044](#), which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1044](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

The President Pro Tempore announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Suzanne Budge was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Suzanne Budge as a member of the Hazardous Waste Facility Siting License Application Review Panel was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Celia Gould retained its place on the calendar for Monday, March 23, 2015.

President Little assumed the Chair.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Max Black was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Burgoyne, seconded by Senator Winder, the Gubernatorial reappointment of Max Black as a member of the State Insurance Fund Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Rod Higgins was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Hagedorn, seconded by Senator Burgoyne, the Gubernatorial reappointment of Rod Higgins as a member of the State Insurance Fund Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1172**

**BY FINANCE COMMITTEE**

**AN ACT**

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE DIVISION OF PUBLIC WORKS FOR FISCAL YEAR 2015; APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE DIVISION OF PUBLIC WORKS FOR FISCAL YEAR 2016; AUTHORIZING AND DIRECTING THE ALLOCATION OF FUNDS FOR SPECIFIC PROJECTS; PROVIDING LEGISLATIVE INTENT RELATING TO UTILIZATION OF MATCHING FUNDS; EXEMPTING THE APPROPRIATION FROM THE PROVISIONS OF CHAPTER 36, TITLE 67, IDAHO CODE, AND FROM THE PROVISIONS OF SECTION 67-3516, IDAHO CODE; PROVIDING LEGISLATIVE INTENT RELATING TO REALLOCATION OF PROJECT SAVINGS; AND DECLARING AN EMERGENCY.

**S 1173**

**BY FINANCE COMMITTEE**

**AN ACT**

REDUCING THE APPROPRIATION TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2015; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2015; APPROPRIATING MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING AN APPROPRIATION AND TRANSFER OF MONEYS TO THE WORKFORCE DEVELOPMENT TRAINING FUND; PROVIDING LEGISLATIVE INTENT FOR LOCAL DEPARTMENT OF LABOR OFFICES; PROVIDING LEGISLATIVE INTENT ON ACTIVITIES OF THE WORKFORCE DEVELOPMENT TRAINING FUND; AND DECLARING AN EMERGENCY.

**S 1174**

**BY FINANCE COMMITTEE**

**AN ACT**

APPROPRIATING MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO CERTAIN MONEYS BEING CONTINUOUSLY APPROPRIATED; AUTHORIZING THE TRANSFER OF HIGHWAY FUNDS TO THE TOURISM AND PROMOTION FUND; PROVIDING REAPPROPRIATION FOR CONTRACT CONSTRUCTION AND RIGHT-OF-WAY ACQUISITION; PROVIDING REAPPROPRIATION FOR AIRPORT DEVELOPMENT GRANTS; PROVIDING REAPPROPRIATION FOR AMERICAN RECOVERY AND REINVESTMENT ACT MONEYS; AND AUTHORIZING A TRANSFER OF FUNDS FOR DEBT SERVICE.

[S 1172](#), [S 1173](#), and [S 1174](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 274](#) and [H 276](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 245](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 219](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 257](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 256](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 269](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 92](#), as amended, by Business Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

The Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

[H 195](#), [H 113](#), as amended in the Senate, and [H 154](#), as amended in the Senate, by State Affairs Committee, were read the second time at length and filed for third reading.

[H 109](#), as amended in the Senate, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[H 202](#), as amended in the Senate, by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 167](#), as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1135](#), as amended, and [S 1154](#), as amended, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[S 1146](#), as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

[H 268](#), [H 271](#), [H 272](#), and [H 273](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[H 183](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 179](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 238](#), by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

Senator Cameron was recorded present at this order of business.

[S 1067](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [S 1067](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1147](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippetts, Ward-Engelking, Winder. Total - 27.

NAYS—Bayer, Guthrie, Nonini, Nuxoll, Patrick, Souza, Vick. Total - 7.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [S 1147](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1152](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [S 1152](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1163](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [S 1163](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1164](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [S 1164](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1165](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [S 1165](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1166](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Ward-Engelking, Winder. Total - 30.

NAYS—Bayer, Den Hartog, Nuxoll, Vick. Total - 4.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [S 1166](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1123](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [S 1123](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

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

#### Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:20 a.m. until the hour of 10 a.m., Monday, March 23, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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SEVENTY-FIRST LEGISLATIVE DAY  
MONDAY, MARCH 23, 2015

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Mortimer, absent and formally excused by the Chair; and Senators Buckner-Webb, Cameron, Lakey, and Lodge, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Molly Ashby, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 20, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Petitions, Resolutions, and Memorials

Senator Lakey was recorded present at this order of business.

### SCR 126

#### BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE REGARDING FEDERAL LANDS REQUESTING THE DEPARTMENT OF LANDS TO PERFORM CERTAIN DUTIES WITH THE FEDERAL GOVERNMENT REGARDING FEDERAL LANDS AND TO PROVIDE FOR PERIODIC REPORTS.

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

WHEREAS, the First Regular Session of the Sixty-second Idaho Legislature adopted House Concurrent Resolutions 21 and 22, which authorized the formation of an interim study committee to study the feasibility of the transfer of certain federal lands within the State of Idaho to the State of Idaho; and

WHEREAS, the interim study committee met frequently in 2013 and 2014 and heard testimony throughout the state on this topic; and

WHEREAS, the committee prepared and approved a committee report on this topic incorporating various ideas and testimony; and

WHEREAS, that committee report includes various recommendations.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature recommends the following:

The Legislature seeks the assistance of Idaho's congressional delegation in asking the federal government to develop a model to sustain and increase funding for the management of federal lands within Idaho to adequately support current uses and the best interests of Idaho;

That in the event of a transfer or land exchange, such land parcels specifically exclude national parks, national monuments, federally designated recreational areas, wilderness and roadless areas, federal electric power generation facilities, national wildlife refuges, and Department of Energy, Department of Defense, Indian reservations and Indian trust lands;

That public access be maintained and, where possible, expanded on lands managed by the state under any state-federal cooperative land management agreement;

That the State of Idaho, through the Department of Lands, develop agreements with federal agencies based on the Good Neighbor Authority, as authorized by Section 8206 of the Healthy Forest Restoration Act, to carry out forest, rangeland and watershed restoration services on appropriate federal lands within Idaho.

BE IT FURTHER RESOLVED that the Department of Lands is requested to establish an internal working group to meet with federal land management agencies and to identify specific parcels of federal lands suitable for use of the Good Neighbor Authority.

BE IT FURTHER RESOLVED that in considering parcels for possible use of the Good Neighbor Authority, the working group shall consider such factors as proximity to communities, natural resources production, economic viability, minimization of environmental impact and other factors.

BE IT FURTHER RESOLVED that the parcels agreed upon for use of the Good Neighbor Authority shall, to the extent practical, maximize benefits to local communities.

BE IT FURTHER RESOLVED that the Department of Lands shall report to the Legislature and to the federal agencies, as appropriate, at least annually, as to the status and performance of any proposed or executed agreements under the Good Neighbor Authority.

[SCR 126](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

March 23, 2015

The JUDICIARY AND RULES Committee reports that [SCR 125](#), [S 1172](#), [S 1173](#), and [S 1174](#) have been correctly printed.

LODGE, Chairman

On request by Senator Tippetts, granted by unanimous consent, [SCR 125](#) was referred to the Commerce and Human Resources Committee.

[S 1172](#), [S 1173](#), and [S 1174](#) were referred to the Finance Committee.

March 20, 2015

The JUDICIARY AND RULES Committee reports that [S 1138](#), [S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), [S 1143](#), [S 1144](#), and [S 1145](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1138](#), [S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), [S 1143](#), [S 1144](#), and [S 1145](#) and ordered them transmitted to the House for the signature of the Speaker.

March 20, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [S 1044](#) was delivered to the Office of the Governor at 10:27 a.m., March 20, 2015.

LODGE, Chairman

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

March 20, 2015

The FINANCE Committee reports out [H 274](#), [H 276](#), and [S 1171](#) with the recommendation that they do pass.

CAMERON, Chairman

[H 274](#), [H 276](#), and [S 1171](#) were filed for second reading.

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

#### Messages from the Governor

March 20, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1007](#), [S 1008](#), [S 1010](#), [S 1023](#), [S 1034](#),  
[S 1051](#), [S 1052](#), [S 1057](#), [S 1058](#), and [S 1099](#)

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

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

The Senate advanced to the Ninth Order of Business.

#### Messages from the House

March 20, 2015

Dear Mr. President:

I transmit herewith [H 252](#), as amended, and [HJM 4](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 252](#), as amended, and [HJM 4](#) were filed for first reading.

March 20, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 30](#), [H 46](#), [H 59](#), [H 78](#), [H 81](#), [H 90](#), [H 91](#), [H 101](#), [H 102](#), [H 107](#), [H 120](#), as amended, [H 121](#), [H 126](#), [H 128](#), [H 143](#), [H 148](#), [H 153](#), [H 156](#), [H 159](#), [H 172](#), [H 178](#), [H 190](#), [H 209](#), [H 226](#), [H 227](#), [H 228](#), [H 229](#), [H 230](#), [H 231](#), [H 232](#), and [HCR 13](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 30](#), [H 46](#), [H 59](#), [H 78](#), [H 81](#), [H 90](#), [H 91](#), [H 101](#), [H 102](#), [H 107](#), [H 120](#), as amended, [H 121](#), [H 126](#), [H 128](#), [H 143](#), [H 148](#), [H 153](#), [H 156](#), [H 159](#), [H 172](#), [H 178](#), [H 190](#), [H 209](#), [H 226](#), [H 227](#), [H 228](#), [H 229](#), [H 230](#), [H 231](#), [H 232](#), and [HCR 13](#) and ordered them returned to the House.

March 20, 2015

Dear Mr. President:

I return herewith Enrolled [S 1118](#), [S 1087](#), [S 1078](#), [S 1059](#), as amended, [S 1126](#), [S 1127](#), [S 1128](#), [S 1129](#), [S 1130](#), [S 1131](#), [S 1132](#), [S 1133](#), [S 1080](#), as amended, [S 1074](#), [S 1075](#), and [S 1077](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1118](#), [S 1087](#), [S 1078](#), [S 1059](#), as amended, [S 1126](#), [S 1127](#), [S 1128](#), [S 1129](#), [S 1130](#), [S 1131](#), [S 1132](#), [S 1133](#), [S 1080](#), as amended, [S 1074](#), [S 1075](#), and [S 1077](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 20, 2015

Dear Mr. President:

I return herewith Enrolled [SCR 107](#), [SCR 109](#), [SCR 110](#), and [SCR 113](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [SCR 107](#), [SCR 109](#), [SCR 110](#), and [SCR 113](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

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

#### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

#### S 1175 BY FINANCE COMMITTEE AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2015; APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING A DEDICATED FUND CASH TRANSFER; PROVIDING FOR NOTIFICATION OF CONTRACT RENEWALS OR EXTENSIONS; DIRECTING CONTINUATION OF THE HEALTH INSURANCE PREMIUM FOR STATE EMPLOYEES; PROVIDING LEGISLATIVE INTENT REGARDING BROADBAND CONNECTIVITY; PROVIDING LEGISLATIVE INTENT REGARDING ISSUANCE OF CONTRACTS RELATING TO THE IDAHO EDUCATION

NETWORK; PROVIDING LEGISLATIVE INTENT REGARDING ISSUANCE OF CONTRACTS RELATING TO BROADBAND FOR STATE AGENCIES; AND DECLARING AN EMERGENCY.

**S 1176**  
**BY FINANCE COMMITTEE**  
AN ACT

APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR COLLEGE AND UNIVERSITIES AND THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2016; PROVIDING NON-GENERAL FUND REAPPROPRIATION; PROVIDING LEGISLATIVE INTENT FOR SYSTEMWIDE NEEDS; PROVIDING LEGISLATIVE INTENT FOR REPORTING RELATED TO THE COMPLETE COLLEGE IDAHO INITIATIVE; AND EXEMPTING APPROPRIATION OBJECT AND PROGRAM TRANSFER LIMITATIONS.

[S 1175](#) and [S 1176](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 252](#), as amended, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[HJM 4](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[H 221](#), [H 236](#), and [H 237](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

[H 184](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1156](#), by State Affairs Committee, was read the second time at length and filed for third reading.

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

Senators Buckner-Webb, Cameron, and Lodge were recorded present at this order of business.

**General Calendar**

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

**Report of the Committee of the Whole**

Senator Winder, Chairman of the Committee of the Whole, reported out [H 181](#) and [H 170](#), without recommendation, amended as follows:

**SENATE AMENDMENT TO H 181**  
AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 20 through 40; and delete pages 2 through 11, and insert:

"SECTION 1. That Chapter 51, Title 54, Idaho Code, be, and the same is hereby repealed.

SECTION 2. That all licenses issued under Chapter 51, Title 54, Idaho Code, as repealed by Section 1 of this act, are deemed to have expired for nonpayment of license fees and further are hereby declared to be null and void.

SECTION 3. That Title 54, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW CHAPTER, to be known and designated as Chapter 56, Title 54, Idaho Code, and to read as follows:

CHAPTER 56

NATUROPATHIC MEDICAL PHYSICIANS LICENSING ACT

54-5601. LEGISLATIVE PURPOSE AND INTENT. It is the intent of the Idaho legislature to regulate the practice of naturopathic medicine. Nothing in this chapter will limit the decision in *State v. Smith*, 81 Idaho 103, 337 P.2d 938, except to the extent that certain modalities of treatment shall require a license pursuant to this chapter. To that end it is the intent of the legislature to regulate the practice of natural health care services as it is defined in this chapter, except as expressly provided herein.

54-5602. DEFINITIONS. As used in this chapter:

(1) "Approved naturopathic medical program" means a naturopathic medical education program in the United States or Canada that provides the degree of doctor of naturopathy or doctor of naturopathic medicine, that includes graduate level full-time didactic and supervised clinical training and is either accredited or has achieved candidacy status for accreditation by the council on naturopathic medical education (CNME) or an equivalent federally recognized accrediting body for naturopathic medical programs. Additionally, the program shall be an institution, or part of an institution, of higher education that is either accredited or is a candidate for accreditation by a regional accrediting agency recognized by the United States department of education.

(2) "Board" means the board of naturopathic medical physicians created pursuant to section 54-5606, Idaho Code.

(3) "Formulary" means the lists of prescription medicines that naturopathic medical physicians and naturopathic physicians licensed under this chapter may use in the practice of their profession.

(4) "Minor office procedures" means the methods for the repair and care incidental to superficial lacerations and abrasions, superficial lesions and the removal of foreign bodies located in the superficial tissues.

(5) "Natural health care services" means the broad domain of health care services, including diagnosis and treatment, where treatment or advice regarding the human body and its functions is administered by a person who:

- (a) Does not use legend drugs or prescription drugs in such practice;
- (b) Uses only natural elements including, without limitation, air, heat, water and light;
- (c) Uses only class I or class II nonprescription, approved medical devices as defined in section 513 of the federal food, drug and cosmetic act;
- (d) Uses only vitamins, minerals, herbs, natural food products and their extracts, nutritional supplements and homeopathic preparations and remedies not otherwise prohibited by law; and
- (e) Does not perform surgery or minor office procedures.



(6) "Naturopathic medical physician" means a person authorized and licensed to practice naturopathic medicine under this chapter.

(7) "Naturopathic medicine" means a distinct and comprehensive system of primary health care practiced by naturopathic medical physicians. The practice of naturopathic medicine is separate and distinct from natural health care services.

(8) "Naturopathic physician" means a person licensed to provide naturopathic therapy under this chapter.

(9) "Naturopathic therapy" means the broad range of natural and holistic treatments including, but not limited to, the administration, monitoring and prescribing of natural based minerals and vitamins as approved by board rule.

54-5603. SCOPE OF PRACTICE. (1) Naturopathic medical physicians may use physical and laboratory examinations consistent with naturopathic medical education and training for diagnostic purposes. Naturopathic medical physicians may order and perform diagnostic and imaging tests consistent with naturopathic medical education and training. All diagnostic and imaging tests not consistent with naturopathic medical education and training must be referred for performance and interpretation by an appropriately licensed health care professional.

(2) Naturopathic medical physicians licensed under this chapter are authorized to dispense, administer and prescribe prescription drugs and medical devices as determined by the formulary and authorized by board rule.

(3) Naturopathic medical physicians licensed under this chapter may perform minor office procedures pursuant to privileges authorized by board rule.

(4) A naturopathic medical physician may perform those therapies for which he has been trained and educated and that are not inconsistent with the provisions of this chapter that are authorized by board rule.

(5) Naturopathic physicians licensed under this chapter are authorized to provide naturopathic therapy as approved by board rules.

54-5604. EXEMPTIONS FOR LICENSURE. This chapter is not intended to and does not prohibit, restrict or apply to:

(1) The practice of a profession by individuals who are licensed, certified or registered under other laws of this state and are performing services within the authorized scope of practice;

(2) The practice of naturopathic medicine by an individual employed by the federal government while the individual is engaged in the performance of duties prescribed by the laws and regulations of the United States;

(3) An individual rendering aid to a family member or in an emergency, when no fee or other consideration for the service is charged, received, expected or contemplated;

(4) An individual engaged in the sale of vitamins, health foods, over-the-counter homeopathic products, dietary supplements, herbs or other products of nature, the sale of which is not otherwise prohibited under state or federal law;

(5) The practice by a naturopathic medical physician duly licensed in another state, territory or the District of Columbia when that naturopathic medical physician is incidentally called into this state for consultation with a physician licensed pursuant to this chapter or chapter 18, title 54, Idaho Code;

(6) The practice of naturopathic medical medicine by students enrolled in an approved naturopathic medical program. Services shall be performed pursuant to a course of instruction

or assignments from an instructor and under the supervision and observation of the instructor; or

(7) The practice and providing of natural health care services as defined in this chapter and not in violation of this chapter by an individual who is not licensed in this state as a health care professional or practitioner.

54-5605. NATUROPATHIC PHYSICIAN LICENSE REQUIRED. (1) A license shall be required for a person to engage in the practice of naturopathic medicine or naturopathic therapy.

(2) No person shall assume or use the title or designation "doctor" or "physician" in association with the practice of naturopathic medicine or naturopathic therapy, or the abbreviations "NMD" or "ND" or any other title, designations, words, letters, abbreviations, sign, card or device to indicate to the public that such person is licensed to practice naturopathic medicine or naturopathic therapy pursuant to this chapter unless such person is so licensed under this chapter.

(3) Nothing in this chapter shall prohibit the use of the term "doctor" or "physician" by a person defined or licensed as such pursuant to title 54, Idaho Code.

54-5606. BOARD OF NATUROPATHIC MEDICAL PHYSICIANS – ORGANIZATION AND MEETINGS. (1) There is hereby established in the department of self-governing agencies, bureau of occupational licenses, the board of naturopathic medical physicians. The board shall consist of five (5) members appointed by the governor, two (2) of whom shall be licensed pursuant to section 54-5608(1)(a), Idaho Code, one (1) of whom shall be licensed pursuant to section 54-5608(2), Idaho Code, one (1) of whom shall be a physician licensed pursuant to chapter 18, title 54, Idaho Code, and one (1) of whom shall be a pharmacist licensed pursuant to chapter 17, title 54, Idaho Code. Board members shall serve at the pleasure of the governor.

(2) One (1) member of the initial board shall be appointed for a one (1) year term of office; one (1) member of the initial board shall be appointed for a two (2) year term of office; one (1) member of the initial board shall be appointed for a three (3) year term of office; one (1) member of the initial board shall be appointed for a four (4) year term of office; and one (1) member of the initial board shall be appointed for a five (5) year term of office. Thereafter, the term of office for each board member shall be five (5) years.

(3) The initial two (2) licensed naturopathic medical physician board members shall be eligible to become licensed pursuant to section 54-5608(1)(a), Idaho Code, and shall have been practicing naturopathic medicine in the state of Idaho for at least the two (2) years immediately preceding their appointment. The initial licensed naturopathic physician board member shall be eligible to become licensed pursuant to section 54-5608(2), Idaho Code, and shall have been practicing naturopathic therapy in the state of Idaho for at least two (2) years immediately preceding their appointment.

(4) After initial board members are appointed, the two (2) board members who are naturopathic medical physicians shall be licensed pursuant to section 54-5608(1)(a), Idaho Code, and the one (1) board member who is a naturopathic physician shall be licensed pursuant to section 54-5608(2), Idaho Code, shall actively practice naturopathic medicine or naturopathic therapy in the state of Idaho for the duration of their appointment and shall have been practicing naturopathic medicine or naturopathic therapy for at least two (2) years immediately preceding their appointment.

(5) Upon initial appointment of the board and thereafter, whenever a term of a member of the board who is licensed pursuant to chapter 18, title 54, Idaho Code, expires or becomes vacant, the Idaho medical association shall nominate three (3) persons licensed pursuant to chapter 18, title 54, Idaho Code, for such vacancy and shall forward the nominations to the governor who shall give consideration to such nominees.

(6) Upon initial appointment of the board and thereafter, whenever a term of a member of the board who is licensed pursuant to chapter 17, title 54, Idaho Code, expires or becomes vacant, the Idaho board of pharmacy shall nominate three (3) persons licensed pursuant to chapter 17, title 54, Idaho Code, for such vacancy and shall forward the nominations to the governor who shall give consideration to such nominees.

(7) In the event of the death, resignation or removal of any board member before the expiration of the term to which the board member is appointed, the vacancy shall be filled for the unexpired portion of the term in the same manner as the original appointment.

(8) Within thirty (30) days after its appointment, the initial board shall hold a meeting and elect a chairperson. The board shall meet at least annually thereafter and may hold additional meetings at the call of the chairperson or at the written request of any two (2) members of the board. A majority of the board shall constitute a quorum. The vote of a majority of members present at a meeting wherein a quorum is present shall determine the action of the board, except as otherwise provided in this chapter.

(9) Each member of the board shall be compensated as provided in section 59-509(n), Idaho Code.

54-5607. POWERS AND DUTIES OF THE BOARD. The board shall have the authority and responsibility to:

(1) Receive applications of persons applying for licensure, determine the qualifications of persons applying for licensure and provide licenses to applicants qualified under this chapter;

(2) Establish by rule and collect fees from applicants for licensure and for renewal of licensure;

(3) Establish by rule the minimum amount and type of continuing education to be required for each licensee seeking renewal;

(4) Investigate complaints against persons who are licensed under this chapter or practicing naturopathic medicine or naturopathic therapy without a license;

(5) Undertake, when appropriate, disciplinary proceedings and disciplinary action against persons licensed under this chapter;

(6) Provide such other services and perform such other functions as are consistent with this chapter as are necessary and desirable to fulfill its purposes;

(7) Recover the costs and fees, including attorney's fees, incurred in the investigation and prosecution of any person who is found in violation of this chapter or the board's rules;

(8) Promulgate and adopt rules, pursuant to chapter 52, title 67, Idaho Code, necessary to administer the provisions of this chapter; provided, however, that all rules shall be approved by the unanimous vote of the entire board;

(9) Establish special competency certification requirements for licensees as deemed necessary by action of the board;

(10) The board shall establish by rule two (2) formularies. The formulary list for naturopathic medical physicians shall be based upon naturopathic medical education, training and continuing education, but may not go beyond the scope of prescription medicines and medical devices covered by approved naturopathic medical education and training or board-approved

continuing education. The naturopathic medical formulary shall not include medicines and devices that are inconsistent with the training provided by approved naturopathic medical programs and continuing education. The formulary shall be approved by board rule. The formulary list for naturopathic physicians shall be based on the education and training of naturopathic physicians and shall be approved by rule; and

(11) Authorize by written agreement the bureau of occupational licenses to act as agent in its interest.

54-5608. QUALIFICATIONS FOR LICENSURE. (1) Naturopathic medical physician. To be eligible for a license to practice as a naturopathic medical physician in the state of Idaho, the applicant shall submit an application, pay the fee and fulfill the following requirements:

(a) The applicant must be a graduate of an approved naturopathic medical program as defined in section 54-5602(1), Idaho Code; or

(b) The applicant must be a graduate of a college or university in the United States or Canada that is still in existence and that offered a full-time structured curriculum in basic sciences and supervised patient care comprising a doctoral naturopathic medical education as a prerequisite to graduation, having been not less than one hundred thirty-two (132) weeks in duration and that required completion within a period of not less than thirty-five (35) months and have been continually practicing for five (5) years immediately preceding licensure.

(2) Naturopathic physician. To be eligible for a license to practice as a naturopathic physician in the state of Idaho, the applicant shall submit an application, pay the fee and fulfill the following requirements:

(a) Have been issued a license by the board of naturopathic medical examiners under chapter 51, title 54, Idaho Code, as it existed at the time such licenses were issued and while the board had a contract with the bureau of occupational licenses and such license was not revoked by the board of naturopathic medical examiners. Any license issued by the board of naturopathic medical examiners when it did not have a contract with the bureau of occupational licenses shall not be recognized as a valid license; or

(b) Been licensed as a chiropractor prior to 1993 and have received any naturopathic degree and have been providing naturopathic therapy in Idaho prior to 2011.

(3) Examination. Applicants for initial licensure who meet the qualifications of subsection (1) (a) of this section and all applicants after July 1, 2016, shall provide proof of having received a passing grade on the naturopathic physicians licensing examinations (NPLEX), administered by the North American board of naturopathic examiners (NABNE). The passing grade for each specific examination administration shall be as determined by the NABNE.

54-5609. LICENSE STANDARDS – ENDORSEMENT. The board shall establish by rule the standards for licensure of applicants of a naturopathic medical physician licensed in another jurisdiction. However, the standards for endorsement of licensure shall not be less than those required by section 54-5608(1)(a) and (2), Idaho Code. The board shall not endorse those practicing naturopathic therapy in other jurisdictions.

54-5610. LICENSE RENEWAL. All licenses issued under this chapter shall be for a term of one (1) year and shall expire on the birthday of the licensee unless renewed in the

manner prescribed by rule. Except as set forth in this chapter, rules governing procedures and conditions for license renewal and reinstatement shall be in accordance with section 67-2614, Idaho Code.

54-5611. FEES. (1) The board shall establish by rule fees for licensure pursuant to the provisions of this chapter as follows:

- (a) An application fee for licensure not to exceed two hundred fifty dollars (\$250);
- (b) The fee for the initial naturopathic medical physician and naturopathic physician license not to exceed one thousand dollars (\$1,000);
- (c) The fee for the renewal of a naturopathic medical physician and naturopathic physician license not to exceed one thousand dollars (\$1,000); and
- (d) The application fee shall be in addition to the initial license fee.

(2) All fees received under the provisions of this section shall be nonrefundable and shall be deposited in the state treasury to the credit of the occupational license account in the dedicated fund, and all costs and expenses incurred by the board under the provisions of this chapter shall be a charge against and paid from the account for such purposes. Notwithstanding any other provisions of law, the funds collected pursuant to this section shall be immediately available for the administration of this chapter.

(3) The board of naturopathic medical physicians shall have the authority and responsibility to pay outstanding debts of any previous board that regulated naturopathic physicians and was administered by the department of self-governing agencies, bureau of occupational licenses. The repayment of such debt shall be deposited in the state treasury to the credit of the occupational licenses account.

54-5612. DENIAL OF LICENSE AND DISCIPLINARY PROCEEDINGS. (1) The board may refuse to issue or renew a license or may revoke, suspend or otherwise discipline a license holder for any of the following grounds:

- (a) The use of fraud or deceit in obtaining a license under this chapter or in connection with services rendered as a naturopathic physician;
- (b) A legal finding of mental incompetence;
- (c) Aiding or abetting a person, not duly licensed under this chapter, in claiming to be a naturopathic medical physician or naturopathic physician or in practicing naturopathic medicine or naturopathic therapy;
- (d) Any gross negligence, incompetence or misconduct in the performance of naturopathic medicine or naturopathic therapy;
- (e) Conviction of a felony, or a crime involving moral turpitude, or the entering of a plea of guilty or the finding of guilt by a jury or court of commission of a felony or a crime involving moral turpitude;
- (f) Practicing as a naturopathic medical physician or naturopathic physician when physical or mental abilities are impaired by the use of controlled substances or other drugs, chemicals or alcohol;
- (g) Failure of the individual practitioner to maintain his professional premises in a clean and sanitary condition;
- (h) Any other good cause, relevant to qualifications to practice as a naturopathic medical physician or naturopathic physician. The board may not suspend, revoke or refuse to issue or renew a license based on the findings that a licensee's practice is unconventional in the absence of demonstrable harm to a patient and the patient has signed a

waiver to the effect that the treatment or device is considered unconventional;

- (i) Failure to demonstrate compliance with continuing education requirements as determined by the board;
- (j) Violating any law or rule pursuant to this chapter;
- (k) Having been convicted of any crime that reflects adversely on the person's fitness to be licensed or registered pursuant this chapter;
- (l) Having a license to practice naturopathic medicine or other health care license or certificate refused, revoked or suspended or otherwise disciplined by any state, territory, district of the United States or Canada for reasons that relate to the applicant's ability to skillfully and safely practice naturopathic medicine or naturopathic therapy, or other health care profession, unless that license or certification has been restored to good standing by that jurisdiction;
- (m) Prescribing, dispensing or administering any controlled substance or device identified under the uniform controlled substances act, chapter 27, title 37, Idaho Code, or identified in the federal controlled substances act, 21 U.S.C. sections 801 through 971 (1988), as amended, except as authorized by this chapter;
- (n) Performing surgical procedures, except for naturopathic medical physicians, those minor office procedures authorized by board rule;
- (o) For naturopathic physicians, performing surgical procedures or minor office procedures;
- (p) Practicing or claiming to practice as a medical doctor, osteopath, dentist, podiatrist, optometrist, psychologist, advanced practice professional nurse, physician assistant, chiropractor, physical therapist, acupuncturist or any other health care professional not authorized in this chapter unless licensed by the state of Idaho to do so;
- (q) Using general or spinal anesthetics;
- (r) Administering ionizing radioactive substances for therapeutic purposes;
- (s) Performing minor office procedures using a laser device;
- (t) Inducing or performing an abortion;
- (u) Performing minor office procedures involving the eye, ear, tendons, nerves, veins or arteries extending beyond superficial tissue;
- (v) Treating any lesion suspicious of malignancy or requiring surgical removal. Lesions suspicious of malignancy or requiring surgical removal shall be referred to a physician licensed pursuant to chapter 18, title 54, Idaho Code, naturopathic medical physicians may comanage this care with a physician licensed pursuant to chapter 18, title 54, Idaho Code;
- (w) Performing chiropractic adjustments as defined in section 54-704, Idaho Code, unless licensed to do so;
- (x) Performing physical therapy as defined in section 54-2203, Idaho Code; or
- (y) Failure to comply with a board order.

(2) The board may reinstate any revoked or suspended license upon such terms as it may determine.

(3) The board may by rule provide a procedure for an applicant to request an exemption review for a felony or lesser crime conviction. The applicant shall bear the burden and financial responsibility of providing all evidence, documentation and proof of suitability for licensure required by the board for exemption review.

54-5613. DISCLOSURE BY THOSE PROVIDING NATURAL HEALTH CARE SERVICES. (1) Any person providing natural health care services who is not a naturopathic

medical physician or naturopathic physician and who is advertising or charging a fee for those services shall, prior to providing such services, disclose to the client in a clearly worded statement:

- (a) The practitioner's name, business address and telephone number;
- (b) The nature of the natural health care services to be provided; and
- (c) That the practitioner is not an "M.D.," "D.O.," "N.M.D.," "naturopathic medical physician," "naturopathic doctor," "naturopathic physician," or "N.D." nor is the practitioner licensed to provide these services.

(2) Before a practitioner provides natural health care services to a client for the first time, such practitioner must obtain a written acknowledgment from the client stating that he has been provided with the information described in this section and that he recognizes that the practitioner is not licensed to practice medicine, surgery or naturopathic medicine or any other type of medicine. The client shall be provided with a copy of this written acknowledgment that must be maintained for two (2) years by the person providing the services. If the disclosure information changes, then the practitioner has a duty to repeat the disclosure if a client obtains services after the change.

54-5614. CERTAIN ACTS PROHIBITED. It shall be unlawful for any person to engage in any of the following acts:

(1) To violate any of the provisions of this chapter and any rules promulgated pursuant thereto;

(2) It shall be a misdemeanor to practice, attempt or offer to practice naturopathic medicine or naturopathic therapy as defined in this chapter without having at the time of so doing, a valid, unexpired, unrevoked and unsuspended license issued under this chapter; or

(3) It shall be a misdemeanor to represent one's self or assume or use the title or designation "doctor" or "physician" in association with the practice of naturopathic medicine, or naturopathic therapy or the abbreviations "NMD" or "ND" or any other title, designations, words, letters, abbreviations, sign, card or device to indicate to the public that such person is licensed to practice naturopathic medicine or naturopathic therapy pursuant to this chapter unless such person is so licensed under this chapter.

54-5615. PREEMPTION OF LOCAL REGULATIONS. Beginning July 1, 2016, a local unit of government shall not establish or maintain professional licensing requirements for a naturopathic medical physician or a naturopathic physician licensed pursuant to this chapter.

54-5616. SEVERABILITY. The provisions of this chapter are hereby declared to be severable, and if any provision of this chapter 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 chapter.

SECTION 4. That Section 67-2601, Idaho Code, be, and the same is hereby amended to read as follows:

67-2601. DEPARTMENT CREATED - ORGANIZATION - DIRECTOR - BUREAU OF OCCUPATIONAL LICENSES CREATED. (1) There is hereby created the department of self-governing agencies. The department shall, for the purposes of section 20, article IV<sub>2</sub> of

the constitution of the state of Idaho, be an executive department of the state government.

(2) The department shall consist of the following:

(a) Agricultural commodity commissions: Idaho apple commission, as provided by chapter 36, title 22, Idaho Code; Idaho bean commission, as provided by chapter 29, title 22, Idaho Code; Idaho beef council, as provided by chapter 29, title 25, Idaho Code; Idaho cherry commission, as provided by chapter 37, title 22, Idaho Code; Idaho dairy products commission, as provided by chapter 31, title 25, Idaho Code; Idaho pea and lentil commission, as provided by chapter 35, title 22, Idaho Code; Idaho potato commission, as provided by chapter 12, title 22, Idaho Code; the Idaho wheat commission, as provided by chapter 33, title 22, Idaho Code; the Idaho aquaculture commission, as provided by chapter 44, title 22, Idaho Code; and the Idaho alfalfa and clover seed commission, as provided in chapter 42, title 22, Idaho Code.

(b) Professional and occupational licensing boards: Idaho state board of certified public accountancy, as provided by chapter 2, title 54, Idaho Code; board of acupuncture, as provided by chapter 47, title 54, Idaho Code; board of architectural examiners, as provided by chapter 3, title 54, Idaho Code; office of the state athletic director, as provided by chapter 4, title 54, Idaho Code; board of barber examiners, as provided by chapter 5, title 54, Idaho Code; board of commissioners of the Idaho state bar, as provided by chapter 4, title 3, Idaho Code; board of chiropractic physicians, as provided by chapter 7, title 54, Idaho Code; Idaho board of cosmetology, as provided by chapter 8, title 54, Idaho Code; Idaho counselor licensing board, as provided by chapter 34, title 54, Idaho Code; state board of dentistry, as provided by chapter 9, title 54, Idaho Code; state board of dentistry, as provided by chapter 33, title 54, Idaho Code; Idaho board of licensure of professional engineers and professional land surveyors, as provided by chapter 12, title 54, Idaho Code; state board for registration of professional geologists, as provided by chapter 28, title 54, Idaho Code; speech and hearing services licensure board, as provided by chapter 29, title 54, Idaho Code; Idaho physical therapy licensure board, as provided by chapter 22, title 54, Idaho Code; Idaho state board of landscape architects, as provided by chapter 30, title 54, Idaho Code; liquefied petroleum gas safety board, as provided by chapter 53, title 54, Idaho Code; state board of medicine, as provided by chapter 18, title 54, Idaho Code; state board of morticians, as provided by chapter 11, title 54, Idaho Code; ~~board of naturopathic medical examiners, as provided by chapter 51, title 54, Idaho Code;~~ board of nurses, as provided by chapter 14, title 54, Idaho Code; board of examiners of nursing home administrators, as provided by chapter 16, title 54, Idaho Code; state board of optometry, as provided by chapter 15, title 54, Idaho Code; Idaho outfitters and guides board, as provided by chapter 21, title 36, Idaho Code; board of pharmacy, as provided by chapter 17, title 54, Idaho Code; state board of podiatry, as provided by chapter 6, title 54, Idaho Code; Idaho state board of psychologist examiners, as provided by chapter 23, title 54, Idaho Code; Idaho real estate commission, as provided by chapter 20, title 54, Idaho Code; real estate appraiser board, as provided by chapter 41, title 54, Idaho Code; board of social work examiners, as provided by chapter 32, title 54, Idaho Code; the board of veterinary medicine, as provided by chapter 21, title 54, Idaho Code; the board of examiners of residential care facility administrators, as provided by chapter 42, title 54, Idaho Code; the certified shorthand reporters board, as provided by chapter 31, title 54, Idaho

Code; the driving businesses licensure board, as provided by chapter 54, title 54, Idaho Code; the board of drinking water and wastewater professionals, as provided by chapter 24, title 54, Idaho Code; and the board of midwifery, as provided by chapter 55, title 54, Idaho Code; and the board of naturopathic medical physicians, as provided by chapter 56, title 54, Idaho Code.

(c) The board of examiners, pursuant to section 67-2001, Idaho Code.

(d) The division of building safety: building code board, chapter 41, title 39, Idaho Code; manufactured housing board, chapter 21, title 44, Idaho Code; electrical board, chapter 10, title 54, Idaho Code; public works contractors license board, chapter 19, title 54, Idaho Code; plumbing board, chapter 26, title 54, Idaho Code; public works construction management, chapter 45, title 54, Idaho Code; the heating, ventilation and air conditioning board, chapter 50, title 54, Idaho Code; and modular building advisory board, chapter 43, title 39, Idaho Code.

(e) The division of veterans services to be headed by a division administrator who shall be a nonclassified employee exempt from the provisions of chapter 53, title 67, Idaho Code. The administrator of the division shall administer the provisions of chapter 2, title 65, Idaho Code, and chapter 9, title 66, Idaho Code, with the advice of the veterans affairs commission established under chapter 2, title 65, Idaho Code, and shall perform such additional duties as are imposed upon him by law.

(f) The board of library commissioners, pursuant to section 33-2502, Idaho Code.

(g) The Idaho state historical society, pursuant to section 67-4123, Idaho Code.

(h) The state public defense commission, pursuant to section 19-849, Idaho Code.

(3) The bureau of occupational licenses is hereby created within the department of self-governing agencies.

SECTION 5. The Board of Naturopathic Physicians shall report on the status of the board and the practice of naturopathic medicine in Idaho to the First Regular Session of the Sixty-sixth Idaho Legislature in 2021.

SECTION 6. This act shall be in full force and effect on and after July 1, 2015, except that the provisions of Sections 54-5605 and 54-5614, Idaho Code, shall be in full force and effect on and after July 1, 2016.

SECTION 7. The provisions of Section 3 of this act shall be null, void and of no force and effect on and after July 1, 2021."

#### CORRECTION TO TITLE

On page 1, delete lines 2 through 18, and insert:

"RELATING TO THE NATUROPATHIC MEDICAL PHYSICIANS LICENSING ACT; REPEALING CHAPTER 51, TITLE 54, IDAHO CODE, RELATING TO THE NATUROPATHIC PHYSICIANS LICENSING ACT; TO PROVIDE THAT CERTAIN LICENSES ARE DEEMED EXPIRED; AMENDING TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 56, TITLE 54, IDAHO CODE, TO ESTABLISH THE NATUROPATHIC MEDICAL PHYSICIANS LICENSING ACT, TO PROVIDE LEGISLATIVE PURPOSE AND INTENT, TO DEFINE TERMS, TO PROVIDE THE SCOPE OF PRACTICE OF NATUROPATHIC MEDICAL PHYSICIANS, TO

PROVIDE EXEMPTIONS FOR LICENSURE, TO REQUIRE A CERTAIN LICENSE, TO ESTABLISH THE BOARD OF NATUROPATHIC MEDICAL PHYSICIANS, TO ESTABLISH THE POWERS AND DUTIES OF THE BOARD, TO ESTABLISH QUALIFICATIONS FOR LICENSURE, TO PROVIDE LICENSURE STANDARDS AND ENDORSEMENT STANDARDS, TO PROVIDE FOR LICENSE RENEWAL, TO ESTABLISH FEES, TO ESTABLISH DENIAL OF LICENSE AND DISCIPLINARY PROCEEDINGS, TO PROVIDE DISCLOSURE REQUIREMENTS, TO PROHIBIT CERTAIN ACTS, TO PROVIDE A PREEMPTION OF LOCAL REGULATIONS AND TO PROVIDE SEVERABILITY; AMENDING SECTION 67-2601, IDAHO CODE, TO DELETE REFERENCE TO THE BOARD OF NATUROPATHIC MEDICAL EXAMINERS, TO ESTABLISH THE BOARD OF NATUROPATHIC MEDICAL PHYSICIANS IN THE DEPARTMENT OF SELF-GOVERNING AGENCIES AND TO MAKE A TECHNICAL CORRECTION; PROVIDING REPORTING REQUIREMENTS; PROVIDING AN EFFECTIVE DATE; AND PROVIDING A SUNSET DATE."

#### SENATE AMENDMENT TO H 170 AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 15, delete "The" and insert: "Notwithstanding section 67-5718, Idaho Code, the"; in line 35, following "obligations" insert: "from the money appropriated to the public school support program,".

On page 3, following line 3, insert:

"(8) The state board of education may promulgate rules implementing the provisions of this section."; and in line 4, delete "8" and insert: "9".

#### CORRECTION TO TITLE

On page 1, in line 8, following "REQUIREMENTS" insert: ", TO GRANT RULEMAKING AUTHORITY".

The Committee also has [H 94](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

[H 181](#), as amended in the Senate, and [H 170](#), as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

#### Third Reading of Bills

[S 1135](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [S 1135](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1154](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [S 1154](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, [S 1146](#), as amended, retained its place on the Third Reading Calendar for one legislative day.

[H 113](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippetts, Vick, Winder. Total - 27.

NAYS—Buckner-Webb, Burgoyne, Jordan, Lacey, Schmidt, Stennett, Ward-Engelking. Total - 7.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 113](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 154](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippetts, Vick, Winder. Total - 27.

NAYS—Buckner-Webb, Burgoyne, Jordan, Lacey, Schmidt, Stennett, Ward-Engelking. Total - 7.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 154](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

On request by Senator Davis, granted by unanimous consent, [S 1146](#), as amended, was placed at the head of the Third Reading Calendar, followed by [S 1156](#), followed by all remaining Senate bills, followed by House bills amended in the Senate, followed by House bills.

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

### Reports of Standing Committees

March 23, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 181](#) and [H 170](#) have been correctly printed.

LODGE, Chairman

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

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

### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 181](#), as amended in the Senate, by Health and Welfare Committee, was read the first time at length and filed for second reading.

[H 170](#), as amended in the Senate, by Education Committee, was read the first time at length and filed for second reading.

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

### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:25 p.m. until the hour of 9 a.m., Tuesday, March 24, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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SEVENTY-SECOND LEGISLATIVE DAY  
TUESDAY, MARCH 24, 2015

Senate Chamber

President Little called the Senate to order at 9 a.m.

Roll call showed all members present except Senator Mortimer, absent and formally excused by the Chair; and Senators Cameron, Siddoway, Thayne, and Winder, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Tim Bush, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 23, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

Senator Siddoway was recorded present at this order of business.

March 24, 2015

The JUDICIARY AND RULES Committee reports that [SCR 126](#), [S 1175](#), and [S 1176](#) have been correctly printed.

LODGE, Chairman

Senator Cameron was recorded present at this order of business.

[SCR 126](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1175](#) and [S 1176](#) were referred to the Finance Committee.

March 23, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [S 1118](#), [S 1087](#), [S 1078](#), [S 1059](#), as amended, [S 1126](#), [S 1127](#), [S 1128](#), [S 1129](#), [S 1130](#), [S 1131](#), [S 1132](#), [S 1133](#), [S 1080](#), as amended, [S 1074](#), [S 1075](#), and [S 1077](#) were delivered to the Office of the Governor at 1:36 p.m., March 23, 2015.

LODGE, Chairman

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

March 23, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 107](#), [SCR 109](#), [SCR 110](#), and [SCR 113](#) were delivered to the Office of the Secretary of State at 1:38 p.m., March 23, 2015.

LODGE, Chairman

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

March 23, 2015

The STATE AFFAIRS Committee reports out [H 53](#), as amended, [H 112](#), and [HCR 16](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[H 53](#), as amended, and [H 112](#) were filed for second reading.

[HCR 16](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 23, 2015

The RESOURCES AND ENVIRONMENT Committee reports out [S 1169](#) with the recommendation that it do pass.

BAIR, Chairman

[S 1169](#) was filed for second reading.

March 23, 2015

The JUDICIARY AND RULES Committee reports out [H 92](#), as amended, and [S 1170](#) with the recommendation that they do pass.

LODGE, Chairman

[H 92](#), as amended, and [S 1170](#) were filed for second reading.

March 23, 2015

The FINANCE Committee reports out [S 1172](#), [S 1173](#), and [S 1174](#) with the recommendation that they do pass.

CAMERON, Chairman

[S 1172](#), [S 1173](#), and [S 1174](#) were filed for second reading.

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

**Messages from the Governor**

March 23, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1097](#), [S 1100](#), [S 1110](#), and [S 1114](#)

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

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

The Senate advanced to the Ninth Order of Business.

**Messages from the House**

March 23, 2015

Dear Mr. President:

I transmit herewith [H 281](#), [H 282](#), [H 284](#), [H 1](#), [H 246](#), [H 296](#), [H 287](#), [H 288](#), [H 289](#), [H 290](#), [H 293](#), [H 294](#), [H 295](#), and [H 277](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 281](#), [H 282](#), [H 284](#), [H 1](#), [H 246](#), [H 296](#), [H 287](#), [H 288](#), [H 289](#), [H 290](#), [H 293](#), [H 294](#), [H 295](#), and [H 277](#) were filed for first reading.

March 23, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 104](#), [H 116](#), [H 117](#), [H 129](#), [H 132](#), [H 137](#), as amended, [H 158](#), [H 160](#), [H 163](#), [H 240](#), [H 247](#), [H 248](#), [H 249](#), [H 250](#), [H 251](#), [H 253](#), and [H 254](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 104](#), [H 116](#), [H 117](#), [H 129](#), [H 132](#), [H 137](#), as amended, [H 158](#), [H 160](#), [H 163](#), [H 240](#), [H 247](#), [H 248](#), [H 249](#), [H 250](#), [H 251](#), [H 253](#), and [H 254](#) and ordered them returned to the House.

March 23, 2015

Dear Mr. President:

I return herewith Enrolled [S 1125](#) and [S 1086](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1125](#) and [S 1086](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

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

**Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials****S 1177****BY JUDICIARY AND RULES COMMITTEE****AN ACT**

RELATING TO NATUROPATHIC PHYSICIANS; REPEALING CHAPTER 51, TITLE 54, IDAHO CODE; RELATING TO LICENSURE OF NATUROPATHIC PHYSICIANS; AND PROVIDING APPLICATION TO CERTAIN LICENSES.

[S 1177](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 281](#), [H 282](#), [H 284](#), [H 287](#), [H 288](#), [H 289](#), [H 290](#), [H 293](#), [H 294](#), and [H 295](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 1](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 246](#) and [H 296](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

[H 277](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

On request by Senator Hagedorn, granted by unanimous consent, [H 181](#), as amended in the Senate, was referred to the Fourteenth Order of Business, General Calendar.

[H 274](#) and [H 276](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1171](#), by Finance Committee, was read the second time at length and filed for third reading.

[H 170](#), as amended in the Senate, by Education Committee, was read the second time at length and filed for third reading.

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

**General Calendar**

The President declared the Senate resolved into the Committee of the Whole and called Senator Lakey to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

**Report of the Committee of the Whole**

Senator Lakey, Chairman of the Committee of the Whole, reported out [H 94](#), without recommendation, amended as follows:

**SENATE AMENDMENT TO H 94  
AMENDMENT TO SECTION 1**

On page 1 of the printed bill, delete lines 23 through 25, and insert: "Provided however, the owner or operator of any right-of-way or easement for any ditch, canal or other conduit



governed by the provisions of chapter 11 or chapter 12, title 42, Idaho Code, who is found in violation of this section shall be liable only for actual damages and not for any treble damages or attorney fees otherwise provided for under this section."

#### CORRECTION TO TITLE

On page 1, in line 2, delete "AN EX-"; and delete lines 3 and 4, and insert: "THAT CERTAIN PERSONS IN VIOLATION OF SPECIFIED LAW SHALL BE LIABLE ONLY FOR ACTUAL DAMAGES."

LAKEY, Chairman

On motion by Senator Lakey, seconded by Senator Stennett, the report was adopted by voice vote.

**H 94**, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

#### Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, **HCR 12** and **HCR 17** retained their place on the calendar for Monday, March 30, 2015.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Celia Gould was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Lee, the Gubernatorial appointment of Celia Gould as a member of the Public Employee Retirement System of Idaho Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

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

#### Third Reading of Bills

**S 1146**, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES—Bayer, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Jordan, Keough, Lacey, Martin, McKenzie, Nonini, Nuxoll, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking. Total - 22.

NAYS—Bair, Brackett, Cameron, Hagedorn, Heider, Hill, Johnson, Lakey, Lee, Lodge, Patrick, Winder. Total - 12.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared **S 1146**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

**S 1156** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared **S 1156** passed, title was approved, and the bill ordered transmitted to the House.

**H 109**, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared **H 109**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

**H 202**, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 202](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 167](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 167](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 99](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 99](#) passed, title was approved, and the bill ordered returned to the House.

[H 208](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Ward-Engelking, Winder. Total - 30.

NAYS—Nonini, Nuxoll, Vick. Total - 3.

Absent and excused—Hill, Mortimer. Total - 2.

Total - 35.

Whereupon the President declared [H 208](#) passed, title was approved, and the bill ordered returned to the House.

[H 220](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 220](#) passed, title was approved, and the bill ordered returned to the House.

[H 185](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 185](#) passed, title was approved, and the bill ordered returned to the House.

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

### Reports of Standing Committees

March 24, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 94](#) have been correctly printed.

LODGE, Chairman

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

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

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

[H 94](#), as amended in the Senate, by Resources and Conservation Committee, was read the first time at length and filed for second reading.

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

**Petitions, Resolutions, and Memorials**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12 noon until the hour of 3 p.m. of this day.

**RECESS  
AFTERNOON SESSION**

The Senate reconvened at 3 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senator Mortimer, absent and formally excused by the Chair; and Senators Bair, Bayer, Brackett, Cameron, Keough, and Schmidt, absent and excused.

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

The Senate advanced to the Sixth Order of Business.

**Reports of Standing Committees**

March 24, 2015

The FINANCE Committee reports out [H 281](#), [H 282](#), [H 284](#), [H 287](#), [H 288](#), [H 289](#), [H 290](#), [H 293](#), [H 294](#), [H 295](#), [S 1175](#), and [S 1176](#) with the recommendation that they do pass.

CAMERON, Chairman

[H 281](#), [H 282](#), [H 284](#), [H 287](#), [H 288](#), [H 289](#), [H 290](#), [H 293](#), [H 294](#), [H 295](#), [S 1175](#), and [S 1176](#) were filed for second reading.

March 24, 2015

The TRANSPORTATION Committee reports out [H 262](#) with the recommendation that it do pass.

BRACKETT, Chairman

[H 262](#) was filed for second reading.

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

**Third Reading of Bills**

On request by Senator Davis, granted by unanimous consent, [H 197](#) and [H 263](#) retained their place on the Third Reading Calendar.

[H 264](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 264](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [H 263](#) was placed before the Senate for consideration at this time.

[H 263](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 263](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [H 197](#) was placed before the Senate for consideration at this time.

[H 197](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 197](#) passed, title was approved, and the bill ordered returned to the House.

[H 195](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Jordan arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—Davis, Schmidt. Total - 2.

Absent and excused—McKenzie, Mortimer. Total - 2.

Total - 35.

Whereupon the President declared [H 195](#) passed, title was approved, and the bill ordered returned to the House.

[H 268](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 268](#) passed, title was approved, and the bill ordered returned to the House.

[H 271](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 271](#) passed, title was approved, and the bill ordered returned to the House.

[H 272](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 272](#) passed, title was approved, and the bill ordered returned to the House.

[H 273](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 273](#) passed, title was approved, and the bill ordered returned to the House.

[H 183](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 183](#) passed, title was approved, and the bill ordered returned to the House.

[H 179](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Tippetts arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 179](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Lakey, granted by unanimous consent, [H 238](#) retained its place on the Third Reading Calendar for one legislative day.

[H 221](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 221](#) passed, title was approved, and the bill ordered returned to the House.

[H 236](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 236](#) passed, title was approved, and the bill ordered returned to the House.

[H 237](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 237](#) passed, title was approved, and the bill ordered returned to the House.

[H 184](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippetts, Ward-Engelking, Winder. Total - 30.

NAYS—Nonini, Nuxoll, Souza, Vick. Total - 4.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 184](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 274](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 274](#) was before the Senate for final consideration.

[H 274](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Martin, McKenzie, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippetts, Ward-Engelking. Total - 25.

NAYS—Bayer, Den Hartog, Lodge, Nonini, Nuxoll, Patrick, Souza, Vick, Winder. Total - 9.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 274](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 276](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 276](#) was before the Senate for final consideration.

[H 276](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 276](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1171](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1171](#) was before the Senate for final consideration.

[S 1171](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [S 1171](#) passed, title was approved, and the bill ordered transmitted to the House.

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

#### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:55 p.m. until the hour of 10 a.m., Wednesday, March 25, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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### SEVENTY-THIRD LEGISLATIVE DAY WEDNESDAY, MARCH 25, 2015

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Cameron and Guthrie, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Samuel Cahoon, Page.

The Senate advanced to the Third Order of Business.

#### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 24, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

#### Reports of Standing Committees

March 25, 2015

The JUDICIARY AND RULES Committee reports that [S 1177](#) has been correctly printed.

LODGE, Chairman

[S 1177](#) was referred to the Health and Welfare Committee.

March 24, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [S 1125](#) and [S 1086](#) were delivered to the Office of the Governor at 10:35 a.m., March 24, 2015.

LODGE, Chairman

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

March 24, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 152](#), [S 1168](#), and [SCR 125](#) with the recommendation that they do pass.

TIPPETS, Chairman

[H 152](#) and [S 1168](#) were filed for second reading.

[SCR 125](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 24, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 269](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[H 269](#) was filed for second reading.

March 25, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 257](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SIDDOWAY, Chairman

There being no objection, [H 257](#) was referred to the Fourteenth Order of Business, General Calendar.

March 25, 2015

The STATE AFFAIRS Committee reports out [HCR 15](#), [HJM 3](#), and [S 1155](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[HCR 15](#) and [HJM 3](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1155](#) was filed for second reading.

March 25, 2015

The STATE AFFAIRS Committee reports out [H 155](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, [H 155](#) was referred to the Fourteenth Order of Business, General Calendar.

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

#### Messages from the House

March 24, 2015

Dear Mr. President:

I transmit herewith [HCR 21](#), [HCR 22](#), [H 301](#), [H 304](#), [H 305](#), and [HJM 10](#), which have passed the House.

ALEXANDER, Chief Clerk

[HCR 21](#), [HCR 22](#), [H 301](#), [H 304](#), [H 305](#), and [HJM 10](#) were filed for first reading.

March 24, 2015

Dear Mr. President:

I return herewith [S 1088](#), as amended in the House, which has passed the House.

ALEXANDER, Chief Clerk

On request by Senator Keough, granted by unanimous consent, [S 1088](#), as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

March 24, 2015

Dear Mr. President:

I return herewith [S 1030](#), [S 1076](#), [S 1025](#), [S 1109](#), [S 1040](#), as amended, [S 1056](#), as amended, [S 1121](#), [S 1148](#), [S 1149](#), [S 1091](#), [S 1072](#), as amended, [S 1053](#), as amended, [S 1150](#), and [S 1151](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1030](#), [S 1076](#), [S 1025](#), [S 1109](#), [S 1040](#), as amended, [S 1056](#), as amended, [S 1121](#), [S 1148](#), [S 1149](#), [S 1091](#), [S 1072](#), as amended, [S 1053](#), as amended, [S 1150](#), and [S 1151](#) were referred to the Judiciary and Rules Committee for enrolling.

March 24, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 142](#), as amended in the Senate, and [H 15](#), as amended in the Senate, as amended in the Senate, for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 142](#), as amended in the Senate, and [H 15](#), as amended in the Senate, as amended in the Senate, and ordered them returned to the House.

March 24, 2015

Dear Mr. President:

I return herewith Enrolled [S 1138](#), [S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), [S 1143](#), [S 1144](#), and [S 1145](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1138](#), [S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), [S 1143](#), [S 1144](#), and [S 1145](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

The President announced that the House amendments to [S 1088](#), as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to [S 1088](#), as amended in the House?"

On request by Senator Keough, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1088](#), as amended in the House.

[S 1088](#), as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

Senator Cameron was recorded present at this order of business.

The President announced that [SCR 126](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Winder, seconded by Senator Lacey, [SCR 126](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

Senator Guthrie was recorded present at this order of business.

The President announced that [HCR 16](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Schmidt, seconded by Senator Nonini, [HCR 16](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

#### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[HCR 21](#) and [HCR 22](#), by Education Committee, were introduced, read at length, and referred to the Education Committee.

[H 301](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 304](#) and [H 305](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[HJM 10](#), by Ways and Means Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

The Senate advanced to the Twelfth Order of Business.

#### Second Reading of Bills

[H 53](#), as amended, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

[H 112](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1169](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 92](#), as amended, by Business Committee, was read the second time at length and filed for third reading.

[S 1170](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1172](#), [S 1173](#), and [S 1174](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 94](#), as amended in the Senate, by Resources and Conservation Committee, was read the second time at length and filed for third reading.

[H 281](#), [H 282](#), [H 284](#), [H 287](#), [H 288](#), [H 289](#), [H 290](#), [H 293](#), [H 294](#), and [H 295](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1175](#) and [S 1176](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 262](#), by Transportation and Defense Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.



### Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, [H 95](#) retained its place on the Third Reading Calendar for Monday, March 30, 2015.

[H 238](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippetts, Vick, Winder. Total - 27.

NAYS—Buckner-Webb, Burgoyne, Johnson, Jordan, Lacey, Schmidt, Stennett, Ward-Engelking. Total - 8.

Total - 35.

Whereupon the President declared [H 238](#) passed, title was approved, and the bill ordered returned to the House.

[H 170](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [H 170](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1169](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1169](#) was before the Senate for final consideration.

[S 1169](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1169](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1170](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1170](#) was before the Senate for final consideration.

[S 1170](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1170](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1172](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1172](#) was before the Senate for final consideration.

[S 1172](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Mortimer, Nonini, Nuxoll, Vick. Total - 4.

Absent and excused—Hagedorn. Total - 1.

Total - 35.

Whereupon the President declared [S 1172](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1174](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1174](#) was before the Senate for final consideration.

[S 1174](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate.

On request by Senator Keough, granted by unanimous consent, [S 1174](#) retained its place on the Third Reading Calendar for one legislative day.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1175](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1175](#) was before the Senate for final consideration.

[S 1175](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1175](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1176](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1176](#) was before the Senate for final consideration.

[S 1176](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1176](#) passed, title was approved, and the bill ordered transmitted to the House.

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

### Reports of Standing Committees

March 25, 2015

The JUDICIARY AND RULES Committee reports that [S 1088](#), as amended in the House, has been correctly engrossed.

LODGE, Chairman

[S 1088](#), as amended in the House, was filed for first reading.

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

### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[S 1088](#), as amended in the House, by Education Committee, was read the first time at length and filed for second reading.

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

### Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:05 p.m. until the hour of 3 p.m. of this day.

### RECESS AFTERNOON SESSION

The Senate reconvened at 3 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senator Mortimer, absent and formally excused by the Chair; and Senators Cameron, Keough, Nonini, and Ward-Engelking, absent and excused.

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

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

March 25, 2015

The FINANCE Committee reports out [H 304](#) and [H 305](#) with the recommendation that they do pass.

CAMERON, Chairman

[H 304](#) and [H 305](#) were filed for second reading.

March 25, 2015

The RESOURCES AND ENVIRONMENT Committee reports out [H 1](#) with the recommendation that it do pass.

BAIR, Chairman

[H 1](#) was filed for second reading.

Senator Nonini was recorded present at this order of business.

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

### Third Reading of Bills

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 94](#), as amended in the Senate, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Winder. Total - 33.

NAYS—None.

Absent and excused—Mortimer, Ward-Engelking. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 94](#), as amended in the Senate, was before the Senate for final consideration.

[H 94](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 94](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 112](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 112](#) was before the Senate for final consideration.

[H 112](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 112](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 281](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 281](#) was before the Senate for final consideration.

[H 281](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Ward-Engelking, Winder. Total - 31.

NAYS—Nuxoll, Vick. Total - 2.

Absent and excused—Lakey, Mortimer. Total - 2.

Total - 35.

Whereupon the President declared [H 281](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 282](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 282](#) was before the Senate for final consideration.

[H 282](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 282](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 284](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 284](#) was before the Senate for final consideration.

[H 284](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Ward-Engelking, Winder. Total - 30.

NAYS—Guthrie, Nuxoll, Vick. Total - 3.

Absent and excused—Lakey, Mortimer. Total - 2.

Total - 35.

Whereupon the President declared [H 284](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 287](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 287](#) was before the Senate for final consideration.

[H 287](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 287](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 288](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 288](#) was before the Senate for final consideration.

[H 288](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippetts, Ward-Engelking, Winder. Total - 27.

NAYS—Bayer, Den Hartog, Nonini, Nuxoll, Souza, Vick. Total - 6.

Absent and excused—Lakey, Mortimer. Total - 2.

Total - 35.

Whereupon the President declared [H 288](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 289](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 289](#) was before the Senate for final consideration.

[H 289](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 289](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 290](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 290](#) was before the Senate for final consideration.

[H 290](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 290](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 293](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 293](#) was before the Senate for final consideration.

[H 293](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 293](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 294](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 294](#) was before the Senate for final consideration.

[H 294](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 294](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 295](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 295](#) was before the Senate for final consideration.

[H 295](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

Whereupon the President declared [H 295](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 262](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 262](#) was before the Senate for final consideration.

[H 262](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Keough, Lakey, Lee, Lodge, McKenzie, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 23.

NAYS—Buckner-Webb, Burgoyne, Den Hartog, Johnson, Jordan, Lacey, Martin, Schmidt, Stennett, Tippetts, Ward-Engelking. Total - 11.

Absent and excused—Mortimer. Total - 1.

Paired and voting included in roll call:

AYE - Lakey NAY - Burgoyne

Total - 35.

Whereupon the President declared [H 262](#) passed, title was approved, and the bill ordered returned to the House.

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

**Reports of Standing Committees**

March 25, 2015

The EDUCATION Committee reports out [H 296](#) with the recommendation that it do pass.

MORTIMER, Chairman

[H 296](#) was filed for second reading.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:15 p.m. until the hour of 9:30 a.m., Thursday, March 26, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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SEVENTY-FOURTH LEGISLATIVE DAY  
THURSDAY, MARCH 26, 2015

Senate Chamber

President Little called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Bair, Cameron, and Mortimer, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Kayla Christensen, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 25, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

Senator Cameron was recorded present at this order of business.

March 25, 2015

The JUDICIARY AND RULES Committee reports that [S 1030](#), [S 1076](#), [S 1025](#), [S 1109](#), [S 1040](#), as amended, [S 1056](#), as amended, [S 1121](#), [S 1148](#), [S 1149](#), [S 1091](#), [S 1072](#), as amended, [S 1053](#), as amended, [S 1150](#), and [S 1151](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1030](#), [S 1076](#), [S 1025](#), [S 1109](#), [S 1040](#), as amended, [S 1056](#), as amended, [S 1121](#), [S 1148](#), [S 1149](#), [S 1091](#), [S 1072](#), as amended, [S 1053](#), as amended, [S 1150](#), and [S 1151](#) and ordered them transmitted to the House for the signature of the Speaker.

March 25, 2015

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

Ralph Powell as the Director of the Idaho State Police, term to expire January 7, 2019.

LODGE, Chairman

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

Senator Bair was recorded present at this order of business.

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

### Messages from the Governor

March 25, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1001](#), [S 1004](#), [S 1014](#), [S 1035](#), [S 1046](#),  
[S 1054](#), [S 1063](#), [S 1082](#), [S 1116](#), [S 1117](#), and  
[S 1119](#)

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

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

The Senate advanced to the Ninth Order of Business.

### Messages from the House

March 25, 2015

Dear Mr. President:

I transmit herewith [H 286](#), [H 298](#), [HCR 19](#), [H 291](#), and [HJM 9](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 286](#), [H 298](#), [HCR 19](#), [H 291](#), and [HJM 9](#) were filed for first reading.

March 25, 2015

Dear Mr. President:

I return herewith [S 1157](#), [S 1158](#), [S 1160](#), [S 1161](#), [S 1162](#), [S 1120](#), [S 1163](#), [S 1164](#), and [S 1166](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1157](#), [S 1158](#), [S 1160](#), [S 1161](#), [S 1162](#), [S 1120](#), [S 1163](#), [S 1164](#), and [S 1166](#) were referred to the Judiciary and Rules Committee for enrolling.



March 25, 2015

**General Calendar**

Dear Mr. President:

I transmit herewith Enrolled [H 99](#), [H 179](#), [H 183](#), [H 184](#), [H 185](#), [H 195](#), [H 197](#), [H 208](#), [H 220](#), [H 221](#), [H 236](#), [H 237](#), [H 263](#), [H 264](#), [H 268](#), [H 271](#), [H 272](#), [H 273](#), [H 274](#), and [H 276](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 99](#), [H 179](#), [H 183](#), [H 184](#), [H 185](#), [H 195](#), [H 197](#), [H 208](#), [H 220](#), [H 221](#), [H 236](#), [H 237](#), [H 263](#), [H 264](#), [H 268](#), [H 271](#), [H 272](#), [H 273](#), [H 274](#), and [H 276](#) and ordered them returned to the House.

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

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

[H 286](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 298](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[HCR 19](#), by Ways and Means Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

[H 291](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[HJM 9](#), by Ways and Means Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[H 152](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1168](#), by Finance Committee, was read the second time at length and filed for third reading.

[H 269](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[S 1155](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1088](#), as amended in the House, by Education Committee, was read the second time at length and filed for third reading.

[H 304](#) and [H 305](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[H 1](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 296](#), by Education Committee, was read the second time at length and filed for third reading.

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

Senator Mortimer was recorded present at this order of business.

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

**Report of the Committee of the Whole**

Senator Winder, Chairman of the Committee of the Whole, reported out [H 181](#), as amended in the Senate, and [H 257](#), without recommendation, amended as follows:

**SENATE AMENDMENT TO the SENATE AMENDMENT  
TO H 181**

**AMENDMENT TO THE BILL**

On page 1 of the printed bill, delete lines 20 through 40; and delete pages 2 through 11.

**AMENDMENT TO THE AMENDMENT**

On page 1 of the printed amendment, delete lines 4 through 35; delete pages 2 through 11; and on page 12, delete lines 1 through 6, and insert:

"SECTION 1. That Chapter 51, Title 54, Idaho Code, be, and the same is hereby repealed.

SECTION 2. That all licenses issued under Chapter 51, Title 54, Idaho Code, as repealed by Section 1 of this act, are deemed to have expired and further are hereby declared to be null and void.

SECTION 3. That Title 54, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW CHAPTER, to be known and designated as Chapter 56, Title 54, Idaho Code, and to read as follows:

**CHAPTER 56**

**NATUROPATHIC MEDICAL PHYSICIANS LICENSING ACT**

54-5601. **LEGISLATIVE PURPOSE AND INTENT.** It is the intent of the Idaho legislature to regulate the practice of naturopathic medicine. Nothing in this chapter will limit the decision in *State v. Smith*, 81 Idaho 103, 337 P.2d 938, except to the extent that certain modalities of treatment shall require a license pursuant to this chapter. Furthermore, it is not the intent of this chapter to prohibit the use of the term "doctor" nor to limit the practice of naturopathy as explained in *State v. Smith*.

54-5602. **DEFINITIONS.** As used in this chapter:

(1) "Approved naturopathic medical program" means a naturopathic medical education program in the United States or Canada that provides the degree of doctor of naturopathy or doctor of naturopathic medicine, that includes graduate level full-time didactic and supervised clinical training and is either accredited or has achieved candidacy status for accreditation by the council on naturopathic medical education (CNME) or an equivalent federally recognized accrediting body for naturopathic medical programs. Additionally, the program shall be an institution, or part of an institution, of higher education that is either accredited or is a candidate for accreditation by a regional accrediting agency recognized by the United States department of education.

(2) "Board" means the board of naturopathic medical physicians created pursuant to section 54-5606, Idaho Code.

(3) "Formulary" means the lists of prescription medicines and legend drugs that naturopathic medical physicians and naturopathic physicians licensed under this chapter may use in the practice of their profession.

(4) "Minor office procedures" means the methods for the repair and care incidental to superficial lacerations and abrasions, superficial lesions and the removal of foreign bodies located in the superficial tissues.

(5) "Naturopathic medical physician" means a person authorized and licensed to practice naturopathic medicine under this chapter.

(6) "Naturopathic medicine" means a distinct and comprehensive system of primary health care practiced by naturopathic medical physicians.

(7) "Naturopathic physician" means a person licensed to provide naturopathic medical services under this chapter.

(8) "Naturopathic medical services" means the broad range of natural and holistic treatments including, but not limited to, the administration, monitoring and prescribing of natural based minerals and vitamins as approved by board rule.

54-5603. SCOPE OF PRACTICE. (1) Naturopathic medical physicians may use physical and laboratory examinations consistent with naturopathic medical education and training for diagnostic purposes. Naturopathic medical physicians may order and perform diagnostic and imaging tests consistent with naturopathic medical education and training. All diagnostic and imaging tests not consistent with naturopathic medical education and training must be referred for performance and interpretation by an appropriately licensed health care professional.

(2) Naturopathic medical physicians licensed under this chapter are authorized to dispense, administer and prescribe prescription drugs and medical devices as determined by the formulary and authorized by board rule.

(3) Naturopathic medical physicians licensed under this chapter may perform minor office procedures pursuant to privileges authorized by board rule.

(4) A naturopathic medical physician may perform those therapies for which he has been trained and educated and that are not inconsistent with the provisions of this chapter that are authorized by board rule.

(5) Naturopathic physicians licensed under this chapter are authorized to provide naturopathic medical services as approved by board rules.

54-5604. EXEMPTIONS FOR LICENSURE. This chapter is not intended to and does not prohibit, restrict or apply to:

(1) The practice of a profession by individuals who are licensed, certified or registered under other laws of this state and are performing services within the authorized scope of practice;

(2) The practice of naturopathic medicine by an individual employed by the federal government while the individual is engaged in the performance of duties prescribed by the laws and regulations of the United States;

(3) An individual rendering aid to a family member or in an emergency, when no fee or other consideration for the service is charged, received, expected or contemplated;

(4) An individual engaged in the sale of vitamins, health foods, over-the-counter homeopathic products, dietary supplements, herbs or other products of nature, the sale of which is not otherwise prohibited under state or federal law;

(5) The practice by a naturopathic medical physician duly licensed in another state, territory or the District of Columbia when that naturopathic medical physician is incidentally called into this state for consultation with a physician licensed pursuant to this chapter or chapter 18, title 54, Idaho Code; or

(6) The practice of naturopathic medical medicine by students enrolled in an approved naturopathic medical program. Services shall be performed pursuant to a course of instruction or assignments from an instructor and under the supervision and observation of the instructor.

54-5605. NATUROPATHIC MEDICAL PHYSICIAN AND NATUROPATHIC PHYSICIAN LICENSE REQUIRED. (1) A license shall be required for a person to utilize the formularies and perform minor office procedures authorized by rule under this chapter.

(2) Those practicing without a license shall disclose to their patients that they are not naturopathic medical physicians, naturopathic physicians or physicians as required in section 54-1804, Idaho Code.

54-5606. BOARD OF NATUROPATHIC MEDICAL PHYSICIANS – ORGANIZATION AND MEETINGS. (1) There is hereby established in the department of self-governing agencies, bureau of occupational licenses, the board of naturopathic medical physicians. The board shall consist of five (5) members appointed by the governor, two (2) of whom shall be licensed pursuant to section 54-5608(1)(a), Idaho Code, one (1) of whom shall be licensed pursuant to section 54-5608(2), Idaho Code, one (1) of whom shall be a physician licensed pursuant to chapter 18, title 54, Idaho Code, and one (1) of whom shall be a pharmacist licensed pursuant to chapter 17, title 54, Idaho Code. Board members shall serve at the pleasure of the governor.

(2) One (1) member of the initial board shall be appointed for a one (1) year term of office; one (1) member of the initial board shall be appointed for a two (2) year term of office; one (1) member of the initial board shall be appointed for a three (3) year term of office; one (1) member of the initial board shall be appointed for a four (4) year term of office; and one (1) member of the initial board shall be appointed for a five (5) year term of office. Thereafter, the term of office for each board member shall be five (5) years.

(3) The initial two (2) licensed naturopathic medical physician board members shall be eligible to become licensed pursuant to section 54-5608(1)(a), Idaho Code, and shall have been practicing naturopathic medicine in the state of Idaho for at least the two (2) years immediately preceding their appointment. The initial licensed naturopathic physician board member shall be eligible to become licensed pursuant to section 54-5608(2), Idaho Code, and shall have been practicing naturopathic medical services in the state of Idaho for at least two (2) years immediately preceding their appointment.

(4) After initial board members are appointed, the two (2) board members who are naturopathic medical physicians shall be licensed pursuant to section 54-5608(1)(a), Idaho Code, and the one (1) board member who is a naturopathic physician shall be licensed pursuant to section 54-5608(2), Idaho Code, shall actively practice naturopathic medicine or naturopathic medical services in the state of Idaho for the duration of their appointment and shall have been practicing naturopathic medicine or naturopathic medical services for at least two (2) years immediately preceding their appointment.

(5) Upon initial appointment of the board and thereafter, whenever a term of a member of the board who is licensed

pursuant to chapter 18, title 54, Idaho Code, expires or becomes vacant, the Idaho medical association shall nominate three (3) persons licensed pursuant to chapter 18, title 54, Idaho Code, for such vacancy and shall forward the nominations to the governor who shall give consideration to such nominees.

(6) Upon initial appointment of the board and thereafter, whenever a term of a member of the board who is licensed pursuant to chapter 17, title 54, Idaho Code, expires or becomes vacant, the Idaho board of pharmacy shall nominate three (3) persons licensed pursuant to chapter 17, title 54, Idaho Code, for such vacancy and shall forward the nominations to the governor who shall give consideration to such nominees.

(7) In the event of the death, resignation or removal of any board member before the expiration of the term to which the board member is appointed, the vacancy shall be filled for the unexpired portion of the term in the same manner as the original appointment.

(8) Within thirty (30) days after its appointment, the initial board shall hold a meeting and elect a chairperson. The board shall meet at least annually thereafter and may hold additional meetings at the call of the chairperson or at the written request of any two (2) members of the board. A majority of the board shall constitute a quorum. The vote of a majority of members present at a meeting wherein a quorum is present shall determine the action of the board, except as otherwise provided in this chapter.

(9) Each member of the board shall be compensated as provided in section 59-509(n), Idaho Code.

54-5607. POWERS AND DUTIES OF THE BOARD. The board shall have the authority and responsibility to:

(1) Receive applications of persons applying for licensure, determine the qualifications of persons applying for licensure and provide licenses to applicants qualified under this chapter;

(2) Establish by rule and collect fees from applicants for licensure and for renewal of licensure;

(3) Establish by rule the minimum amount and type of continuing education to be required for each licensee seeking renewal;

(4) Investigate complaints against persons who are licensed under this chapter and those utilizing substances on a formulary adopted under this chapter or performing minor office procedures without a license;

(5) Undertake, when appropriate, disciplinary proceedings and disciplinary action against persons licensed under this chapter;

(6) Provide such other services and perform such other functions as are consistent with this chapter as are necessary and desirable to fulfill its purposes;

(7) Recover the costs and fees, including attorney's fees, incurred in the investigation and prosecution of any person who is found in violation of this chapter or the board's rules;

(8) Promulgate and adopt rules, pursuant to chapter 52, title 67, Idaho Code, necessary to administer the provisions of this chapter; provided, however, that all rules shall be approved by the unanimous vote of the entire board;

(9) Establish special competency certification requirements for licensees as deemed necessary and approved by board rule;

(10) The board shall establish by rule two (2) formularies. The formulary list for naturopathic medical physicians shall be based upon naturopathic medical education, training and continuing education, but may not go beyond the scope of prescription medicines and medical devices covered by approved naturopathic medical education and training or board-approved continuing education. The naturopathic medical formulary shall

not include medicines and devices that are inconsistent with the training provided by approved naturopathic medical programs and continuing education. The formulary shall be approved by board rule. The formulary list for naturopathic physicians shall be based on the education and training of naturopathic physicians and shall be approved by rule; and

(11) Authorize by written agreement the bureau of occupational licenses to act as agent in its interest.

54-5608. QUALIFICATIONS FOR LICENSURE. (1) Naturopathic medical physician. To be eligible for a license to practice as a naturopathic medical physician in the state of Idaho, the applicant shall submit an application, pay the fee and fulfill the following requirements:

(a) The applicant must be a graduate of an approved naturopathic medical program as defined in section 54-5602(1), Idaho Code; or

(b) The applicant must be a graduate of a college or university in the United States or Canada, prior to 1992, that is still in existence and that offered a full-time structured curriculum in basic sciences and supervised patient care comprising a doctoral naturopathic medical education as a prerequisite to graduation, having been not less than one hundred thirty-two (132) weeks in duration and that required completion within a period of not less than thirty-five (35) months and have been continually practicing for five (5) years immediately preceding licensure.

(2) Naturopathic physician. To be eligible for a license to practice as a naturopathic physician in the state of Idaho, the applicant shall submit an application, pay the fee and fulfill the following requirements:

(a) Have been issued a license by the board of naturopathic medical examiners under chapter 51, title 54, Idaho Code, as it existed at the time such licenses were issued and while the board had a contract with the bureau of occupational licenses and such license was not revoked by the board of naturopathic medical examiners. Any license issued by the board of naturopathic medical examiners when it did not have a contract with the bureau of occupational licenses shall not be recognized as a valid license; or

(b) Been licensed as a chiropractor prior to 1993 and have received any naturopathic degree and have been providing naturopathic medical services in Idaho prior to 2011.

(3) Examination. Applicants for initial licensure who meet the qualifications of subsection (1) (a) of this section and all applicants after July 1, 2016, shall provide proof of having received a passing grade on the naturopathic physicians licensing examinations (NPLEX), administered by the North American board of naturopathic examiners (NABNE). The passing grade for each specific examination administration shall be as determined by the NABNE.

54-5609. LICENSE STANDARDS – ENDORSEMENT. The board shall establish by rule the standards for licensure of applicants of a naturopathic medical physician licensed in another jurisdiction. However, the standards for endorsement of licensure shall not be less than those required by section 54-5608(1)(a) and (3), Idaho Code. The board shall not endorse those practicing naturopathic medical services in other jurisdictions.

54-5610. LICENSE RENEWAL. All licenses issued under this chapter shall be for a term of one (1) year and shall expire on the birthday of the licensee unless renewed in the manner prescribed by rule. Except as set forth in this chapter,

rules governing procedures and conditions for license renewal and reinstatement shall be in accordance with section 67-2614, Idaho Code.

54-5611. FEES. (1) The board shall establish by rule fees for licensure pursuant to the provisions of this chapter as follows:

- (a) An application fee for licensure not to exceed two hundred fifty dollars (\$250);
- (b) The fee for the initial naturopathic medical physician and naturopathic physician license not to exceed one thousand dollars (\$1,000);
- (c) The fee for the renewal of a naturopathic medical physician and naturopathic physician license not to exceed one thousand dollars (\$1,000); and
- (d) The application fee shall be in addition to the initial license fee.

(2) All fees received under the provisions of this section shall be nonrefundable and shall be deposited in the state treasury to the credit of the occupational license account in the dedicated fund, and all costs and expenses incurred by the board under the provisions of this chapter shall be a charge against and paid from the account for such purposes. Notwithstanding any other provisions of law, the funds collected pursuant to this section shall be immediately available for the administration of this chapter.

(3) The board of naturopathic medical physicians shall have the authority and responsibility to pay outstanding debts of any previous board that regulated naturopathic physicians and was administered by the department of self-governing agencies, bureau of occupational licenses. The repayment of such debt shall be deposited in the state treasury to the credit of the occupational licenses account.

54-5612. DENIAL OF LICENSE AND DISCIPLINARY PROCEEDINGS. (1) The board may refuse to issue or renew a license or may revoke, suspend or otherwise discipline a license holder for any of the following grounds:

- (a) The use of fraud or deceit in obtaining a license under this chapter or in connection with services rendered as a naturopathic physician;
- (b) A legal finding of mental incompetence;
- (c) Aiding or abetting a person, not duly licensed under this chapter, in claiming to be a naturopathic medical physician or naturopathic physician or in practicing naturopathic medicine or naturopathic medical services;
- (d) Any gross negligence, incompetence or misconduct in the performance of naturopathic medicine or naturopathic medical services;
- (e) Conviction of a felony, or a crime involving moral turpitude, or the entering of a plea of guilty or the finding of guilt by a jury or court of commission of a felony or a crime involving moral turpitude;
- (f) Practicing as a naturopathic medical physician or naturopathic physician when physical or mental abilities are impaired by the use of controlled substances or other drugs, chemicals or alcohol;
- (g) Failure of the individual practitioner to maintain his professional premises in a clean and sanitary condition;
- (h) Any other good cause, relevant to qualifications to practice as a naturopathic medical physician or naturopathic physician. The board may not suspend, revoke or refuse to issue or renew a license based on the findings that a licensee's practice is unconventional in the absence of demonstrable harm to a patient and the patient has signed a

waiver to the effect that the treatment or device is considered unconventional;

- (i) Failure to demonstrate compliance with continuing education requirements as determined by the board;
  - (j) Violating any law or rule pursuant to this chapter;
  - (k) Having been convicted of any crime that reflects adversely on the person's fitness to be licensed or registered pursuant this chapter;
  - (l) Having a license to practice naturopathic medicine or other health care license or certificate refused, revoked or suspended or otherwise disciplined by any state, territory, district of the United States or Canada for reasons that relate to the applicant's ability to skillfully and safely practice naturopathic medicine or naturopathic medical services, or other health care profession, unless that license or certification has been restored to good standing by that jurisdiction;
  - (m) Prescribing, dispensing or administering any controlled substance or device identified under the uniform controlled substances act, chapter 27, title 37, Idaho Code, or identified in the federal controlled substances act, 21 U.S.C. sections 801 through 971 (1988), as amended, except as authorized by this chapter;
  - (n) Performing surgical procedures, except for naturopathic medical physicians, those minor office procedures authorized by board rule;
  - (o) For naturopathic physicians, performing surgical procedures or minor office procedures;
  - (p) Practicing or claiming to practice as a medical doctor, osteopath, dentist, podiatrist, optometrist, psychologist, advanced practice professional nurse, physician assistant, chiropractor, physical therapist, acupuncturist or any other health care professional not authorized in this chapter unless licensed by the state of Idaho to do so;
  - (q) Using general or spinal anesthetics;
  - (r) Administering ionizing radioactive substances for therapeutic purposes;
  - (s) Performing minor office procedures using a laser device;
  - (t) Inducing or performing an abortion;
  - (u) Performing minor office procedures involving the eye, ear, tendons, nerves, veins or arteries extending beyond superficial tissue;
  - (v) Treating any lesion suspicious of malignancy or requiring surgical removal. Lesions suspicious of malignancy or requiring surgical removal shall be referred to a physician licensed pursuant to chapter 18, title 54, Idaho Code, naturopathic medical physicians may comanage this care with a physician licensed pursuant to chapter 18, title 54, Idaho Code;
  - (w) Performing chiropractic adjustments as defined in section 54-704, Idaho Code, unless licensed to do so;
  - (x) Performing physical therapy as defined in section 54-2203, Idaho Code; or
  - (y) Failure to comply with a board order.
- (2) The board may reinstate any revoked or suspended license upon such terms as it may determine.

(3) The board may by rule provide a procedure for an applicant to request an exemption review for a felony or lesser crime conviction. The applicant shall bear the burden and financial responsibility of providing all evidence, documentation and proof of suitability for licensure required by the board for exemption review.

54-5613. CERTAIN ACTS PROHIBITED. It shall be unlawful for any person to engage in any of the following acts:

(1) To violate any of the provisions of this chapter and any rules promulgated pursuant thereto;

(2) It shall be a misdemeanor to utilize the formularies or practice minor office procedures without having at the time of so doing, a valid, unexpired, unrevoked and unsuspended license issued under this chapter; or

(3) It shall be a misdemeanor to represent one's self or assume or use the title or designation "physician" in association with the practice of naturopathic medicine, or naturopathic medical services or the abbreviations "NMD" or any other title, designations, words, letters, abbreviations, sign, card or device to indicate to the public that such person is licensed to practice naturopathic medicine or naturopathic medical services pursuant to this chapter unless such person is so licensed under this chapter.

54-5614. PREEMPTION OF LOCAL REGULATIONS. Beginning July 1, 2016, a local unit of government shall not establish or maintain professional licensing requirements for a naturopathic medical physician or a naturopathic physician licensed pursuant to this chapter.

54-5615. SEVERABILITY. The provisions of this chapter are hereby declared to be severable, and if any provision of this chapter 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 chapter.

SECTION 4. That Section 67-2601, Idaho Code, be, and the same is hereby amended to read as follows:

67-2601. DEPARTMENT CREATED – ORGANIZATION – DIRECTOR – BUREAU OF OCCUPATIONAL LICENSES CREATED. (1) There is hereby created the department of self-governing agencies. The department shall, for the purposes of section 20, article IV<sub>2</sub> of the constitution of the state of Idaho, be an executive department of the state government.

(2) The department shall consist of the following:

(a) Agricultural commodity commissions: Idaho apple commission, as provided by chapter 36, title 22, Idaho Code; Idaho bean commission, as provided by chapter 29, title 22, Idaho Code; Idaho beef council, as provided by chapter 29, title 25, Idaho Code; Idaho cherry commission, as provided by chapter 37, title 22, Idaho Code; Idaho dairy products commission, as provided by chapter 31, title 25, Idaho Code; Idaho pea and lentil commission, as provided by chapter 35, title 22, Idaho Code; Idaho potato commission, as provided by chapter 12, title 22, Idaho Code; the Idaho wheat commission, as provided by chapter 33, title 22, Idaho Code; the Idaho aquaculture commission, as provided by chapter 44, title 22, Idaho Code; and the Idaho alfalfa and clover seed commission, as provided in chapter 42, title 22, Idaho Code.

(b) Professional and occupational licensing boards: Idaho state board of certified public accountancy, as provided by chapter 2, title 54, Idaho Code; board of acupuncture, as provided by chapter 47, title 54, Idaho Code; board of architectural examiners, as provided by chapter 3, title 54, Idaho Code; office of the state athletic director, as provided by chapter 4, title 54, Idaho Code; board of barber examiners, as provided by chapter 5, title 54, Idaho Code; board of commissioners of the Idaho state bar, as provided by chapter 4, title 3, Idaho Code; board of chiropractic physicians, as

provided by chapter 7, title 54, Idaho Code; Idaho board of cosmetology, as provided by chapter 8, title 54, Idaho Code; Idaho counselor licensing board, as provided by chapter 34, title 54, Idaho Code; state board of dentistry, as provided by chapter 9, title 54, Idaho Code; state board of dentistry, as provided by chapter 33, title 54, Idaho Code; Idaho board of licensure of professional engineers and professional land surveyors, as provided by chapter 12, title 54, Idaho Code; state board for registration of professional geologists, as provided by chapter 28, title 54, Idaho Code; speech and hearing services licensure board, as provided by chapter 29, title 54, Idaho Code; Idaho physical therapy licensure board, as provided by chapter 22, title 54, Idaho Code; Idaho state board of landscape architects, as provided by chapter 30, title 54, Idaho Code; liquefied petroleum gas safety board, as provided by chapter 53, title 54, Idaho Code; state board of medicine, as provided by chapter 18, title 54, Idaho Code; state board of morticians, as provided by chapter 11, title 54, Idaho Code; ~~board of naturopathic medical examiners, as provided by chapter 51, title 54, Idaho Code;~~ board of nurses, as provided by chapter 14, title 54, Idaho Code; board of examiners of nursing home administrators, as provided by chapter 16, title 54, Idaho Code; state board of optometry, as provided by chapter 15, title 54, Idaho Code; Idaho outfitters and guides board, as provided by chapter 21, title 36, Idaho Code; board of pharmacy, as provided by chapter 17, title 54, Idaho Code; state board of podiatry, as provided by chapter 6, title 54, Idaho Code; Idaho state board of psychologist examiners, as provided by chapter 23, title 54, Idaho Code; Idaho real estate commission, as provided by chapter 20, title 54, Idaho Code; real estate appraiser board, as provided by chapter 41, title 54, Idaho Code; board of social work examiners, as provided by chapter 32, title 54, Idaho Code; the board of veterinary medicine, as provided by chapter 21, title 54, Idaho Code; the board of examiners of residential care facility administrators, as provided by chapter 42, title 54, Idaho Code; the certified shorthand reporters board, as provided by chapter 31, title 54, Idaho Code; the driving businesses licensure board, as provided by chapter 54, title 54, Idaho Code; the board of drinking water and wastewater professionals, as provided by chapter 24, title 54, Idaho Code; ~~and the board of midwifery, as provided by chapter 55, title 54, Idaho Code; and the board of naturopathic medical physicians, as provided by chapter 56, title 54, Idaho Code.~~

(c) The board of examiners, pursuant to section 67-2001, Idaho Code.

(d) The division of building safety: building code board, chapter 41, title 39, Idaho Code; manufactured housing board, chapter 21, title 44, Idaho Code; electrical board, chapter 10, title 54, Idaho Code; public works contractors license board, chapter 19, title 54, Idaho Code; plumbing board, chapter 26, title 54, Idaho Code; public works construction management, chapter 45, title 54, Idaho Code; the heating, ventilation and air conditioning board, chapter 50, title 54, Idaho Code; and modular building advisory board, chapter 43, title 39, Idaho Code.

(e) The division of veterans services to be headed by a division administrator who shall be a nonclassified employee exempt from the provisions of chapter 53, title 67, Idaho Code. The administrator of the division shall administer the provisions of chapter 2, title 65, Idaho Code, and chapter 9, title 66, Idaho Code, with the advice of the veterans affairs commission established under chapter 2, title 65, Idaho Code, and shall perform such additional duties as are imposed upon him by law.

(f) The board of library commissioners, pursuant to section 33-2502, Idaho Code.

(g) The Idaho state historical society, pursuant to section 67-4123, Idaho Code.

(h) The state public defense commission, pursuant to section 19-849, Idaho Code.

(3) The bureau of occupational licenses is hereby created within the department of self-governing agencies.

SECTION 5. The Board of Naturopathic Physicians shall report on the status of the board and the practice of naturopathic medicine and naturopathic medical services in Idaho to the First Regular Session of the Sixty-sixth Idaho Legislature in 2021.

SECTION 6. This act shall be in full force and effect on and after July 1, 2015, except that the provisions of Sections 54-5605 and 54-5613, Idaho Code, shall be in full force and effect on and after July 1, 2016.

SECTION 7. The provisions of Section 3 of this act shall be null, void and of no force and effect on and after July 1, 2021."

#### AMENDMENT TO THE CORRECTION TO TITLE

On page 12 of the amendment, in line 21, delete "TO PROVIDE"; and in line 22, delete "DISCLOSURE REQUIREMENTS,".

#### SENATE AMENDMENT TO H 257

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 14 through 16, and insert:

"(2) A park model as defined in section 55-2003(11), Idaho Code, shall be assessed per the national automobile dealers association (NADA) standard for recreational vehicles classified as park models. When no NADA standards are available, a park model shall be assessed in the same manner as other property. Improvements to the real property on which the park model is placed shall be assessed separately from the park model."

##### AMENDMENT TO SECTION 2

On page 1, delete lines 17 through 19, and insert:

"SECTION 2. This act shall be in full force and effect on and after January 1, 2016."

#### CORRECTION TO TITLE

On page 1, delete lines 3 through 6, and insert: "VIDE THAT A PARK MODEL SHALL BE ASSESSED PER THE NATIONAL AUTOMOBILE DEALERS ASSOCIATION STANDARD FOR RECREATIONAL VEHICLES CLASSIFIED AS PARK MODELS FOR PROPERTY TAX PURPOSES, TO PROVIDE FOR ASSESSMENT WHEN NO NATIONAL AUTOMOBILE DEALERS ASSOCIATION STANDARD IS AVAILABLE AND TO PROVIDE FOR ASSESSMENT OF IMPROVEMENTS TO THE REAL PROPERTY ON WHICH THE PARK MODEL IS PLACED; AND PROVIDING AN EFFECTIVE DATE."

The Committee also has [H 155](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

[H 181](#), as amended in the Senate, as amended in the Senate, and [H 257](#), as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

#### Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, [H 152](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, [S 1173](#) and [S 1174](#) retained their place on the Third Reading Calendar for Monday, March 30, 2015.

[H 53](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 53](#), as amended, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [H 92](#), as amended, retained its place on the Third Reading Calendar for one legislative day.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1168](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1168](#) was before the Senate for final consideration.

[S 1168](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1168](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 269](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 269](#) was before the Senate for final consideration.

[H 269](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 269](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1155](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1155](#) was before the Senate for final consideration.

[S 1155](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1155](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1088](#), as amended in the House, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1088](#), as amended in the House, was before the Senate for final consideration.

[S 1088](#), as amended in the House, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1088](#), as amended in the House, passed, title was approved, and the bill was referred to the Judiciary and Rules Committee for enrolling.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 304](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 304](#) was before the Senate for final consideration.

[H 304](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 304](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 305](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 305](#) was before the Senate for final consideration.

[H 305](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 305](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 1](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 1](#) was before the Senate for final consideration.

[H 1](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—McKenzie. Total - 1.

Absent and excused—Siddoway. Total - 1.

Total - 35.

Whereupon the President declared [H 1](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [H 92](#), as amended, was referred to the Fourteenth Order of Business, General Calendar.

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

### Motions and Resolutions

The President announced that [SCR 125](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

Pursuant to Senate Rule 39(H), Senators Cameron and Nonini disclosed a possible conflict of interest under applicable law.

On motion by Senator Nuxoll, seconded by Senator Thayn, [SCR 125](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [HCR 15](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator McKenzie, seconded by Senator Winder, [HCR 15](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

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

### General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

### Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out [H 155](#), without recommendation, amended as follows:

#### SENATE AMENDMENT TO H 155 AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 6 through 42; and delete page 2, and insert:

"SECTION 1. That Sections 74-206 and 74-208, Idaho Code, as added in Section 5, Bill No. 90, as enacted by the First Regular Session of the Sixty-third Idaho Legislature, be, and the same is hereby amended to read as follows:



74-206. EXECUTIVE SESSIONS – WHEN AUTHORIZED. (1) An executive session at which members of the public are excluded may be held, but only for the purposes and only in the manner set forth in this section. The motion to go into executive session shall identify the specific subsections of this section that authorize the executive session. There shall be a roll call vote on the motion and the vote shall be recorded in the minutes. An executive session shall be authorized by a two-thirds (2/3) vote of the governing body. An executive session may be held:

(a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general;

(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student;

(c) ~~To conduct deliberations concerning labor negotiations or to~~ acquire an interest in real property which is not owned by a public agency;

(d) To consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code;

(e) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations;

(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement;

(g) By the commission of pardons and parole, as provided by law;

(h) By the custody review board of the Idaho department of juvenile corrections, as provided by law; ~~or~~

(i) To engage in communications with a representative of the public agency's risk manager or insurance provider to discuss the adjustment of a pending claim or prevention of a claim imminently likely to be filed. The mere presence of a representative of the public agency's risk manager or insurance provider at an executive session does not satisfy this requirement; or

(j) To consider labor contract matters authorized under section 74-206A(1)(a) and (b), Idaho Code.

(2) Labor negotiations may be conducted in executive session if either side requests closed meetings. Notwithstanding the provisions of section 74-204, Idaho Code, subsequent sessions of the negotiations may continue without further public notice.

(3) The exceptions to the general policy in favor of open meetings stated in this section shall be narrowly construed. It shall be a violation of this act to change the subject within the executive session to one not identified within the motion to enter the executive session or to any topic for which an executive session is not provided.

(4) No executive session may be held for the purpose of taking any final action or making any final decision.

74-208. VIOLATIONS. (1) If an action, or any deliberation or decision-making that leads to an action, occurs at any meeting which fails to comply with the provisions of this chapter, such action shall be null and void.

(2) Any member of the governing body governed by the provisions of this chapter, who conducts or participates in a meeting which violates the provisions of this act shall be subject to a civil penalty not to exceed two hundred fifty dollars (\$250.00).

(3) Any member of a governing body who knowingly violates the provisions of this chapter shall be subject to a civil penalty not to exceed one thousand five hundred dollars (\$1,500).

(4) Any member of a governing body who knowingly violates any provision of this act section and who has previously admitted to committing or has been previously determined to have committed a violation pursuant to subsection (3) of this act section within the twelve (12) months preceding this subsequent violation shall be subject to a civil penalty not to exceed two thousand five hundred dollars (\$2,500).

(5) The attorney general shall have the duty to enforce this chapter in relation to public agencies of state government, and the prosecuting attorneys of the various counties shall have the duty to enforce this act in relation to local public agencies within their respective jurisdictions. In the event that there is reason to believe that a violation of the provisions of this act has been committed by members of a board of county commissioners or, for any other reason a county prosecuting attorney is deemed disqualified from proceeding to enforce this act, the prosecuting attorney or board of county commissioners shall seek to have a special prosecutor appointed for that purpose as provided in section 31-2603, Idaho Code.

(6) Any person affected by a violation of the provisions of this chapter may commence a civil action in the magistrate division of the district court of the county in which the public agency ordinarily meets, for the purpose of requiring compliance with provisions of this act. No private action brought pursuant to this subsection shall result in the assessment of a civil penalty against any member of a public agency and there shall be no private right of action for damages arising out of any violation of the provisions of this chapter. Any suit brought for the purpose of having an action declared or determined to be null and void pursuant to subsection (1) of this section shall be commenced within thirty (30) days of the time of the decision or action that results, in whole or in part, from a meeting that failed to comply with the provisions of this act. Any other suit brought under the provisions of this section shall be commenced within one hundred eighty (180) days of the time of the violation or alleged violation of the provisions of this act.

(7) (a) A violation may be cured by a public agency upon:

(i) The agency's self-recognition of a violation; or

(ii) Receipt by the secretary or clerk of the public agency of written notice of an alleged violation. A complaint filed and served upon the public agency may be substituted for other forms of written notice. Upon notice of an alleged open meeting violation, the governing body shall have fourteen (14) days to respond publicly and either acknowledge the open meeting violation and state an intent to cure the violation or state that the public agency has determined that no violation has occurred and that no cure is necessary. Failure to respond shall be treated as a denial of any violation for purposes of proceeding with any enforcement action.

(b) Following the public agency's acknowledgment of a violation pursuant to paragraph (a)(i) or (a)(ii) of this subsection, the public agency shall have fourteen (14) days to cure the violation by declaring that all actions taken at or resulting from the meeting in violation of this act void.

(c) All enforcement actions shall be stayed during the response and cure period but may recommence at the

discretion of the complainant after the cure period has expired.

(d) A cure as provided in this section shall act as a bar to the imposition of the civil penalty provided in subsection (2) of this section. A cure of a violation as provided in subsection (7)(a)(i) of this section shall act as a bar to the imposition of any civil penalty provided in subsection (4) of this section.

SECTION 2. That Chapter 4, Title 74, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 74-206A, Idaho Code, and to read as follows:

74-206A. NEGOTIATIONS IN OPEN SESSION. (1) All negotiations between a governing body and a labor organization shall be in open session and shall be available for the public to attend. This requirement also applies to negotiations between the governing body's designated representatives and representatives of the labor organization. This requirement shall also apply to meetings with any labor negotiation arbitrators, mediators or similar labor dispute meeting facilitators. Provided, however, a governing body or its designated representatives may hold an executive session for the specific purpose of:

(a) Considering a labor contract offer or to formulate a counteroffer; or

(b) Receiving information about a specific employee, when the information has a direct bearing on the issues being negotiated and a reasonable person would conclude that the release of that information would violate that employee's right to privacy.

(2) All documentation exchanged between the parties during negotiations, including all offers, counteroffers and meeting minutes shall be subject to public writings disclosure laws.

(3) Any other provision of law notwithstanding, including any other provisions to the contrary in sections 33-402 and 67-2343, Idaho Code, the governing body shall post notice of all negotiation sessions at the earliest possible time practicable. This shall be done by the governing body by immediately posting notice of the negotiation session on the front page of its official website. If time permits, the governing body shall also post notice within twenty-four (24) hours at its regular meeting physical posting locations.

(4) Public testimony, if any, shall be posted as an agenda item.

SECTION 3. That Section 33-1273A, Idaho Code, be, and the same is hereby repealed.

SECTION 4. That Section 74-206, Idaho Code, be, and the same is hereby repealed.

SECTION 5. That Chapter 2, Title 74, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 74-206, Idaho Code, and to read as follows:

74-206. EXECUTIVE SESSIONS – WHEN AUTHORIZED. (1) An executive session at which members of the public are excluded may be held, but only for the purposes and only in the manner set forth in this section. The motion to go into executive session shall identify the specific subsections of this section that authorize the executive session. There shall be a roll call vote on the motion and the vote shall be recorded in the minutes. An executive session shall be authorized by

a two-thirds (2/3) vote of the governing body. An executive session may be held:

(a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general;

(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student;

(c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency;

(d) To consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code;

(e) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations;

(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement;

(g) By the commission of pardons and parole, as provided by law;

(h) By the custody review board of the Idaho department of juvenile corrections, as provided by law; or

(i) To engage in communications with a representative of the public agency's risk manager or insurance provider to discuss the adjustment of a pending claim or prevention of a claim imminently likely to be filed. The mere presence of a representative of the public agency's risk manager or insurance provider at an executive session does not satisfy this requirement.

(2) Labor negotiations may be conducted in executive session if either side requests closed meetings. Notwithstanding the provisions of section 74-204, Idaho Code, subsequent sessions of the negotiations may continue without further public notice.

(3) The exceptions to the general policy in favor of open meetings stated in this section shall be narrowly construed. It shall be a violation of this act to change the subject within the executive session to one not identified within the motion to enter the executive session or to any topic for which an executive session is not provided.

(4) No executive session may be held for the purpose of taking any final action or making any final decision.

SECTION 6. The provisions of Sections 4 and 5 shall be in full force and effect on and after July 1, 2020."

#### CORRECTION TO TITLE

On page 1, delete lines 2 through 4, and insert:  
"RELATING TO THE OPEN MEETING LAW; AMENDING SECTIONS 74-206 AND 74-208, IDAHO CODE, AS ADDED IN SECTION 5, HOUSE BILL NO. 90, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-THIRD IDAHO LEGISLATURE, TO REMOVE PROVISIONS RELATING TO LABOR NEGOTIATIONS CONDUCTED IN EXECUTIVE SESSION AND TO PROVIDE THAT CONSIDERATION OF CERTAIN LABOR CONTRACT OFFERS MAY BE HELD IN

EXECUTIVE SESSION, TO INCREASE MONETARY CIVIL PENALTIES FOR VIOLATIONS OF THE OPEN MEETING LAW AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 2, TITLE 74, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 74-206A, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO NEGOTIATIONS IN OPEN SESSION, TO PROVIDE THAT AN EXECUTIVE SESSION MAY BE HELD FOR CERTAIN SPECIFIC PURPOSES, TO PROVIDE THAT CERTAIN DOCUMENTS EXCHANGED BETWEEN PARTIES SHALL BE SUBJECT TO PUBLIC WRITINGS DISCLOSURE LAWS, TO PROVIDE FOR NOTICE AND TO PROVIDE THAT PUBLIC TESTIMONY SHALL BE POSTED AS AN AGENDA ITEM; REPEALING SECTION 33-1273A, IDAHO CODE, RELATING TO NEGOTIATIONS IN OPEN SESSION; REPEALING SECTION 74-206, IDAHO CODE, RELATING TO EXECUTIVE SESSIONS; AND AMENDING CHAPTER 2, TITLE 74, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 74-206, IDAHO CODE, TO PROVIDE WHEN AN EXECUTIVE SESSION MAY BE HELD AND PROVIDING EFFECTIVE DATES."

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

[H 155](#), as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

#### **Petitions, Resolutions, and Memorials**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:10 p.m. until the hour of 3 p.m. of this day.

#### **RECESS AFTERNOON SESSION**

The Senate reconvened at 3 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senators Buckner-Webb, Den Hartog, Jordan, Keough, Mortimer, Nonini, Patrick, Souza, Thayn, and Ward-Engelking, absent and excused.

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

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

#### **Third Reading of Bills**

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 296](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 296](#) was before the Senate for final consideration.

[H 296](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Vick. Total - 1.

Total - 35.

Whereupon the President declared [H 296](#) passed, title was approved, and the bill ordered returned to the House.

The Senate advanced to the Fourteenth Order of Business.

#### **General Calendar**

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

#### **Report of the Committee of the Whole**

Senator Winder, Chairman of the Committee of the Whole, reported out [H 152](#) and [H 92](#), as amended, without recommendation, amended as follows:

#### **SENATE AMENDMENT TO H 152 AMENDMENT TO SECTION 2**

On page 2 of the printed bill, in line 20, following "settings" insert: "as required and defined by the Americans with Disabilities Act (ADA)".

On page 3, in line 42, following "sect" insert: "or in a private, noncommercial, family event (retained by the family)"; and following line 42, insert:

"(6) Exigent emergency circumstances for temporary interpreting services by family or friends until a qualified interpreter can be obtained."

On page 5, in line 22, delete "actual" and insert: "reasonable".

On page 6, delete lines 17 through 20, and insert:

"54-5610. PROVISIONAL LICENSE. (1) The board may grant to a person who has the necessary skills and training, a provisional sign language interpreter license to practice, upon filing an application with the board, meeting the qualifications established by board rule and payment of the fee established by board rule."

On page 8, delete lines 8 and 9, and insert: "communication which reveals the contemplation or execution of a crime or harmful act except that no licensee shall disclose any privileged communication learned of through the provision of interpreting services which would be privileged under any constitutional provision, statute or court rule;".

**SENATE AMENDMENT TO H 92, As Amended**  
AMENDMENT TO SECTION 2

On page 3 of the engrossed bill, in line 37, delete "defendant" and insert: "transferee or debtor"; and delete line 38, and insert: "of proving that it is probable that the debtor was solvent at the time of the transfer.".

AMENDMENT TO SECTION 7

On page 7, following line 22, insert:

"(7) A transfer of a charitable contribution to a qualified religious or charitable entity or organization shall not be considered to be a transfer covered by this act for the amount of the contribution that does not exceed fifteen percent (15%) of the gross annual income of the debtor for the year in which the transfer is made, and the transfer is consistent with the practices of the debtor in making charitable contributions."; in line 23, delete "7" and insert: "8"; and in line 34, delete "8" and insert: "9".

CORRECTION TO TITLE

On page 1, in line 14, following "VOIDABLE" insert: ", TO PROVIDE APPLICATION TO A TRANSFER OF A CHARITABLE CONTRIBUTION TO A QUALIFIED RELIGIOUS OR CHARITABLE ENTITY OR ORGANIZATION".

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

[H 152](#), as amended in the Senate, and [H 92](#), as amended, as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

**Reports of Standing Committees**

March 26, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 181](#), as amended in the Senate, [H 257](#), [H 155](#), [H 152](#), and [H 92](#), as amended, have been correctly printed.

LODGE, Chairman

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

March 25, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [S 1138](#), [S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), [S 1143](#), [S 1144](#), and [S 1145](#) were delivered to the Office of the Governor at 10:55 a.m., March 25, 2015.

LODGE, Chairman

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

March 26, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 182](#), as amended, [H 256](#), and [H 277](#) with the recommendation that they do pass.

TIPPETS, Chairman

[H 182](#), as amended, [H 256](#), and [H 277](#) were filed for second reading.

March 26, 2015

The EDUCATION Committee reports out [H 245](#), [H 246](#), [HCR 21](#), and [HCR 22](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 245](#) and [H 246](#) were filed for second reading.

[HCR 21](#) and [HCR 22](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 26, 2015

The HEALTH AND WELFARE Committee reports out [S 1177](#) with the recommendation that it do pass.

HEIDER, Chairman

[S 1177](#) was filed for second reading.

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

**Messages from the Governor**

March 26, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1044](#)

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

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

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

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

[H 181](#), as amended in the Senate, as amended in the Senate, by Health and Welfare Committee, was read the first time at length and filed for second reading.

[H 257](#), as amended in the Senate, by Ways and Means Committee, was read the first time at length and filed for second reading.

[H 155](#), as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

[H 152](#), as amended in the Senate, by Health and Welfare Committee, was read the first time at length and filed for second reading.

[H 92](#), as amended, as amended in the Senate, by Business Committee, was read the first time at length and filed for second reading.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:25 p.m. until the hour of 10:30 a.m., Friday, March 27, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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SEVENTY-FIFTH LEGISLATIVE DAY  
FRIDAY, MARCH 27, 2015

Senate Chamber

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

Roll call showed all members present except Senator Cameron, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Nolan Cole, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 26, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

March 26, 2015

The JUDICIARY AND RULES Committee reports that [S 1157](#), [S 1158](#), [S 1160](#), [S 1161](#), [S 1162](#), [S 1120](#), [S 1163](#), [S 1164](#), [S 1166](#), and [S 1088](#), as amended in the House, have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1157](#), [S 1158](#), [S 1160](#), [S 1161](#), [S 1162](#), [S 1120](#), [S 1163](#), [S 1164](#), [S 1166](#), and [S 1088](#), as amended in the House, and ordered them transmitted to the House for the signature of the Speaker.

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

### Messages from the Governor

March 26, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1059](#), as amended, [S 1074](#), [S 1075](#), [S 1077](#),  
[S 1078](#), [S 1080](#), as amended, [S 1087](#), [S 1118](#),  
[S 1126](#), [S 1127](#), [S 1128](#), [S 1129](#), [S 1130](#),  
[S 1131](#), [S 1132](#), [S 1133](#), [S 1086](#), and [S 1125](#)

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

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

Senator Cameron was recorded present at this order of business.

The Senate advanced to the Ninth Order of Business.

### Messages from the House

March 26, 2015

Dear Mr. President:

I transmit herewith [H 303](#), [H 300](#), [H 302](#), [H 308](#), [HCR 23](#), and [HCR 24](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 303](#), [H 300](#), [H 302](#), [H 308](#), [HCR 23](#), and [HCR 24](#) were filed for first reading.

March 26, 2015

Dear Mr. President:

I return herewith [S 1011](#), which has passed the House.

ALEXANDER, Chief Clerk

[S 1011](#) was referred to the Judiciary and Rules Committee for enrolling.

March 26, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 17](#), as amended in the Senate, [H 112](#), [H 157](#), as amended in the Senate, [H 194](#), as amended in the Senate, [H 238](#), [H 262](#), [H 281](#), [H 282](#), [H 284](#), [H 287](#), [H 288](#), [H 289](#), [H 290](#), [H 293](#), [H 294](#), [H 295](#), and [HCR 16](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 17](#), as amended in the Senate, [H 112](#), [H 157](#), as amended in the Senate, [H 194](#), as amended in the Senate, [H 238](#), [H 262](#), [H 281](#), [H 282](#), [H 284](#), [H 287](#), [H 288](#), [H 289](#), [H 290](#), [H 293](#), [H 294](#), [H 295](#), and [HCR 16](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, [HJM 3](#) retained its place on the calendar for Tuesday, March 31, 2015.

The President announced that [HCR 21](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Thayn, seconded by Senator Nonini, [HCR 21](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [HCR 22](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Thayn, seconded by Senator Nonini, [HCR 22](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Ralph Powell was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Lacey, the Gubernatorial reappointment of Ralph Powell as the Director of the Idaho State Police was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

#### **Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials**

[H 303](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 300](#), [H 302](#), and [H 308](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

[HCR 23](#), by Ways and Means Committee, was introduced, read at length, and referred to the State Affairs Committee.

[HCR 24](#), by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

#### **Second Reading of Bills**

[H 182](#), as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

[H 256](#) and [H 277](#), by Ways and Means Committee, were read the second time at length and filed for third reading.

[H 245](#) and [H 246](#), by Education Committee, were read the second time at length and filed for third reading.

[S 1177](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[H 181](#), as amended in the Senate, as amended in the Senate, by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 257](#), as amended in the Senate, by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 155](#), as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

[H 152](#), as amended in the Senate, by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 92](#), as amended, as amended in the Senate, by Business Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

#### **Third Reading of Bills**

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 256](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Hill. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 256](#) was before the Senate for final consideration.

[H 256](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 256](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 277](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 277](#) was before the Senate for final consideration.

[H 277](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

On request by Senator Martin, granted by unanimous consent, the following typographical correction was made to [H 277](#), pursuant to Senate Rule 9(F):

On page 3, line 35 after the word "for" insert the word "in."

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 277](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, House bills as amended in the Senate were placed at the head of the Third Reading Calendar, followed by [H 181](#), as amended in the Senate, as amended in the Senate, followed by [S 1177](#), followed by House bills, followed by [H 95](#), followed by all remaining Senate bills.

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

#### **Reports of Standing Committees**

March 27, 2015

The JUDICIARY AND RULES Committee reports that [S 1011](#) has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1011](#) and ordered it transmitted to the House for the signature of the Speaker.

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

#### **Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:20 a.m. until the hour of 9 a.m., Monday, March 30, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary



# SENATE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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SEVENTY-EIGHTH LEGISLATIVE DAY  
MONDAY, MARCH 30, 2015

Senate Chamber

President Little called the Senate to order at 9 a.m.

Roll call showed all members present except Senators Cameron, Martin, and McKenzie, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Lydia Deatherage, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 27, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Petitions, Resolutions, and Memorials

Senators Cameron and Martin were recorded present at this order of business.

### SCR 127

#### BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND APPROVING AND EXTENDING TEMPORARY RULES REVIEWED BY THE LEGISLATURE.

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

WHEREAS, the Legislature by statute must approve temporary rules by adoption of a concurrent resolution approving the rule if the temporary rule is to remain in effect beyond the end of the current legislative session; and

WHEREAS, the expiration of temporary rules would occasion additional expense to state agencies in readopting and republishing temporary rules needed to conduct state business; and

WHEREAS, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein,

that all temporary rules adopted by state agencies pursuant to the Administrative Procedure Act and submitted to the Legislature at the Legislature's request through the Office of the Administrative Rules Coordinator for review during the 2015 legislative session, be, and the same are approved.

BE IT FURTHER RESOLVED that a temporary rule or partial temporary rule approved by this concurrent resolution shall remain in effect until it expires by its own terms or by operation of law or until it is replaced by a final rule, but in no event shall a temporary rule remain in effect beyond the conclusion of the Second Regular Session of the Sixty-third Idaho Legislature unless it is further extended by adoption of a concurrent resolution by both houses of the Legislature. Temporary rules or sections of temporary rules which are excepted from approval hereunder or which were not submitted to the Legislature for review during the 2015 legislative session shall expire by operation of statute upon adjournment of the First Regular Session of the Sixty-third Idaho Legislature, unless approved by adoption of a separate concurrent resolution by both houses of the Legislature.

### SCR 128

#### BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND APPROVING ADMINISTRATIVE RULES THAT IMPOSE A FEE OR CHARGE, WITH AN EXCEPTION, AND REJECTING A CERTAIN AGENCY RULE DOCKET THAT IS NOT APPROVED.

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

WHEREAS, the Legislature pursuant to Section 67-5224, Idaho Code, must approve certain administrative rules that impose a fee or charge by adoption of a concurrent resolution before the rules become effective; and

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 a certain rule docket of the Department of Insurance governing Schedule of Fees, Licenses, and Miscellaneous Charges is not consistent with legislative intent; and

WHEREAS, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that all pending administrative rules or portions of pending administrative rules adopted by state agencies pursuant to the Administrative Procedure Act during the prior calendar year, and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2015 legislative session, which impose a fee or charge, be, and the same are approved, with the exception of the following enumerated pending fee rule:

IDAPA 18.01.44, the Department of Insurance, Rules Governing the Schedule of Fees, Licenses, and Miscellaneous Charges, adopted as a pending fee rule under Docket Number 18-0144-1401, the entire rulemaking docket.

BE IT FURTHER RESOLVED that IDAPA 18.01.44, the Department of Insurance, Rules Governing the Schedule of Fees,

Licenses, and Miscellaneous Charges, adopted as a pending fee rule under Docket Number 18-0144-1401, the entire rulemaking docket is hereby rejected and not approved, and thereby pursuant to Section 67-5291 and Section 67-5224, Idaho Code, is declared null, void and of no force and effect.

BE IT FURTHER RESOLVED that rule provisions imposing fees or charges that were not submitted through the Office of the Administrative Rules Coordinator for legislative review or that otherwise are not included and approved in this concurrent resolution shall be null, void and of no force and effect unless approved by adoption of a separate concurrent resolution by both houses of the Legislature as provided in Section 67-5224, Idaho Code.

**SCR 129**  
**BY STATE AFFAIRS COMMITTEE**  
**A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE AND  
REJECTING CERTAIN RULES OF THE DEPARTMENT  
OF ADMINISTRATION RELATING TO RULES OF THE  
DIVISION OF PURCHASING.

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 Administration relating to Rules of the Division of Purchasing are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 38.05.01, Department of Administration, Rules of the Division of Purchasing, Sections 011., 021., 032., 033., 039., 040., 041., 042., 043., 044., 045., 046., 051., 052., 053., 054., 070., 073., 074. Subsection 03., 081., 082., 083., 084., 085., 086., 091., 092., 102., 103., 111., and 125., only, adopted as pending rules under Docket Number 38-0501-1401, be, and the same are hereby rejected and declared null, void and of no force and effect.

[SCR 127](#), [SCR 128](#), and [SCR 129](#) were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

**Reports of Standing Committees**

March 27, 2015

The STATE AFFAIRS Committee reports out [H 219](#) and [H 301](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[H 219](#) and [H 301](#) were filed for second reading.

March 30, 2015

The STATE AFFAIRS Committee reports out [H 212](#), [H 213](#), [H 214](#), [H 216](#), as amended, and [H 242](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[H 212](#), [H 213](#), [H 214](#), [H 216](#), as amended, and [H 242](#) were filed for second reading.

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

**Messages from the House**

March 27, 2015

Dear Mr. President:

I transmit herewith [H 309](#), [H 316](#), and [H 265](#), as amended, which have passed the House.

ALEXANDER, Chief Clerk

[H 309](#), [H 316](#), and [H 265](#), as amended, were filed for first reading.

March 27, 2015

Dear Mr. President:

I return herewith [S 1104](#), as amended in the House, [S 1073](#), as amended in the House, and [S 1069](#), as amended, as amended in the House, which have passed the House.

ALEXANDER, Chief Clerk

On request by Senator Nonini, granted by unanimous consent, [S 1104](#), as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

On request by Senator Keough, granted by unanimous consent, [S 1073](#), as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

On request by Senator Davis, granted by unanimous consent, [S 1069](#), as amended, as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

March 27, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 1](#), [H 53](#), as amended, [H 113](#), as amended in the Senate, [H 154](#), as amended in the Senate, [H 269](#), [H 296](#), [H 304](#), [H 305](#), and [HCR 15](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 1](#), [H 53](#), as amended, [H 113](#), as amended in the Senate, [H 154](#), as amended in the Senate, [H 269](#), [H 296](#), [H 304](#), [H 305](#), and [HCR 15](#) and ordered them returned to the House.

March 27, 2015

Dear Mr. President:

I return herewith Enrolled [S 1030](#), [S 1076](#), [S 1025](#), [S 1109](#), [S 1040](#), as amended, [S 1056](#), as amended, [S 1121](#), [S 1148](#), [S 1149](#), [S 1091](#), [S 1072](#), as amended, [S 1053](#), as amended, [S 1150](#), and [S 1151](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1030](#), [S 1076](#), [S 1025](#), [S 1109](#), [S 1040](#), as amended, [S 1056](#), as amended, [S 1121](#), [S 1148](#), [S 1149](#), [S 1091](#), [S 1072](#), as amended, [S 1053](#), as amended, [S 1150](#), and [S 1151](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

The President announced that the House amendments to [S 1104](#), as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to [S 1104](#), as amended in the House?"

On request by Senator Nonini, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1104](#), as amended in the House.

[S 1104](#), as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The President announced that the House amendments to [S 1073](#), as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to [S 1073](#), as amended in the House?"

On request by Senator Keough, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1073](#), as amended in the House.

[S 1073](#), as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The President announced that the House amendments to [S 1069](#), as amended, as amended, as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to [S 1069](#), as amended, as amended, as amended in the House?"

On request by Senator Davis, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1069](#), as amended, as amended, as amended in the House.

[S 1069](#), as amended, as amended, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

On request by Senator Burgoyne, granted by unanimous consent, [HCR 12](#) was recommitted to the Resources and Environment Committee.

On request by Senator Davis, granted by unanimous consent, the following at-large members of the Legislative Council were ordered spread upon the pages of the journal: minority party members Senator Buckner-Webb and Senator Burgoyne and majority party members Senator Bair and Senator Bayer.

The President announced that [HCR 17](#) was before the Senate for final consideration.

Moved by Senator Winder, seconded by Senator Stennett, that [HCR 17](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Hill, McKenzie. Total - 2.

Total - 35.

Whereupon the President declared [HCR 17](#) adopted, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 309](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 316](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 265](#), as amended, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

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

### Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, [H 257](#), as amended in the Senate, retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, [H 155](#), as amended in the Senate, retained its place on the Third Reading Calendar.

[H 152](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Lacey, Schmidt, Stennett, Thayn, Ward-Engelking, Winder. Total - 17.

NAYS—Bair, Bayer, Brackett, Johnson, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Tippetts, Vick. Total - 17.

Absent and excused—McKenzie. Total - 1.

Total - 35.

A tie vote having resulted in the roll call, the President voted AYE and declared [H 152](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 92](#), as amended, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Den Hartog, McKenzie. Total - 2.

Total - 35.

Whereupon the President declared [H 92](#), as amended, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 181](#), as amended in the Senate, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

On request by Senator Davis, granted by unanimous consent, the history of H 181, as amended in the Senate, as amended in the Senate was read by the Secretary of the Senate.

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

Roll call resulted as follows:

AYES—Brackett, Cameron, Guthrie, Hagedorn, Heider, Jordan, Keough, Lacey, Schmidt, Ward-Engelking. Total - 10.

NAYS—Bair, Bayer, Buckner-Webb, Burgoyne, Davis, Den Hartog, Hill, Johnson, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Winder. Total - 25.

Total - 35.

Whereupon the President declared that [H 181](#), as amended in the Senate, as amended in the Senate, had failed to pass the Senate and ordered the bill returned to the House.

[S 1177](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES—Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Hagedorn, Heider, Jordan, Keough, Lacey, Lee, Lodge, McKenzie, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Vick, Ward-Engelking. Total - 22.

NAYS—Bayer, Den Hartog, Guthrie, Hill, Johnson, Lakey, Martin, Mortimer, Nonini, Nuxoll, Souza, Tippets, Winder. Total - 13.

Total - 35.

Whereupon the President declared [S 1177](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 182](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared [H 182](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 245](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 245](#) passed, title was approved, and the bill ordered returned to the House.

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

### Reports of Standing Committees

March 30, 2015

The JUDICIARY AND RULES Committee reports that [S 1104](#), as amended in the House, [S 1073](#), as amended in the House, and [S 1069](#), as amended, as amended, as amended in the House, have been correctly engrossed.

LODGE, Chairman

[S 1104](#), as amended in the House, [S 1073](#), as amended in the House, and [S 1069](#), as amended, as amended, as amended in the House, were filed for first reading.

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

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

[S 1104](#), as amended in the House, by State Affairs Committee, was read the first time at length and filed for second reading.

[S 1073](#), as amended in the House, by Agricultural Affairs Committee, was read the first time at length and filed for second reading.

[S 1069](#), as amended, as amended, as amended in the House, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

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

**Petitions, Resolutions, and Memorials**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:05 p.m. until the hour of 3 p.m. of this day.

**RECESS  
AFTERNOON SESSION**

The Senate reconvened at 3 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senator McKenzie, absent and formally excused by the Chair; and Senators Brackett, Buckner-Webb, Cameron, Den Hartog, Keough, Lodge, Mortimer, Nonini, Nuxoll, Patrick, Souza, Thayn, and Ward-Engelking, absent and excused.

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

The Senate advanced to the Sixth Order of Business.

**Reports of Standing Committees**

March 30, 2015

The RESOURCES AND ENVIRONMENT Committee reports out [H 291](#), [HCR 8](#), [HJM 9](#), and [HJM 10](#) with the recommendation that they do pass.

BAIR, Chairman

[H 291](#) was filed for second reading.

[HCR 8](#), [HJM 9](#), and [HJM 10](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Brackett was recorded present at this order of business.

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

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

Senator Cameron was recorded present at this order of business.

**S 1178  
BY FINANCE COMMITTEE  
AN ACT**

PROVIDING FOR A CASH TRANSFER TO THE GENERAL FUND; AND APPROPRIATING ADDITIONAL MONEYS TO THE SECRETARY OF STATE FOR FISCAL YEAR 2016.

**S 1179  
BY FINANCE COMMITTEE  
AN ACT**

APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF PERFORMANCE EVALUATIONS WITHIN THE LEGISLATIVE BRANCH FOR FISCAL YEAR 2016; AND EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS FOR THE OFFICE OF PERFORMANCE EVALUATIONS.

**S 1180  
BY FINANCE COMMITTEE  
AN ACT**

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE PHYSICAL HEALTH SERVICES PROGRAM FOR FISCAL YEAR 2016.

[S 1178](#), [S 1179](#), and [S 1180](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senators Buckner-Webb, Den Hartog, Lodge, Nonini, Nuxoll, Patrick, Souza, and Ward-Engelking were recorded present at this order of business.

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

**Third Reading of Bills**

[H 246](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Mortimer, Patrick, Schmidt, Souza, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 24.

NAYS—Bair, Bayer, Hagedorn, Lakey, Martin, Nonini, Nuxoll, Rice, Siddoway, Vick. Total - 10.

Absent and excused—McKenzie. Total - 1.

Total - 35.

Whereupon the President declared [H 246](#) passed, title was approved, and the bill ordered returned to the House.

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

**Second Reading of Bills**

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1104](#), as amended in the House, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1104](#), as amended in the House, was before the Senate for final consideration.

[S 1104](#), as amended in the House, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

Whereupon the President declared [S 1104](#), as amended in the House, passed, title was approved, and the bill was referred to the Judiciary and Rules Committee for enrolling.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1073](#), as amended in the House, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1073](#), as amended in the House, was before the Senate for final consideration.

[S 1073](#), as amended in the House, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

Whereupon the President declared [S 1073](#), as amended in the House, passed, title was approved, and the bill was referred to the Judiciary and Rules Committee for enrolling.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1069](#), as amended, as amended, as amended in the House, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1069](#), as amended, as amended, as amended in the House, was before the Senate for final consideration.

[S 1069](#), as amended, as amended, as amended in the House, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

Whereupon the President declared [S 1069](#), as amended, as amended, as amended in the House, passed, title was approved, and the bill was referred to the Judiciary and Rules Committee for enrolling.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 219](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 219](#) was before the Senate for final consideration.

[H 219](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

Whereupon the President declared [H 219](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 212](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 212](#) was before the Senate for final consideration.

[H 212](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

Whereupon the President declared [H 212](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 213](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 213](#) was before the Senate for final consideration.

[H 213](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Buckner-Webb arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

Whereupon the President declared [H 213](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 214](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 214](#) was before the Senate for final consideration.

[H 214](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

Whereupon the President declared [H 214](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 242](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 242](#) was before the Senate for final consideration.

[H 242](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

Whereupon the President declared [H 242](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 216](#), as amended, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 216](#), as amended, was before the Senate for final consideration.

[H 216](#), as amended, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Tippetts, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Souza, Thayn. Total - 2.

Absent and excused—McKenzie. Total - 1.

Total - 35.

Whereupon the President declared [H 216](#), as amended, passed, title was approved, and the bill ordered returned to the House.

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



**Messages from the House**

March 30, 2015

Dear Mr. President:

I transmit herewith [H 311](#), [H 310](#), [H 312](#), [H 313](#), and [H 314](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 311](#), [H 310](#), [H 312](#), [H 313](#), and [H 314](#) were filed for first reading.

March 30, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 109](#), as amended in the Senate, [H 167](#), as amended in the Senate, [H 202](#), as amended in the Senate, [H 256](#), [H 277](#), [HCR 21](#), and [HCR 22](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 109](#), as amended in the Senate, [H 167](#), as amended in the Senate, [H 202](#), as amended in the Senate, [H 256](#), [H 277](#), [HCR 21](#), and [HCR 22](#) and ordered them returned to the House.

March 30, 2015

Dear Mr. President:

I return herewith Enrolled [S 1157](#), [S 1158](#), [S 1160](#), [S 1161](#), [S 1162](#), [S 1120](#), [S 1163](#), [S 1164](#), [S 1166](#), [S 1088](#), as amended in the House, and [S 1011](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1157](#), [S 1158](#), [S 1160](#), [S 1161](#), [S 1162](#), [S 1120](#), [S 1163](#), [S 1164](#), [S 1166](#), [S 1088](#), as amended in the House, and [S 1011](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

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

**Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials****S 1181****BY JUDICIARY AND RULES COMMITTEE**

## AN ACT

RELATING TO PUBLICATION OF THE SESSION LAWS; REPEALING SECTIONS 67-904, 67-905, 67-906, 67-907 AND 67-908, IDAHO CODE, RELATING TO PUBLICATION AND DISTRIBUTION OF LAWS, THE JOINT PRINTING COMMITTEE, DISTRIBUTION OF SESSION LAWS AND JOURNALS, BOOKS DISTRIBUTED TO OFFICERS AND PROPERTY OF THE STATE AND TO EXPENSES OF DISTRIBUTION OF THE SESSION LAWS; AMENDING CHAPTER 9, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-904, IDAHO CODE, TO PROVIDE FOR A JOINT PUBLISHING COMMITTEE AND TO PROVIDE FOR PUBLICATION AND DISTRIBUTION OF SESSION LAWS; AMENDING CHAPTER 9, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-905, IDAHO CODE, TO PROVIDE FOR REPORTS OF THE JOINT PUBLISHING COMMITTEE; AND DECLARING AN EMERGENCY.

**S 1182****BY JUDICIARY AND RULES COMMITTEE**

## AN ACT

RELATING TO THE IDAHO UNIFORM BUSINESS ORGANIZATIONS CODE; AMENDING SECTION 30-30-1201, IDAHO CODE, AS ADDED IN SECTION 85 OF SENATE BILL NO. 1025, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-THIRD IDAHO LEGISLATURE, TO REVISE THE DATE OF APPLICABILITY; AMENDING SECTION 30-30-1202, IDAHO CODE, AS ADDED IN SECTION 85 OF SENATE BILL NO. 1025, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-THIRD IDAHO LEGISLATURE, TO REVISE THE DATE OF APPLICABILITY; REPEALING CHAPTER 3, TITLE 30, IDAHO CODE, RELATING TO THE IDAHO NONPROFIT CORPORATION ACT; AND PROVIDING EFFECTIVE DATES.

[S 1181](#) and [S 1182](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 311](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 310](#) and [H 312](#), by Ways and Means Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

[H 313](#) and [H 314](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

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

**Reports of Standing Committees**

March 30, 2015

The JUDICIARY AND RULES Committee reports that [SCR 127](#), [SCR 128](#), [SCR 129](#), [S 1178](#), [S 1179](#), [S 1180](#), [S 1181](#), and [S 1182](#) have been correctly printed.

LODGE, Chairman

[SCR 127](#), [SCR 128](#), and [SCR 129](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1178](#), [S 1179](#), and [S 1180](#) were referred to the Finance Committee.

[S 1181](#) and [S 1182](#) were referred to the Judiciary and Rules Committee.

March 30, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [S 1030](#), [S 1076](#), [S 1025](#), [S 1109](#), [S 1040](#), as amended, [S 1056](#), as amended, [S 1121](#), [S 1148](#), [S 1149](#), [S 1091](#), [S 1072](#), as amended, [S 1053](#), as amended, [S 1150](#), and [S 1151](#) were delivered to the Office of the Governor at 10:07 a.m., March 30, 2015.

LODGE, Chairman

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

March 30, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [S 1157](#), [S 1158](#), [S 1160](#), [S 1161](#), [S 1162](#), [S 1120](#), [S 1163](#), [S 1164](#), [S 1166](#), [S 1088](#), as amended in the House, and [S 1011](#) were delivered to the Office of the Governor at 4:54 p.m., March 30, 2015.

LODGE, Chairman

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

March 30, 2015

The EDUCATION Committee reports out [H 300](#), [H 302](#), and [H 308](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 300](#), [H 302](#), and [H 308](#) were filed for second reading.

March 30, 2015

The HEALTH AND WELFARE Committee reports out [H 298](#), [HCR 19](#), and [HCR 24](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 298](#) was filed for second reading.

[HCR 24](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, [HCR 19](#) was recommitted to the Health and Welfare Committee.

March 30, 2015

The JUDICIARY AND RULES Committee reports out [S 1181](#) and [S 1182](#) with the recommendation that they do pass.

LODGE, Chairman

[S 1181](#) and [S 1182](#) were filed for second reading.

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

#### **Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:25 p.m. until the hour of 9 a.m., Tuesday, March 31, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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SEVENTY-NINTH LEGISLATIVE DAY  
TUESDAY, MARCH 31, 2015

Senate Chamber

President Pro Tempore Hill called the Senate to order at 9 a.m.

Roll call showed all members present except Senators Bayer, Lodge, Martin, and Thayn, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Christopher Miller, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 30, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senators Bayer and Thayn were recorded present at this order of business.

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

### Reports of Standing Committees

March 30, 2015

The JUDICIARY AND RULES Committee reports that [S 1104](#), as amended in the House, [S 1073](#), as amended in the House, and [S 1069](#), as amended, as amended, as amended in the House, have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1104](#), as amended in the House, [S 1073](#), as amended in the House, and [S 1069](#), as amended, as amended, as amended in the House, and ordered them transmitted to the House for the signature of the Speaker.

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

### Messages from the Governor

March 30, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1138](#), [S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#),  
[S 1143](#), [S 1144](#), and [S 1145](#)

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

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

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

### Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, [HJM 3](#) retained its place on the calendar for Thursday, April 2, 2015.

The President Pro Tempore announced that [HCR 8](#) was before the Senate for final consideration.

Moved by Senator Bair, seconded by Senator Burgoyne, that [HCR 8](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Martin. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [HCR 8](#) adopted, title was approved, and the resolution ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [HJM 9](#) and [HJM 10](#) retained their place on the calendar.

The President Pro Tempore announced that [SCR 127](#) was before the Senate for final consideration.

Moved by Senator McKenzie, seconded by Senator Stennett, that [SCR 127](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Martin. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [SCR 127](#) adopted, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that [SCR 128](#) was before the Senate for final consideration.

Moved by Senator McKenzie, seconded by Senator Stennett, that [SCR 128](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Martin. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [SCR 128](#) adopted, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that [SCR 129](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Patrick, seconded by Senator Burgoyne, [SCR 129](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that [HCR 24](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lee, seconded by Senator Buckner-Webb, [HCR 24](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

Senator Martin was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, [HJM 9](#) was placed before the Senate for final consideration at this time.

The President Pro Tempore announced that [HJM 9](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Brackett, seconded by Senator Davis, [HJM 9](#) was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [HJM 10](#) was placed before the Senate for final consideration at this time.

The President Pro Tempore announced that [HJM 10](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Lodge, seconded by Senator Ward-Engelking, [HJM 10](#) was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

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

### Second Reading of Bills

[H 301](#) and [H 291](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[H 300](#), [H 302](#), and [H 308](#), by Education Committee, were read the second time at length and filed for third reading.

[H 298](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1181](#) and [S 1182](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, [H 257](#), as amended in the Senate, retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, [H 95](#), [S 1173](#), and [S 1174](#) retained their place on the Third Reading Calendar for Friday, April 3, 2015.

[H 155](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Guthrie, Tippets. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 155](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1181](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [S 1181](#) was before the Senate for final consideration.

[S 1181](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1181](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1182](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [S 1182](#) was before the Senate for final consideration.

[S 1182](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1182](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 291](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 291](#) was before the Senate for final consideration.

[H 291](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Brackett, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Rice, Siddoway, Thayn, Tippetts, Vick, Winder. Total - 24.

NAYS—Bayer, Buckner-Webb, Burgoyne, Den Hartog, Jordan, Lacey, Nonini, Schmidt, Souza, Stennett, Ward-Engelking. Total - 11.

Total - 35.

Whereupon the President Pro Tempore declared [H 291](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 300](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 300](#) was before the Senate for final consideration.

[H 300](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 300](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 302](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 302](#) was before the Senate for final consideration.

[H 302](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 28.

NAYS—Den Hartog, Hagedorn, Jordan, Lacey, Martin, Schmidt, Stennett. Total - 7.

Total - 35.

Whereupon the President Pro Tempore declared [H 302](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Davis, that all rules of the Senate interfering with the immediate consideration of [H 308](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 308](#) was before the Senate for final consideration.

[H 308](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 308](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 298](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 298](#) was before the Senate for final consideration.

[H 298](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 298](#) passed, title was approved, and the bill ordered returned to the House.

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

### Petitions, Resolutions, and Memorials

#### SJM 102

#### 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 Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Sixty-third Idaho Legislature, do hereby respectfully represent that:

WHEREAS, President Calvin Coolidge designated the Craters of the Moon National Monument in 1924 with the intent to eventually make it a national park, yet Idaho remains the only western state without a national park; and

WHEREAS, Craters of the Moon is the largest young basaltic lava field in the continental United States and has a stunning array of volcanism; and

WHEREAS, Craters of the Moon is an outstanding outdoor classroom that attracts thousands of students every year; and

WHEREAS, redesignating Craters of the Moon National Monument as a national park would greatly increase the number of visitors to Craters of the Moon, thereby greatly enhancing the economic development of Butte County, Blaine County and all surrounding areas; and

WHEREAS, legislation to change the 54,000 acres of Craters of the Moon National Monument, as it existed prior to 2009, into a national park would not affect land use as allowed by the Bureau of Land Management and the National Park Service, such as hunting, grazing and any other multiple land use; and

WHEREAS, redesignating Craters of the Moon National Monument as a national park would not affect the park's boundaries, funding, management or park fees.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that Congress should pass legislation redesignating Craters of the Moon National Monument as Craters of the Moon National Park for the betterment of the park, the surrounding communities and the people of Idaho.

BE IT FURTHER RESOLVED that the Secretary of the Senate 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.

[SJM 102](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 11:25 a.m. until the hour of 3 p.m. of this day.

**RECESS  
AFTERNOON SESSION**

The Senate reconvened at 3 p.m., pursuant to recess, President Pro Tempore Hill presiding.

Roll call showed all members present.

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

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

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1183  
BY FINANCE COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF ADMINISTRATORS FOR FISCAL YEAR 2016; PROVIDING FOR EXPENDITURES

TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF ADMINISTRATORS FOR FISCAL YEAR 2016; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF ADMINISTRATORS FOR FISCAL YEAR 2016; AMENDING SECTION 33-1004E, IDAHO CODE, AS AMENDED IN SECTION 8 OF HOUSE BILL NO. 296, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-THIRD IDAHO LEGISLATURE, TO INCREASE THE BASE SALARY FOR ADMINISTRATORS; AND LIMITING THE DISTRIBUTION TO SCHOOL DISTRICTS AND CHARTER SCHOOLS FOR STRATEGIC PLANNING AND TRAINING.

**S 1184  
BY FINANCE COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF TEACHERS FOR FISCAL YEAR 2016; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF TEACHERS FOR FISCAL YEAR 2016; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF TEACHERS FOR FISCAL YEAR 2016; AMENDING SECTION 33-1004E, IDAHO CODE, AS AMENDED IN SECTION 8 OF HOUSE BILL NO. 296, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-THIRD IDAHO LEGISLATURE, TO INCREASE THE BASE SALARY FOR PUPIL SERVICE STAFF AND TO INCREASE THE MINIMUM SALARY FOR PUPIL SERVICE STAFF; DIRECTING THE USE OF MONEYS FOR PROFESSIONAL DEVELOPMENT, TRAINING AND ASSISTANCE; AND DEFINING THE TERM "DISTRIBUTED."

**S 1185  
BY FINANCE COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF OPERATIONS FOR FISCAL YEAR 2016; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF OPERATIONS FOR FISCAL YEAR 2016; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF OPERATIONS FOR FISCAL YEAR 2016; AMENDING SECTION 33-1004E, IDAHO CODE, AS AMENDED IN SECTION 8 OF HOUSE BILL NO. 296, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-THIRD IDAHO LEGISLATURE, TO INCREASE THE BASE SALARY FOR CLASSIFIED STAFF; PROVIDING AN ESTIMATE OF DISCRETIONARY FUNDS PER SUPPORT UNIT AT \$23,868; DIRECTING THE USE OF APPROPRIATION FOR INFORMATION TECHNOLOGY STAFFING COSTS; DIRECTING THE USE OF APPROPRIATION FOR CLASSROOM TECHNOLOGY; DIRECTING THE USE OF APPROPRIATION FOR INSTRUCTIONAL MANAGEMENT SYSTEMS; DEFINING

THE TERM "DISTRIBUTED"; AND GRANTING THE AUTHORITY TO TRANSFER APPROPRIATIONS AMONG FIVE DIVISIONS OF THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM.

**S 1186**  
**BY FINANCE COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2016; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2016; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2016; PROVIDING LEGISLATIVE INTENT RELATING TO THE IDAHO DIGITAL LEARNING ACADEMY; DIRECTING THE USE OF TOBACCO, CIGARETTE AND LOTTERY INCOME TAX MONEYS; DIRECTING THE USE OF APPROPRIATION FOR LITERACY PROGRAMS AND REMEDIATION; DIRECTING THE USE OF APPROPRIATION FOR LIMITED ENGLISH PROFICIENCY PROGRAMS; DIRECTING THE STATE DEPARTMENT OF EDUCATION TO COMPILE INFORMATION ON ADVANCED OPPORTUNITIES; DEFINING THE TERM "DISTRIBUTED"; APPROPRIATING AND TRANSFERRING MONEYS TO THE PUBLIC EDUCATION STABILIZATION FUND FOR FISCAL YEAR 2015; AND DECLARING AN EMERGENCY.

**S 1187**  
**BY FINANCE COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF FACILITIES; APPROPRIATING MONEYS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF FACILITIES FOR FISCAL YEAR 2016; PROVIDING THE NECESSARY FUNDS FOR THE BOND LEVY EQUALIZATION PROGRAM; AND LIMITING THE AMOUNT OF FUNDS DISTRIBUTED TO THE GENERAL FUND FOR FISCAL YEAR 2016.

**S 1188**  
**BY FINANCE COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND FOR FISCAL YEAR 2016; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND FOR FISCAL YEAR 2016; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; AND APPROPRIATING MONEYS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND FOR FISCAL YEAR 2016.

**S 1189**  
**BY FINANCE COMMITTEE**  
AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CENTRAL SERVICES FOR FISCAL YEAR 2016; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CENTRAL SERVICES FOR FISCAL YEAR 2016; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CENTRAL SERVICES FOR FISCAL YEAR 2016; DIRECTING THE USE OF APPROPRIATION FOR THE SUPPORT OF LITERACY PROGRAMS, INTERVENTION SERVICES FOR NON-TITLE I SCHOOLS AND MATH INITIATIVE PROGRAMS; DIRECTING THE USE OF APPROPRIATION FOR THE SAFE AND DRUG-FREE SCHOOLS PROGRAM; DIRECTING THE USE OF APPROPRIATION FOR NON-ENGLISH OR LIMITED ENGLISH PROFICIENCY PROGRAMS; DIRECTING THE USE OF APPROPRIATION FOR STUDENT ASSESSMENTS; DIRECTING THE USE OF APPROPRIATION FOR TEACHER AND ADMINISTRATIVE POSITIONS PERFORMANCE EVALUATIONS; DIRECTING THE USE OF APPROPRIATION FOR WIRELESS TECHNOLOGY INFRASTRUCTURE; DIRECTING THE USE OF APPROPRIATION FOR PROFESSIONAL DEVELOPMENT; DIRECTING THE USE OF APPROPRIATION FOR AN INSTRUCTIONAL MANAGEMENT SYSTEM; PROVIDING LEGISLATIVE INTENT FOR CONTENT AND CURRICULUM RELATED TO DIGITAL CONTENT AND CREDIT RECOVERY; PROVIDING LEGISLATIVE INTENT FOR CONTENT AND CURRICULUM RELATED TO TECHNOLOGY; DEFINING TERMS; AND PROVIDING GUIDANCE ON YEAR-END RECONCILIATION.

**S 1190**  
**BY FINANCE COMMITTEE**  
AN ACT

APPROPRIATING AND TRANSFERRING MONEYS TO THE FIRE SUPPRESSION DEFICIENCY FUND IN FISCAL YEAR 2016; APPROPRIATING AND TRANSFERRING MONEYS TO THE ECONOMIC RECOVERY RESERVE FUND FOR THE 27TH PAYROLL IN FISCAL YEAR 2016; APPROPRIATING AND TRANSFERRING MONEYS TO THE SECONDARY AQUIFER PLANNING, MANAGEMENT AND IMPLEMENTATION FUND IN FISCAL YEAR 2016; APPROPRIATING AND TRANSFERRING MONEYS TO THE LEGISLATIVE LEGAL DEFENSE FUND IN FISCAL YEAR 2015; AND DECLARING AN EMERGENCY.

**S 1191**  
**BY FINANCE COMMITTEE**  
AN ACT

APPROPRIATING AND TRANSFERRING ADDITIONAL MONEYS TO THE BUDGET STABILIZATION FUND IN FISCAL YEAR 2016; AND PROVIDING LEGISLATIVE INTENT TO LIMIT TRANSFERS IN FISCAL YEAR 2017.

[S 1183](#), [S 1184](#), [S 1185](#), [S 1186](#), [S 1187](#), [S 1188](#), [S 1189](#), [S 1190](#), and [S 1191](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.



President Little assumed the Chair.

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

### Reports of Standing Committees

March 31, 2015

The JUDICIARY AND RULES Committee reports that [SJM 102](#), [S 1183](#), [S 1184](#), [S 1185](#), [S 1186](#), [S 1187](#), [S 1188](#), [S 1189](#), [S 1190](#), and [S 1191](#) have been correctly printed.

LODGE, Chairman

[SJM 102](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1183](#), [S 1184](#), [S 1185](#), [S 1186](#), [S 1187](#), [S 1188](#), [S 1189](#), [S 1190](#), and [S 1191](#) were referred to the Finance Committee.

March 31, 2015

The FINANCE Committee reports out [S 1178](#), [S 1179](#), and [S 1180](#) with the recommendation that they do pass.

CAMERON, Chairman

[S 1178](#), [S 1179](#), and [S 1180](#) were filed for second reading.

March 31, 2015

The TRANSPORTATION Committee reports out [H 316](#) with the recommendation that it do pass.

BRACKETT, Chairman

[H 316](#) was filed for second reading.

March 31, 2015

The TRANSPORTATION Committee reports out [H 311](#) without recommendation.

BRACKETT, Chairman

On request by Senator Davis, granted by unanimous consent, [H 311](#) was recommitted to the Transportation Committee.

March 31, 2015

The EDUCATION Committee reports out [H 309](#), [H 313](#), and [H 314](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 309](#), [H 313](#), and [H 314](#) were filed for second reading.

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

### Third Reading of Bills

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 301](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Winder. Total - 33.

NAYS—None.

Absent and excused—Lacey, Ward-Engelking. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 301](#) was before the Senate for final consideration.

[H 301](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Thayne, Tippetts, Vick, Winder. Total - 30.

NAYS—Buckner-Webb, Burgoyne, Jordan, Stennett, Ward-Engelking. Total - 5.

Paired and voting included in roll call:

AYE - Martin

NAY - Ward-Engelking

Total - 35.

Whereupon the President declared [H 301](#) passed, title was approved, and the bill ordered returned to the House.

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

### Petitions, Resolutions, and Memorials

#### SJM 103

#### 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 Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Sixty-third Idaho Legislature, do hereby respectfully represent that:

WHEREAS, President Calvin Coolidge designated the Craters of the Moon National Monument in 1924 with the intent to eventually make it a national park, yet Idaho remains the only western state without a national park; and

WHEREAS, Craters of the Moon is the largest young basaltic lava field in the continental United States and has a stunning array of volcanism; and

WHEREAS, Craters of the Moon is an outstanding outdoor classroom that attracts thousands of students every year; and

WHEREAS, Craters of the Moon National Monument contains the first wilderness lands managed by the National Park Service and therefore has historical significance to the National Park System; and

WHEREAS, redesignating Craters of the Moon National Monument as a national park would greatly increase the number of visitors to Craters of the Moon, thereby greatly enhancing the economic development of Butte County, Blaine County and all surrounding areas; and

WHEREAS, legislation to change the 54,000 acres of Craters of the Moon National Monument, as it existed prior to November 9, 2000, into a national park would not affect land use as allowed by the Bureau of Land Management and the National Park Service, such as hunting, grazing and any other multiple land use; and

WHEREAS, redesignating Craters of the Moon National Monument as a national park would not affect the park's boundaries, funding, management or park fees.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that Congress should pass legislation redesignating Craters of the Moon National Monument as Craters of the Moon National Park for the betterment of the park, the surrounding communities and the people of Idaho.

BE IT FURTHER RESOLVED that the Secretary of the Senate 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.

[SJM 103](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

March 31, 2015

The JUDICIARY AND RULES Committee reports that [SJM 103](#) has been correctly printed.

LODGE, Chairman

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

March 31, 2015

The FINANCE Committee reports out [S 1183](#), [S 1184](#), [S 1185](#), [S 1186](#), [S 1187](#), [S 1188](#), [S 1189](#), [S 1190](#), and [S 1191](#) with the recommendation that they do pass.

CAMERON, Chairman

[S 1183](#), [S 1184](#), [S 1185](#), [S 1186](#), [S 1187](#), [S 1188](#), [S 1189](#), [S 1190](#), and [S 1191](#) were filed for second reading.

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

### Messages from the House

March 31, 2015

Dear Mr. President:

I transmit herewith [H 318](#) and [HJM 11](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 318](#) and [HJM 11](#) were filed for first reading.

March 31, 2015

Dear Mr. President:

I return herewith [S 1033](#), as amended, which has failed to pass the House.

ALEXANDER, Chief Clerk

[S 1033](#), as amended, was ordered filed in the office of the Secretary of the Senate.

March 31, 2015

Dear Mr. President:

I return herewith [S 1159](#), [S 1165](#), [S 1071](#), as amended, [S 1041](#), as amended, [S 1136](#), [S 1062](#), as amended, as amended, [S 1066](#), [S 1113](#), and [S 1047](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1159](#), [S 1165](#), [S 1071](#), as amended, [S 1041](#), as amended, [S 1136](#), [S 1062](#), as amended, as amended, [S 1066](#), [S 1113](#), and [S 1047](#) were referred to the Judiciary and Rules Committee for enrolling.

March 31, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 182](#), as amended, [H 212](#), [H 213](#), [H 214](#), [H 216](#), as amended, [H 219](#), [H 242](#), [H 245](#), [H 246](#), and [HCR 17](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 182](#), as amended, [H 212](#), [H 213](#), [H 214](#), [H 216](#), as amended, [H 219](#), [H 242](#), [H 245](#), [H 246](#), and [HCR 17](#) and ordered them returned to the House.

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

### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 318](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[HJM 11](#), by Ways and Means Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

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

### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:30 p.m. until the hour of 9 a.m., Wednesday, April 1, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**EIGHTIETH LEGISLATIVE DAY**  
**WEDNESDAY, APRIL 1, 2015**

Senate Chamber

President Little called the Senate to order at 9 a.m.

Roll call showed all members present except Senators McKenzie and Mortimer, absent and formally excused by the Chair; and Senators Lodge, Schmidt, and Thayn, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Savannah Martin, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 31, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senator Thayn was recorded present at this order of business.

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

### Reports of Standing Committees

April 1, 2015

The JUDICIARY AND RULES Committee reports that [S 1159](#), [S 1165](#), [S 1071](#), as amended, [S 1041](#), as amended, [S 1136](#), [S 1062](#), as amended, as amended, [S 1066](#), [S 1113](#), and [S 1047](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1159](#), [S 1165](#), [S 1071](#), as amended, [S 1041](#), as amended, [S 1136](#), [S 1062](#), as amended, as amended, [S 1066](#), [S 1113](#), and [S 1047](#) and ordered them transmitted to the House for the signature of the Speaker.

Senator Lodge was recorded present at this order of business.

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

### Motions and Resolutions

On request by Senator Siddoway, granted by unanimous consent, [SJM 102](#) was referred to the State Affairs Committee.

The President announced that [SJM 103](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Siddoway, seconded by Senator Stennett, [SJM 103](#) was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

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

### Second Reading of Bills

[S 1178](#), [S 1179](#), and [S 1180](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 316](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 309](#), [H 313](#), and [H 314](#), by Education Committee, were read the second time at length and filed for third reading.

[S 1183](#), [S 1184](#), [S 1185](#), [S 1186](#), [S 1187](#), [S 1188](#), [S 1189](#), [S 1190](#), and [S 1191](#), by Finance Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, [H 257](#), as amended in the Senate, was recommitted to the Local Government and Taxation Committee.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1178](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—McKenzie, Mortimer, Schmidt. Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1178](#) was before the Senate for final consideration.

[S 1178](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Cameron, Davis, Den Hartog, Hagedorn, Heider, Hill, Keough, Lakey, Lodge, Nonini, Nuxoll, Patrick, Rice, Souza, Thayn, Tippets, Vick, Winder. Total - 21.

NAYS—Buckner-Webb, Burgoyne, Guthrie, Johnson, Jordan, Lacey, Lee, Martin, Siddoway, Stennett, Ward-Engelking. Total - 11.

Absent and excused—McKenzie, Mortimer, Schmidt. Total - 3.

Total - 35.

Whereupon the President declared [S 1178](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1179](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—McKenzie, Mortimer, Schmidt. Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1179](#) was before the Senate for final consideration.

[S 1179](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate.

On request by Senator Davis, granted by unanimous consent, [S 1179](#) retained its place on the Third Reading Calendar for one legislative day.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1180](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—McKenzie, Mortimer. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1180](#) was before the Senate for final consideration.

[S 1180](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—McKenzie, Mortimer. Total - 2.

Total - 35.

Whereupon the President declared [S 1180](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 316](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—McKenzie, Mortimer. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 316](#) was before the Senate for final consideration.

[H 316](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—McKenzie, Mortimer. Total - 2.

Total - 35.

Whereupon the President declared [H 316](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 309](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—McKenzie, Mortimer. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 309](#) was before the Senate for final consideration.

[H 309](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate.

On request by Senator Thayn, granted by unanimous consent, [H 309](#) retained its place on the Third Reading Calendar.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 313](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Thayn. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 313](#) was before the Senate for final consideration.

[H 313](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Ward-Engelking, Winder. Total - 29.

NAYS—Bayer, Den Hartog, Martin, Nonini, Nuxoll, Vick. Total - 6.

Total - 35.

Whereupon the President declared [H 313](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 314](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 314](#) was before the Senate for final consideration.

[H 314](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 314](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1183](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1183](#) was before the Senate for final consideration.

[S 1183](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1183](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1184](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1184](#) was before the Senate for final consideration.

[S 1184](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1184](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1185](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1185](#) was before the Senate for final consideration.

[S 1185](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Cameron and Nonini disclosed possible conflicts of interest under applicable law.

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1185](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1186](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1186](#) was before the Senate for final consideration.

[S 1186](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1186](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1187](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1187](#) was before the Senate for final consideration.

[S 1187](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1187](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1188](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1188](#) was before the Senate for final consideration.

[S 1188](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1188](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1189](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1189](#) was before the Senate for final consideration.

[S 1189](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1189](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1190](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1190](#) was before the Senate for final consideration.

[S 1190](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Ward-Engelking, Winder. Total - 32.

NAYS—Den Hartog, Nuxoll, Vick. Total - 3.

Total - 35.

Whereupon the President declared [S 1190](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1191](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1191](#) was before the Senate for final consideration.

[S 1191](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1191](#) passed, title was approved, and the bill ordered transmitted to the House.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:35 a.m. until the hour of 10 a.m., Thursday, April 2, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary



# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

---

**EIGHTY-FIRST LEGISLATIVE DAY**  
**THURSDAY, APRIL 2, 2015**

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Brackett, Davis, and Lodge, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Samantha Mooney, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 1, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

Senator Brackett was recorded present at this order of business.

April 1, 2015

The RESOURCES AND ENVIRONMENT Committee reports out [HJM 11](#) with the recommendation that it do pass.

BAIR, Chairman

[HJM 11](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

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

### Messages from the House

April 1, 2015

Dear Mr. President:

I transmit herewith [HJM 12](#), which has passed the House.

ALEXANDER, Chief Clerk

[HJM 12](#) was filed for first reading.

April 1, 2015

Dear Mr. President:

I return herewith [S 1098](#), as amended in the House, which has passed the House.

ALEXANDER, Chief Clerk

On request by Senator Vick, granted by unanimous consent, [S 1098](#), as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

April 1, 2015

Dear Mr. President:

I return herewith [S 1171](#), [S 1172](#), [S 1175](#), [S 1176](#), [S 1152](#), [S 1154](#), as amended, [S 1170](#), [S 1169](#), [SCR 103](#), [SCR 117](#), [SCR 118](#), [SCR 121](#), and [SCR 119](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1171](#), [S 1172](#), [S 1175](#), [S 1176](#), [S 1152](#), [S 1154](#), as amended, [S 1170](#), [S 1169](#), [SCR 103](#), [SCR 117](#), [SCR 118](#), [SCR 121](#), and [SCR 119](#) were referred to the Judiciary and Rules Committee for enrolling.

April 1, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 94](#), as amended in the Senate, and [H 170](#), as amended in the Senate, for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 94](#), as amended in the Senate, and [H 170](#), as amended in the Senate, and ordered them returned to the House.

April 1, 2015

Dear Mr. President:

I return herewith Enrolled [S 1104](#), as amended in the House, [S 1073](#), as amended in the House, and [S 1069](#), as amended, as amended, as amended in the House, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1104](#), as amended in the House, [S 1073](#), as amended in the House, and [S 1069](#), as amended, as amended, as amended in the House, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Senator Davis was recorded present at this order of business.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, [HJM 3](#) was recommitted to the State Affairs Committee.

The President announced that the House amendments to [S 1098](#), as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to [S 1098](#), as amended in the House?"

On request by Senator Vick, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1098](#), as amended in the House.

[S 1098](#), as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1192  
BY FINANCE COMMITTEE  
AN ACT**

REDUCING THE APPROPRIATION TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2015; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2015; APPROPRIATING MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING AN APPROPRIATION AND TRANSFER OF MONEYS TO THE WORKFORCE DEVELOPMENT TRAINING FUND; PROVIDING LEGISLATIVE INTENT FOR LOCAL DEPARTMENT OF LABOR OFFICES; PROVIDING LEGISLATIVE INTENT ON ACTIVITIES OF THE WORKFORCE DEVELOPMENT TRAINING FUND; AND DECLARING AN EMERGENCY.

[S 1192](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HJM 12](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

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

**Third Reading of Bills**

On request by Senator Cameron, granted by unanimous consent, [S 1173](#) was recommitted to the Finance Committee.

On request by Senator Cameron, granted by unanimous consent, [S 1179](#) was recommitted to the Finance Committee.

On request by Senator Mortimer, granted by unanimous consent, [H 309](#) was referred to the Fourteenth Order of Business, General Calendar.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 10:30 a.m. until the hour of 1:30 p.m., Monday, April 6, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**EIGHTY-FIFTH LEGISLATIVE DAY  
MONDAY, APRIL 6, 2015**

Senate Chamber

President Little called the Senate to order at 1:30 p.m.

Roll call showed all members present except Senator McKenzie, absent and formally excused by the Chair; and Senators Buckner-Webb, and Nonini, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Joshua Price, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 2, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senators Nonini, Buckner-Webb, and McKenzie were recorded present at this order of business.

The Senate advanced to the Fourth Order of Business.

### Reading of Communications

April 6, 2015

The Honorable Brad Little  
President  
Idaho State Senate

Dear President Little:

This communication reflects that Senate Bill 1011 was returned to my office at 8:52 am on April 6, 2015. To the best of my knowledge no earlier return was attempted to my office, nor was I asked to receive such a return at any earlier time. The return of S 1011 being due at 4:54 pm on April 4, 2015 and such deadline having passed, the provisions of Article IV, §10 of the Idaho Constitution and Idaho Code §67-504 and 505 appear to apply.

Sincerely,  
/s/ Brent Hill  
President Pro Tempore

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

April 6, 2015

The Honorable Brad Little  
President  
Idaho State Senate

Dear Mr. President:

This communication reflects that S 1011 was not returned to my office by 4:54 p.m. on April 4, 2015 in my capacity as the Secretary of the Senate. Other correspondence of legislation were slipped under my door and returned in accordance with Article IV, §10 and Idaho Code §§67-504 & 505. Correspondence of legislation is routinely returned to me in this fashion. To the best of my knowledge no earlier return was attempted to my office, nor was I asked to receive such a return at any earlier time.

Sincerely,  
/s/ Jennifer L. Novak  
Secretary of the Senate

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

April 6, 2015

The Honorable Brad Little  
President  
Idaho State Senate

Dear President Little:

This communication reflects that Senate Bill 1011 was returned to the Senate Pro Tem's office at 8:52 am on April 6, 2015. To the best of my knowledge no earlier return was attempted or effectuated to the Senate, nor was anyone asked to receive such a return at any earlier time. The return of S1011, being due at 4:54 pm on April 4, 2015, and such deadline having passed, S1011 is law pursuant to the provisions of Article IV, Section 10 of the Idaho Constitution and Idaho Code Sections 67-504 and 67-505.

Sincerely,  
/s/ Michelle Stennett  
Senate Minority Leader

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

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

### Reports of Standing Committees

April 6, 2015

The JUDICIARY AND RULES Committee reports that [S 1192](#) has been correctly printed.

LODGE, Chairman

[S 1192](#) was referred to the Finance Committee.

April 2, 2015

April 3, 2015

The JUDICIARY AND RULES Committee reports that [S 1098](#), as amended in the House, has been correctly engrossed.

LODGE, Chairman

[S 1098](#), as amended in the House, was filed for first reading.

April 2, 2015

The JUDICIARY AND RULES Committee reports that [S 1171](#), [S 1172](#), [S 1175](#), [S 1176](#), [S 1152](#), [S 1154](#), as amended, [S 1170](#), [S 1169](#), [SCR 103](#), [SCR 117](#), [SCR 118](#), [SCR 121](#), and [SCR 119](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1171](#), [S 1172](#), [S 1175](#), [S 1176](#), [S 1152](#), [S 1154](#), as amended, [S 1170](#), [S 1169](#), [SCR 103](#), [SCR 117](#), [SCR 118](#), [SCR 121](#), and [SCR 119](#) and ordered them transmitted to the House for the signature of the Speaker.

April 2, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [S 1104](#), as amended in the House, [S 1073](#), as amended in the House, and [S 1069](#), as amended, as amended, as amended in the House, were delivered to the Office of the Governor at 10:35 a.m., April 2, 2015.

LODGE, Chairman

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

April 2, 2015

The TRANSPORTATION Committee reports out [H 312](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, [H 312](#) was referred to the Fourteenth Order of Business, General Calendar.

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

#### Messages from the Governor

April 2, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

#### [S 1076](#)

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

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

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1025](#), [S 1030](#), [S 1040](#), as amended, [S 1053](#), as amended, [S 1056](#), as amended, [S 1072](#), as amended, [S 1088](#), as amended in the House, [S 1091](#), [S 1109](#), [S 1120](#), [S 1121](#), [S 1148](#), [S 1149](#), [S 1150](#), [S 1151](#), [S 1157](#), [S 1158](#), [S 1160](#), [S 1161](#), [S 1162](#), [S 1163](#), [S 1164](#), and [S 1166](#)

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

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

April 3, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I hereby advise you that I have returned without my approval, disapproved and vetoed, the following Senate Bill, to wit:

#### [S 1011](#)

within the time limited by law, the same having arrived in the Office of the Governor at the hour of 4:54 p.m. on March 30, 2015.

When the Legislature legalized pari-mutuel betting on historical horse races during its 2013 session, it was my hope that it would serve as a supplement, a shot in the arm for a struggling industry. I neither expected nor desired it to supplant live horse racing in Idaho, and it is my firm intention to limit and restrict this type of gambling in Idaho to race tracks.

Unfortunately, a beleaguered industry eager to get back on its feet financially expanded historical horse racing too quickly and without adequate safeguards to withstand inevitable scrutiny and criticism - not out of any enmity against a beloved Idaho tradition, but rather against the insidious specter of gambling's expansion unchecked in Idaho communities.

However, I do not believe it is too late to fulfill the promise of 2013 and refocus our attention on limiting and more effectively regulating rather than eliminating historical horse racing. In my view, a precious part of Idaho's western culture is at stake.

There are some actions that can be taken, even in the waning days of this legislative session, to salvage something for the many Idahoans whose livelihoods and lifestyles are tied to traditional horse racing. For instance, legislators still could act quickly to restrict historical horse racing to existing tracks as was envisioned in 2013. I also would welcome creation of a Gaming Commission to help fulfill the Legislature's constitutional responsibility to oversee pari-mutuel racing.

Meanwhile, I have directed the Racing Commission to issue a moratorium on licensing new facilities to conduct historical horse racing or introducing additional historical horse racing terminals (see attached letter) until a Gaming Commission has been created and established operating rules that are sensitive to both community and industry concerns.

In the interim, the Racing Commission must more carefully and stringently regulate historical racing operations to ensure their consistency with legislative intent. Indeed, the Commission has opportunity this very day to ensure that legislative intent is recognized in its reconsideration of an off-track facility's proposed operation in Idaho Falls.

And in an effort to establish definitively what so far has been the subject of opinion and speculation, I would ask the Legislature to join with me in appointing a special outside investigator as soon as possible to assess the legality of machines used at every facility that now conducts historical racing.

In vetoing this bill, what I'm seeking is an alternative capable of restoring public confidence in horse racing as a legitimate and even ennobling industry that is tied directly and irrevocably to race tracks, to stalls and starting gates, to paddocks and jockeys, and to people who love the sport.

I would also welcome working with the Legislature toward a more comprehensive and holistic review of the laws and policies governing all gaming in Idaho. Through that process, it is my hope that stakeholders and interested citizens will come together in a spirit of broader agreement on the proper limits to gambling in our state.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

The question being, "Shall [S 1011](#) become law, the Governor's veto notwithstanding?"

Roll call resulted as follows:

AYES—Bair, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Heider, Hill, Jordan, Lacey, Lakey, Martin, McKenzie, Mortimer, Schmidt, Siddoway, Stennett, Thayne, Tippetts. Total - 19.

NAYS—Bayer, Brackett, Guthrie, Hagedorn, Johnson, Keough, Lee, Lodge, Nonini, Nuxoll, Patrick, Rice, Souza, Vick, Ward-Engelking, Winder. Total - 16.

Total - 35.

Less than two-thirds having voted in the affirmative, the President declared that [S 1011](#) has failed to become law, the Governor's veto sustained. [S 1011](#) and the Governor's message will be filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

#### Messages from the House

April 2, 2015

Dear Mr. President:

I transmit herewith [H 320](#), [H 321](#), and [H 319](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 320](#), [H 321](#), and [H 319](#) were filed for first reading.

April 2, 2015

Dear Mr. President:

I return herewith [SCR 112](#), [S 1168](#), [S 1155](#), and [S 1177](#), which have passed the House.

ALEXANDER, Chief Clerk

[SCR 112](#), [S 1168](#), [S 1155](#), and [S 1177](#) were referred to the Judiciary and Rules Committee for enrolling.

April 2, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 291](#), [H 298](#), [H 300](#), [H 301](#), [H 302](#), [H 308](#), [HCR 8](#), [HCR 24](#), [HJM 9](#), and [HJM 10](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 291](#), [H 298](#), [H 300](#), [H 301](#), [H 302](#), [H 308](#), [HCR 8](#), [HCR 24](#), [HJM 9](#), and [HJM 10](#) and ordered them returned to the House.

April 2, 2015

Dear Mr. President:

I return herewith Enrolled [S 1159](#), [S 1165](#), [S 1071](#), as amended, [S 1041](#), as amended, [S 1136](#), [S 1062](#), as amended, as amended, [S 1066](#), [S 1113](#), and [S 1047](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1159](#), [S 1165](#), [S 1071](#), as amended, [S 1041](#), as amended, [S 1136](#), [S 1062](#), as amended, as amended, [S 1066](#), [S 1113](#), and [S 1047](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

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

#### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[S 1098](#), as amended in the House, by Resources and Environment Committee, was read the first time at length and filed for second reading.

[H 320](#) and [H 321](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 319](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

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

#### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:35 p.m. until the hour of 10:30 a.m., Tuesday, April 7, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**EIGHTY-SIXTH LEGISLATIVE DAY**  
**TUESDAY, APRIL 7, 2015**

Senate Chamber

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

Roll call showed all members present except Senator Brackett, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Nolan Cole, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 6, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senator Brackett was recorded present at this order of business.

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

### Reports of Standing Committees

April 6, 2015

The JUDICIARY AND RULES Committee reports that [SCR 112](#), [S 1168](#), [S 1155](#), and [S 1177](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [SCR 112](#), [S 1168](#), [S 1155](#), and [S 1177](#) and ordered them transmitted to the House for the signature of the Speaker.

April 7, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [S 1159](#), [S 1165](#), [S 1071](#), as amended, [S 1041](#), as amended, [S 1136](#), [S 1062](#), as amended, as amended, [S 1066](#), [S 1113](#), and [S 1047](#) were delivered to the Office of the Governor at 8:30 a.m., April 7, 2015.

LODGE, Chairman

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

April 7, 2015

The FINANCE Committee reports out [H 320](#), [H 321](#), and [S 1192](#) with the recommendation that they do pass.

CAMERON, Chairman

[H 320](#), [H 321](#), and [S 1192](#) were filed for second reading.

April 7, 2015

The STATE AFFAIRS Committee reports out [H 319](#) and [HJM 12](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[H 319](#) was filed for second reading.

[HJM 12](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

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

### Messages from the Governor

April 6, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1069](#), as amended, as amended, as amended in the House, [S 1073](#), as amended in the House, and [S 1104](#), as amended in the House

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

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

The Senate advanced to the Ninth Order of Business.

### Messages from the House

April 6, 2015

Dear Mr. President:

I transmit herewith [HCR 25](#), which has passed the House.

ALEXANDER, Chief Clerk

[HCR 25](#) was filed for first reading.

April 6, 2015

Dear Mr. President:

I return herewith [S 1146](#), as amended, [SCR 127](#), [SCR 128](#), [SCR 129](#), [S 1178](#), [S 1183](#), [S 1184](#), [S 1185](#), [S 1186](#), [S 1187](#), [S 1188](#), [S 1189](#), and [S 1190](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1146](#), as amended, [SCR 127](#), [SCR 128](#), [SCR 129](#), [S 1178](#), [S 1183](#), [S 1184](#), [S 1185](#), [S 1186](#), [S 1187](#), [S 1188](#), [S 1189](#), and [S 1190](#) were referred to the Judiciary and Rules Committee for enrolling.

April 6, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 313](#), [H 314](#), and [H 316](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 313](#), [H 314](#), and [H 316](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

The President announced that [HJM 11](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Johnson, seconded by Senator Lacey, [HJM 11](#) was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

#### S 1193

#### BY STATE AFFAIRS COMMITTEE

#### AN ACT

RELATING TO HEALTH CARE; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 35, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-3559, IDAHO CODE, TO ESTABLISH A COMMUNITY PRIMARY CARE PILOT PROGRAM WITHIN THE CATASTROPHIC HEALTH CARE COST PROGRAM; AND PROVIDING A SUNSET DATE.

[S 1193](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HCR 25](#), by State Affairs Committee, was introduced, read at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

[S 1098](#), as amended in the House, by Resources and Environment Committee, was read the second time at length and filed for third reading.

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

### General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

### Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out [H 309](#), without recommendation, amended as follows:

#### SENATE AMENDMENT TO H 309

#### AMENDMENT TO SECTION 1

On page 2 of the printed bill, following line 33, insert:

"(6) If money has been withdrawn from the public charter school debt reserve fund for a public charter school pursuant to subsection (5) of this section, then the superintendent of public instruction shall redirect the money from such public charter school's allocation of facilities funds pursuant to section 33-5208(5), Idaho Code. Any money redirected shall be according to a determined time and sequence of payments, over a period of years until the amount so withdrawn has been repaid to the fund so long as the redirection does not cause an event of default under the agreement(s) governing the public charter school's obligation for which the debt reserve was made available, excepting that any money withdrawn during any fiscal year shall be repaid within ten (10) years."

#### CORRECTION TO THE TITLE

On page 1, in line 9, following "DEBT" insert: ", TO PROVIDE FOR REPAYMENT OF MONEY WITHDRAWN FROM THE PUBLIC CHARTER SCHOOL DEBT RESERVE FUND,".

The Committee also has [H 312](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

[H 309](#), as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

### Third Reading of Bills

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [S 1098](#), as amended in the House, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1098](#), as amended in the House, was before the Senate for final consideration.

[S 1098](#), as amended in the House, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

April 7, 2015

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1098](#), as amended in the House, passed, title was approved, and the bill was referred to the Judiciary and Rules Committee for enrolling.

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

#### Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 11:20 a.m. until the hour of 2:30 p.m. of this day.

#### RECESS AFTERNOON SESSION

The Senate reconvened at 2:30 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senator Winder, absent and excused.

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

The Senate advanced to the Sixth Order of Business.

#### Reports of Standing Committees

April 7, 2015

The JUDICIARY AND RULES Committee reports that [S 1193](#) has been correctly printed.

LODGE, Chairman

[S 1193](#) was referred to the Health and Welfare Committee.

April 7, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 309](#) have been correctly printed.

LODGE, Chairman

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

April 7, 2015

The JUDICIARY AND RULES Committee reports that [S 1146](#), as amended, [SCR 127](#), [SCR 128](#), [SCR 129](#), [S 1178](#), [S 1183](#), [S 1184](#), [S 1185](#), [S 1186](#), [S 1187](#), [S 1188](#), [S 1189](#), [S 1190](#), and [S 1098](#), as amended in the House, have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1146](#), as amended, [SCR 127](#), [SCR 128](#), [SCR 129](#), [S 1178](#), [S 1183](#), [S 1184](#), [S 1185](#), [S 1186](#), [S 1187](#), [S 1188](#), [S 1189](#), [S 1190](#), and [S 1098](#), as amended in the House, and ordered them transmitted to the House for the signature of the Speaker.

The STATE AFFAIRS Committee reports out [H 318](#) and [HCR 23](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[H 318](#) was filed for second reading.

[HCR 23](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

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

#### Messages from the House

April 7, 2015

Dear Mr. President:

I transmit herewith [H 323](#) and [H 324](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 323](#) and [H 324](#) were filed for first reading.

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

#### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 309](#), as amended in the Senate, by Education Committee, was read the first time at length and filed for second reading.

[H 323](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 324](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

#### Second Reading of Bills

Senator Winder was recorded present at this order of business.

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

#### General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

#### Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out [H 312](#), without recommendation, amended as follows:



**SENATE AMENDMENT TO H 312****AMENDMENT TO SECTION 1**

On page 1 of the printed bill, delete lines 16 through 20, and insert:

Vehicles one (1) and two (2) years old .....	\$4873.00
Vehicles three (3) and four (4) years old .....	\$3661.00
Vehicles five (5) and six (6) years old .....	\$3661.00
Vehicles seven (7) and eight (8) years old .....	\$2449.00
Vehicles over eight (8) years old .....	\$2449.00".

On page 2, in line 6, delete "fifteen" and insert: "nineteen"; and also in line 6, delete "\$915.00" and insert: "\$919.00".

**AMENDMENT TO SECTION 2**

On page 4, in line 19, delete "fifteen dollars (\$15.00)." and insert: "twenty-five dollars (\$25.00)."; and on page 8, in line 2, delete "fifteen dollars (\$15.00)." and insert: "twenty-five dollars (\$25.00).".

**AMENDMENT TO SECTION 3**

On page 9, in line 10, delete "one hundred fifty dollars (\$150)" and insert: "one hundred forty dollars (\$140)"; in line 13, delete "one hundred dollars (\$100)" and insert: "seventy-five dollars (\$75.00)"; and following line 18, insert:

"(4) For purposes of this chapter, "electric vehicle" means a vehicle powered only by a form of electricity and "hybrid vehicle" means a motor vehicle with a hybrid propulsion system that operates on both an alternative fuel, including electricity, and traditional fuel."

**AMENDMENT TO THE BILL**

On page 9, following line 18, insert:

"SECTION 4. That Section 63-2402, Idaho Code, be, and the same is hereby amended to read as follows:

**63-2402. IMPOSITION OF TAX UPON MOTOR FUEL.**

(1) A tax is hereby imposed upon the distributor who receives motor fuel in this state. The legal incidence of the tax imposed under this section is borne by the distributor. The tax becomes due and payable upon receipt of the motor fuel in this state by the distributor unless such tax liability has previously accrued to another distributor pursuant to this section. The tax shall be imposed without regard to whether use is on a governmental basis or otherwise, unless exempted by this chapter.

(2) On and after July 1, 2015, the tax imposed in this section shall be at the rate of ~~twenty-five~~ twenty-nine cents (~~25~~29¢) per gallon of motor fuel received. This tax shall be subject to the exemptions, deductions and refunds set forth in this chapter.

(3) On and after July 1, 2017, the tax imposed in this section shall be at the rate of thirty-three cents (33¢) per gallon of motor fuel received. This tax shall be subject to the exemptions, deductions and refunds set forth in this chapter.

(4) On and after July 1, 2019, the tax imposed in this section shall be at the rate of thirty-five cents (35¢) per gallon of motor fuel received. This tax shall be subject to the exemptions, deductions and refunds set forth in this chapter.

(5) Nothing in this chapter shall prohibit the distributor who is liable for payment of the tax imposed under subsection (1) of this section from including as part of the selling price an amount equal to such tax on motor fuels sold or delivered by such distributor; provided however, that nothing in this chapter shall be deemed to impose tax liability on any person to whom such fuel is sold or delivered except as provided in subsection (68) of this section.

(46) Any person coming into this state in a motor vehicle may transport in the manufacturer's original tank of that vehicle, for his own use only, not more than thirty (30) gallons of motor fuel for the purpose of operating that motor vehicle, without complying with the provisions of this chapter.

(57) The tax imposed in this section does not apply to:

(a) Special fuels that have been dyed at a refinery or terminal under the provisions of 26 U.S.C. section 4082 and regulations adopted thereunder, or under the clean air act and regulations adopted thereunder except as provided in section 63-2425, Idaho Code; or

(b) Special fuel dispensed into a motor vehicle which uses gaseous special fuels and which displays a valid gaseous special fuels permit under section 63-2424, Idaho Code; or

(c) Special fuels that are gaseous special fuels, as defined in section 63-2401, Idaho Code, except that part thereof that is delivered into the fuel supply tank or tanks of a motor vehicle; or

(d) Aircraft engine fuel subject to tax under section 63-2408, Idaho Code.

(68) Should the distributor of first receipt be exempt from imposition of the tax as a matter of federal law, by virtue of its status as a ~~federally-recognized~~ federally recognized Indian tribe or member of such tribe, such distributor shall not bear the tax's legal incidence and must pass the tax through as part of the selling price of the fuel. Such distributor shall retain the administrative obligation to remit the tax, and such obligation shall accrue upon receipt in accordance with subsection (1) of this section. Should a retailer otherwise subject to the tax be exempt from imposition of the tax as a matter of federal law, by virtue of its status as a ~~federally-recognized~~ federally recognized Indian tribe or member of such tribe, the retailer shall not bear the tax's legal incidence and must pass the tax through as part of the selling price of the fuel to the consumer, unless such consumer is exempt from imposition of the tax as a matter of federal law, by virtue of its status as a ~~federally-recognized~~ federally recognized Indian tribe or membership in such tribe, and the retailer shall be entitled to claim a credit against taxes otherwise due and owing under this chapter or a tax refund, together with interest, attributable to the fuel purchased by such consumer.

SECTION 5. That Section 63-2424, Idaho Code, as amended by Section 2, Chapter 175, Laws of 2015, be, and the same is hereby amended to read as follows:

**63-2424. GASEOUS SPECIAL FUELS.** (1) In the case of gaseous special fuels, the commission shall provide by rule the method to be used for converting the measurement of the fuel to the equivalent of gallons for the purpose of applying tax rates. The method provided shall cause the tax rate provided in section 63-2402, Idaho Code, to apply to an amount of gaseous special fuels having energy equal to one (1) gallon of gasoline.

(2) The commission shall use the following measurement for natural gas:

(a) When determining the tax on liquefied natural gas, a "diesel gallon equivalent" is a quantity that weighs six and six hundredths (6.06) pounds; and

(b) When determining the tax on compressed natural gas, a "gasoline gallon equivalent" is one hundred twenty-six and sixty-seven hundredths (126.67) cubic feet of natural gas at sixty (60) degrees Fahrenheit and fourteen and seven-tenths (14.7) pounds per square inch absolute or a quantity of compressed natural gas that weighs five and sixty-six hundredths (5.66) pounds.

(3) (a) For the period starting July 1, 2015, and ending June 30, 2016, the tax rate applied to gaseous special fuels shall be one-third (1/3) of the equivalent amount as provided in this section.

(b) For the period starting July 1, 2016, and ending June 30, 2017, the tax rate applied to gaseous special fuels shall be two-thirds (2/3) of the equivalent amount as provided in this section.

(4) As used in this chapter, "gaseous special fuels" means a motor fuel that is a gas at standard pressure and temperature (i.e., at sixty (60) degrees Fahrenheit and fourteen and seven-tenths (14.7) pounds per square inch absolute).

SECTION 6. LEGISLATIVE INTENT. It is the intent of the Legislature that on or before January 1, 2021, there shall be imposed on all commercial vehicles, irrespective of body type, and on all farm vehicles having a maximum gross weight in excess of sixty thousand (60,000) pounds, an annual registration fee and in addition thereto, an operating fee by weight class based on the total miles the owner operated such vehicle on roads and highways in the state, county, city and highway district systems in Idaho during each quarter of the calendar year.

SECTION 7. LEGISLATIVE INTENT. It is the intent of the Legislature that all additional funds collected under the provisions of this act, remitted to the Idaho Transportation Department or entities subject to the distribution provisions of Section 40-709, Idaho Code, shall be used exclusively for road and bridge maintenance and replacement projects both at the state and local level.

SECTION 8. LEGISLATIVE INTENT. It is the intent of the Legislature that the Idaho Transportation Department, and all local units of government receiving funds collected under the provisions of this act, shall prepare an annual report and deliver the same to the Senate Transportation Committee and the House Transportation and Defense Committee on or before the first day of each legislative session. Local units of government shall submit report information to the Local Highway Technical Assistance Council, which shall compile the reporting information into one report for submission. The reports shall include a full accounting of the additional funds collected under the provisions of this act and how such funds were expended. Such report shall also include an updated assessment of the ongoing maintenance funding needs.

SECTION 9. LEGISLATIVE INTENT. It is the intent of the Legislature that the Idaho State Police and the State Tax Commission shall, no later than the first day of the 2016 legislative session, provide recommendations to the Senate Transportation Committee and the House Transportation and Defense Committee on greater enforcement of the prohibition of dyed fuel and other untaxed fuel use on Idaho roads and highways.

SECTION 10. LEGISLATIVE INTENT. This legislation is intended to be an interconnected solution to raise revenue for Idaho's transportation infrastructure and maintenance."

#### CORRECTION TO TITLE

On page 1, in line 4, delete "AND"; in line 6, delete "VEHICLES AND" and insert: "VEHICLES,"; and in line 7, following "FEES" insert: ", AND TO DEFINE TERMS; AMENDING SECTION 63-2402, IDAHO CODE, TO REVISE THE TAX IMPOSED ON MOTOR FUEL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION

63-2424, IDAHO CODE, AS AMENDED BY SECTION 2, CHAPTER 175, LAWS OF 2015, TO REVISE PROVISIONS RELATING TO THE TAX RATE APPLIED TO GASEOUS SPECIAL FUELS; AND TO PROVIDE LEGISLATIVE INTENT".

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

**H 312**, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

#### Second Reading of Bills

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 309**, as amended in the Senate, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 309**, as amended in the Senate, was before the Senate for final consideration.

**H 309**, as amended in the Senate, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 309**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **S 1192** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1192](#) was before the Senate for final consideration.

[S 1192](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Lacey, Schmidt, Stennett. Total - 3.

Total - 35.

Whereupon the President declared [S 1192](#) passed, title was approved, and the bill ordered transmitted to the House.

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

#### Reports of Standing Committees

April 7, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 312](#) have been correctly printed.

LODGE, Chairman

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

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

#### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 312](#), as amended in the Senate, by Ways and Means Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

#### Second Reading of Bills

Senator Stennett made a unanimous consent request to refer [H 312](#), as amended in the Senate, to the Transportation Committee. Senator Davis objected.

Moved by Senator Burgoyne, seconded by Senator Stennett, that [H 312](#), as amended in the Senate, be referred to the Transportation Committee. The question being, "Shall the motion prevail?"

Roll call resulted as follows:

AYES—Buckner-Webb, Burgoyne, Jordan, Lacey, Schmidt, Stennett, Ward-Engelking. Total - 7.

NAYS—Bair, Bayer, Brackett, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Tippetts, Vick, Winder. Total - 27.

Absent and excused—Thayn. Total - 1.

Total - 35.

Whereupon the President declared that the motion to refer [H 312](#), as amended in the Senate, to the Transportation Committee did not prevail.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 320](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Tippetts, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—None.

Absent and excused—Brackett, Mortimer, Nonini, Thayn. Total - 4.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 320](#) was before the Senate for final consideration.

[H 320](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Tippetts, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—None.

Absent and excused—Brackett, Mortimer, Nonini, Thayn. Total - 4.

Total - 35.

Whereupon the President declared [H 320](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 319](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Tippetts, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—None.

Absent and excused—Brackett, Mortimer, Nonini, Thayn. Total - 4.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 319](#) was before the Senate for final consideration.

**H 319** was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Tippetts, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Brackett, Nonini, Thayn. Total - 3.

Total - 35.

Whereupon the President declared **H 319** passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by President Pro Tempore Hill, that all rules of the Senate interfering with the immediate consideration of **H 312**, as amended in the Senate, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Tippetts, Vick, Ward-Engelking, Winder. Total - 28.

NAYS—Buckner-Webb, Burgoyne, Jordan, Martin, Stennett. Total - 5.

Absent and excused—Nonini, Thayn. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 312**, as amended in the Senate, was before the Senate for final consideration.

**H 312**, as amended in the Senate, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Brackett, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Patrick, Rice, Schmidt, Thayn, Tippetts, Ward-Engelking, Winder. Total - 22.

NAYS—Bayer, Buckner-Webb, Burgoyne, Den Hartog, Jordan, Martin, Mortimer, Nonini, Nuxoll, Siddoway, Souza, Stennett, Vick. Total - 13.

Paired and voting included in roll call:

AYE - Thayn	NAY - Stennett
AYE - Ward-Engelking	NAY - Martin
AYE - Lacey	NAY - Jordan

Total - 35.

Whereupon the President declared **H 312**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

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

#### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 6:05 p.m. until the hour of 10:30 a.m., Wednesday, April 8, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**EIGHTY-SEVENTH LEGISLATIVE DAY  
WEDNESDAY, APRIL 8, 2015**

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Schmidt, absent and formally excused by the Chair.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Molly Ashby, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 7, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

April 8, 2015

The EDUCATION Committee reports out [H 323](#) with the recommendation that it do pass.

MORTIMER, Chairman

[H 323](#) was filed for second reading.

April 8, 2015

The TRANSPORTATION Committee reports out [H 310](#) with the recommendation that it do pass.

BRACKETT, Chairman

[H 310](#) was filed for second reading.

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

### Messages from the House

April 7, 2015

Dear Mr. President:

I return herewith [S 1182](#), which has passed the House.

ALEXANDER, Chief Clerk

[S 1182](#) was referred to the Judiciary and Rules Committee for enrolling.

April 7, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 152](#), as amended in the Senate, for the signature of the President.

ALEXANDER, Chief Clerk

The President Pro Tempore signed Enrolled [H 152](#), as amended in the Senate, and ordered it returned to the House.

April 7, 2015

Dear Mr. President:

I return herewith Enrolled [S 1171](#), [S 1172](#), [S 1175](#), [S 1176](#), [S 1152](#), [S 1154](#), as amended, [S 1170](#), and [S 1169](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1171](#), [S 1172](#), [S 1175](#), [S 1176](#), [S 1152](#), [S 1154](#), as amended, [S 1170](#), and [S 1169](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

April 7, 2015

Dear Mr. President:

I return herewith Enrolled [SCR 103](#), [SCR 117](#), [SCR 118](#), [SCR 121](#), and [SCR 119](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [SCR 103](#), [SCR 117](#), [SCR 118](#), [SCR 121](#), and [SCR 119](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

The President Pro Tempore announced that [HJM 12](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Davis, [HJM 12](#) was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The President Pro Tempore announced that [HCR 23](#) was before the Senate for final consideration.

Moved by Senator Lakey, seconded by Senator Burgoyne, that [HCR 23](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder.  
Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [HCR 23](#) adopted, title was approved, and the resolution ordered returned to the House.

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

### Second Reading of Bills

[H 321](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[H 318](#), by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

On request by Senator Rice, granted by unanimous consent, [H 95](#) was referred to the Fourteenth Order of Business, General Calendar.

[S 1174](#), having been held, having previously been read the third time at length and debate having previously been opened, was before the Senate for final consideration. Senator Keough arose as sponsor of the bill and reopened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder.  
Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1174](#) passed, title was approved, and the bill ordered transmitted to the House.

The Senate advanced to the Fourteenth Order of Business.

### General Calendar

The President Pro Tempore declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President Pro Tempore called the Senate to order.

### Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out [H 95](#), without recommendation, amended as follows:

#### SENATE AMENDMENT TO H 95 AMENDMENT TO THE BILL

On page 1 of the printed bill, following line 41, insert:

"SECTION 2. This act shall be in full force and effect on and after July 1, 2016, and shall apply to contracts entered into on and after July 1, 2016."

#### CORRECTION TO TITLE

On page 1, in line 5, following "TERMS" insert: "; PROVIDING AN EFFECTIVE DATE AND PROVIDING APPLICATION TO CERTAIN CONTRACTS".

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

[H 95](#), as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

### Reports of Standing Committees

April 8, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 95](#) have been correctly printed.

LODGE, Chairman

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

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

### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 95](#), as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

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

### Third Reading of Bills

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 321](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 321](#) was before the Senate for final consideration.

[H 321](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 321](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 318](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that [H 318](#) was before the Senate for final consideration.

[H 318](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Brackett, Buckner-Webb, Burgoyne, Guthrie, Hagedorn, Jordan, Keough, Lacey, Lakey, Lodge, McKenzie, Nonini, Nuxoll, Patrick, Souza, Stennett, Ward-Engelking, Winder. Total - 18.

NAYS—Bair, Bayer, Cameron, Davis, Den Hartog, Heider, Hill, Johnson, Lee, Martin, Mortimer, Rice, Siddoway, Thayn, Tippetts, Vick. Total - 16.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 318](#) passed, title was approved, and the bill ordered returned to the House.

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

### Second Reading of Bills

President Little assumed the Chair.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 95](#), as amended in the Senate, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 95](#), as amended in the Senate, was before the Senate for final consideration.

[H 95](#), as amended in the Senate, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Cameron, Davis, Den Hartog, Hagedorn, Heider, Hill, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippetts, Vick, Winder. Total - 25.

NAYS—Buckner-Webb, Burgoyne, Guthrie, Johnson, Jordan, Keough, Lacey, Stennett, Ward-Engelking. Total - 9.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [H 95](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

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

#### Reading of Communications

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:25 p.m. until the hour of 4 p.m. of this day.

#### RECESS AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present.

Prior to recess the Senate was at the Fourth Order of Business, Reading of Communications.

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

#### Reports of Standing Committees

April 8, 2015

The JUDICIARY AND RULES Committee reports that [S 1182](#) has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1182](#) and ordered it transmitted to the House for the signature of the Speaker.

April 8, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 103](#), [SCR 117](#), [SCR 118](#), [SCR 121](#), and [SCR 119](#) were delivered to the Office of the Secretary of State at 11:05 a.m., April 8, 2015.

LODGE, Chairman

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

April 8, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [S 1171](#), [S 1172](#), [S 1175](#), [S 1176](#), [S 1152](#), [S 1154](#), as amended, [S 1170](#), and [S 1169](#) were delivered to the Office of the Governor at 11:30 a.m., April 8, 2015.

LODGE, Chairman

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

The Senate advanced to the Ninth Order of Business.

#### Messages from the House

April 8, 2015

Dear Mr. President:

I transmit herewith [H 326](#) and [H 328](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 326](#) and [H 328](#) were filed for first reading.

April 8, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 319](#), [H 320](#), and [HJM 11](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 319](#), [H 320](#), and [HJM 11](#) and ordered them returned to the House.

April 8, 2015

Dear Mr. President:

I return herewith Enrolled [SCR 112](#), [SCR 127](#), [SCR 128](#), and [SCR 129](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [SCR 112](#), [SCR 127](#), [SCR 128](#), and [SCR 129](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

April 8, 2015

Dear Mr. President:

I return herewith Enrolled [S 1168](#), [S 1155](#), [S 1177](#), [S 1146](#), as amended, [S 1178](#), [S 1183](#), [S 1184](#), [S 1185](#), [S 1186](#), [S 1187](#), [S 1188](#), [S 1189](#), [S 1190](#), and [S 1098](#), as amended in the House, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1168](#), [S 1155](#), [S 1177](#), [S 1146](#), as amended, [S 1178](#), [S 1183](#), [S 1184](#), [S 1185](#), [S 1186](#), [S 1187](#), [S 1188](#), [S 1189](#), [S 1190](#), and [S 1098](#), as amended in the House, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

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

#### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 326](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 328](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

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

#### Petitions, Resolutions, and Memorials

##### SCR 130

#### BY JUDICIARY AND RULES COMMITTEE

A CONCURRENT RESOLUTION  
PROVIDING FOR PRINTING THE SESSION LAWS, FIXING THE PRICE FOR PRINTING THE SAME, AND THE PRICE WHICH THE PUBLIC SHALL BE CHARGED FOR COPIES OF THE SESSION LAWS.

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

WHEREAS, Section 67-904, Idaho Code, has made provisions for the printing of the Session Laws.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature,



the Senate and the House of Representatives concurring therein, in accordance with a written contract duly made and entered into by the President Pro Tempore of the Senate and the Speaker of the House of Representatives and the Senate Judiciary and Rules Committee and the House Judiciary, Rules and Administration Committee of the Legislature of the State of Idaho, hereinafter referred to as the Joint Printing Committee, that the contract for the printing of the Session Laws of the First Regular Session and any Extraordinary Sessions of the Sixty-third Idaho Legislature in accordance with the provisions of law and in accordance with the written contract between the Speaker of the House of Representatives and the President Pro Tempore of the Senate and the Joint Printing Committee as party of the first part, and THE CAXTON PRINTERS, LTD., Caldwell, Idaho, as party of the second part, be, and the same is hereby ratified and confirmed, and is incorporated herein and made a part of the resolution, in words and figures following, to wit:

#### PRINTING CONTRACT

THIS AGREEMENT, made and entered into the 8th day of April, 2015, by and between the President Pro Tempore of the Senate and the Speaker of the House of Representatives and the Joint Printing Committee, hereinafter referred to as party of the first part, and THE CAXTON PRINTERS, LTD., Caldwell, Idaho, hereinafter referred to as party of the second part:

#### WITNESSETH:

That pursuant to a resolution of said party of the first part and written quotation submitted to the said party of the first part by the party of the second part, a contract for legislative printing is hereby awarded to said THE CAXTON PRINTERS, LTD., as follows:

#### SESSION LAWS FIRST REGULAR SESSION AND ANY EXTRAORDINARY SESSIONS SIXTY-THIRD LEGISLATURE

As outlined in the April 6, 2015, quote of the party of the second part, the Session Laws will be printed and charged at a price per hard bound volume not to exceed forty-six dollars and sixty cents (\$46.60) based on incremental numbers of copies ordered, except that if the total number of pages exceeds the page count or quantity count or the quantity of copies ordered from the 2014 Session Laws, then such other appropriate incremental adjustment as approved by the parties thereto. The number of copies to be supplied under this contract shall be specified at the time of order. The party of the second part shall provide additional copies to be made available for sale to the general public, and based on the number of copies ordered by the party of the first part, the price to the general public shall not exceed fifty dollars (\$50.00) for single volumes and sixty-three dollars (\$63.00) per set of two volumes if a second volume is required. The Session Laws of any Extraordinary Session adjourned prior to June 1, 2015, shall be included in the Session Laws of the First Regular Session. No charge shall be made by the party of the second part for proofreading or blank pages.

IT IS AGREED between the parties hereto that all of said printing shall be done in the form and manner as submitted in the quote of the party of the second part dated April 6, 2015, in compliance with the statutes of the State of Idaho where not otherwise provided, such statutes shall be controlling.

IT IS FURTHER AGREED that said Session Laws shall be printed, delivered and be ready for distribution by the Secretary of State in conformity with the provisions of Section 67-904, Idaho Code, which section is hereby referred to and by such reference made a part of this contract as though set forth herein at length.

IN WITNESS WHEREOF, the party of the second part has caused these presents to be executed by its proper official, and

the party of the first part, by Concurrent Resolution, has caused these presents to be executed by its proper officials.

Party of the First Part

By /s/ Brent Hill  
BRENT HILL, President Pro Tempore

SENATE JUDICIARY AND RULES COMMITTEE

By /s/ Patti Anne Lodge  
PATTI ANNE LODGE, Chairman

By /s/ Scott Bedke  
SCOTT BEDKE, Speaker of the House

HOUSE JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

By /s/ Rich Wills  
RICH WILLS, Chairman

Party of the Second Part

THE CAXTON PRINTERS, LTD.

By /s/ Dave Gipson  
DAVE GIPSON, President

#### SCR 131

#### 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 BROADBAND ACCESS FOR THE STATE AND TO MAKE RECOMMENDATIONS.

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

WHEREAS, the Legislature of the State of Idaho agrees with the overarching vision of consistent private broadband services being available for use by the school districts in the State of Idaho; and

WHEREAS, coordination of a statewide network will help drive investment in fiber optic and other high-bandwidth transmission media in some communities; and

WHEREAS, a statewide network or set of standards for broadband functionality and interconnectivity enables the sharing of courses among school districts and equal access by students to concurrent enrollment offered by higher education; and

WHEREAS, the Legislature is concerned about the current inability to access E-Rate funds now paid by Idaho citizens to the Universal Service Fund and desires that school districts have the ability to access those funds; and

WHEREAS, the Legislature believes it is requisite to first determine the proper network architecture and oversight before attempting to access these E-Rate funds; and

WHEREAS, Idaho's local school districts appear to have been able to contract for public Internet access at drastically reduced costs in the short-term; and

WHEREAS, intent language in the current fiscal year appropriation for the Department of Administration requires an analysis and justification of the cost, benefits, and flexibility of a statewide contract, as compared to individual contracts issued by state agencies, for the purchase of broadband and related services for state agencies that may be applicable to education broadband services as well; and

WHEREAS, a thorough and complete study of our state broadband service should include a comprehensive review of best practices in the field.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of and make recommendations for broadband services and governance for the State of Idaho. The committee shall make recommendations regarding minimum Service Level Agreements (SLAs). The committee will consider opportunities for local districts to contract outside any statewide network with a service provider that can meet those SLAs with additional costs beyond those of participating in the statewide network, if any, to be borne by the local district. 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. The committee will determine whether there is a need for a professional facilitator to assist in the facilitation of discussions and/or the preparation of a request for proposals. If the committee determines a facilitator is needed, they will work with the Governor's office to determine who will bear the cost of the facilitator.

BE IT FURTHER RESOLVED that nonlegislative members of the committee may be appointed by the co-chairs 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 Second Regular Session of the Sixty-third Idaho Legislature.

[SCR 130](#) and [SCR 131](#) were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

#### Reports of Standing Committees

April 8, 2015

The JUDICIARY AND RULES Committee reports that [SCR 130](#) and [SCR 131](#) have been correctly printed.

LODGE, Chairman

[SCR 130](#) and [SCR 131](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

April 8, 2015

The STATE AFFAIRS Committee reports out [H 324](#) and [H 328](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[H 324](#) and [H 328](#) were filed for second reading.

April 8, 2015

The FINANCE Committee reports out [H 326](#) with the recommendation that it do pass.

CAMERON, Chairman

[H 326](#) was filed for second reading.

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

#### Messages from the House

April 8, 2015

Dear Mr. President:

I return herewith [S 1192](#) and [SCR 126](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1192](#) and [SCR 126](#) were referred to the Judiciary and Rules Committee for enrolling.

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

#### Second Reading of Bills

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 323](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Cameron, Hill. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 323](#) was before the Senate for final consideration.

[H 323](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Cameron, Hill. Total - 2.

Total - 35.

Whereupon the President declared [H 323](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 324](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Cameron, Hill. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 324](#) was before the Senate for final consideration.

[H 324](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Hagedorn, Heider, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 29.

NAYS—Guthrie, Johnson, Schmidt, Tippetts. Total - 4.

Absent and excused—Cameron, Hill. Total - 2.

Total - 35.

Whereupon the President declared [H 324](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 328](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Cameron, Hill. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 328](#) was before the Senate for final consideration.

[H 328](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Hagedorn, Hill, Stennett. Total - 3.

Total - 35.

Whereupon the President declared [H 328](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Bair, that all rules of the Senate interfering with the immediate consideration of [H 326](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Hagedorn, Hill, Stennett. Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 326](#) was before the Senate for final consideration.

[H 326](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Den Hartog, Martin. Total - 2.

Absent and excused—Hagedorn, Hill, Schmidt. Total - 3.

Total - 35.

Whereupon the President declared [H 326](#) passed, title was approved, and the bill ordered returned to the House.

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

### Motions and Resolutions

Moved by Senator Davis, seconded by Senator Buckner-Webb, that all rules of the Senate interfering with the immediate consideration of [SCR 130](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Hagedorn. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [SCR 130](#) was before the Senate for final consideration.

Moved by Senator Davis, seconded by Senator Burgoyne, that [SCR 130](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Hagedorn. Total - 1.

Total - 35.

Whereupon the President declared [SCR 130](#) adopted, title was approved, and the resolution ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [SCR 131](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Hagedorn. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [SCR 131](#) was before the Senate for final consideration.

Moved by Senator Lakey, seconded by Senator Burgoyne, that [SCR 131](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Hagedorn, Hill. Total - 2.

Total - 35.

Whereupon the President declared [SCR 131](#) adopted, title was approved, and the resolution ordered transmitted to the House.

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

### Messages from the House

April 8, 2015

Senator Brent Hill  
President Pro Tempore  
Idaho State Senate

Dear Senator Hill:

This letter serves as my request that you appoint three Senate members to a Conference Committee who will meet together with three House members which I will appoint, for the purpose of considering amendments to House Bill 312aaS.

The House appointees to the Conference Committee are Representative Joe Palmer, Representative John Vander Woude, and Representative Mat Erpelding.

If this is agreeable, we propose that the Conference Committee convene a meeting at 9:00 a.m. on Thursday, April 9, 2015, in Room WW17, and continue meeting until an agreement is reached.

Sincerely,  
/s/ Scott Bedke  
Speaker of the House

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

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

### Reading of Communications

April 8, 2015

The Honorable Brad Little  
President of the Senate  
Idaho State Senate

Dear Mr. President:

Pursuant to Joint Rule 10, and the request of the request of Speaker Bedke of the Idaho House of Representatives, I hereby appoint the following Senators to serve as the Senate's committee members to the conference committee on HB 312 aaS:

Senator Bert Brackett, Chair

Senator Dean Cameron

Senator Roy Lacey

Sincerely,  
/s/ Brent Hill  
President Pro Tempore

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

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Buckner-Webb, by voice vote, the Senate adjourned at 7 p.m. until the hour of 11 a.m., Thursday, April 9, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

---

**EIGHTY-EIGHTH LEGISLATIVE DAY**  
**THURSDAY, APRIL 9, 2015**

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senators Brackett, Cameron, and Lacey, absent and formally excused by the Chair; and Senator Bair, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Tim Bush, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 8, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Reports of Standing Committees

April 8, 2015

The JUDICIARY AND RULES Committee reports that [S 1192](#) and [SCR 126](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1192](#) and [SCR 126](#) and ordered them transmitted to the House for the signature of the Speaker.

April 9, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 112](#), [SCR 127](#), [SCR 128](#), and [SCR 129](#) were delivered to the Office of the Secretary of State at 9:20 a.m., April 9, 2015.

LODGE, Chairman

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

April 9, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [S 1168](#), [S 1155](#), [S 1177](#), [S 1146](#), as amended, [S 1178](#), [S 1183](#), [S 1184](#), [S 1185](#), [S 1186](#), [S 1187](#), [S 1188](#), [S 1189](#), [S 1190](#), and [S 1098](#), as amended in the House, were delivered to the Office of the Governor at 9:24 a.m., April 9, 2015.

LODGE, Chairman

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

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

### Second Reading of Bills

[H 310](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

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

### Reports of Special Committees

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 11:25 a.m. until the hour of 1:30 p.m. of this day.

### RECESS AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senators Brackett, Cameron, and Lacey, absent and formally excused by the Chair; and Senators Den Hartog, McKenzie, and Nuxoll, absent and excused.

Prior to recess the Senate was at the Seventh Order of Business, Reports of Special Committees.

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

### Messages from the House

April 9, 2015

Dear Mr. President:

I transmit herewith [H 330](#) and [HCR 26](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 330](#) and [HCR 26](#) were filed for first reading.

April 9, 2015

Dear Mr. President:

I return herewith [S 1174](#) and [SCR 130](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1174](#) and [SCR 130](#) were referred to the Judiciary and Rules Committee for enrolling.

April 9, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 318](#), [H 321](#), [H 323](#), [H 324](#), [H 326](#), [H 328](#), [HCR 23](#), and [HJM 12](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 318](#), [H 321](#), [H 323](#), [H 324](#), [H 326](#), [H 328](#), [HCR 23](#), and [HJM 12](#) and ordered them returned to the House.

April 9, 2015

Dear Mr. President:

I return herewith Enrolled [S 1182](#), which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1182](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

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

**Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials**

[H 330](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[HCR 26](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

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

**Reports of Special Committees**

Senators Den Hartog, McKenzie, and Nuxoll were recorded present at this order of business.

President Little called President Pro Tempore Hill to the Chair.

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

**Reports of Standing Committees**

April 9, 2015

The JUDICIARY AND RULES Committee reports that [S 1174](#) and [SCR 130](#) have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1174](#) and [SCR 130](#) and ordered them transmitted to the House for the signature of the Speaker.

April 9, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [S 1182](#) was delivered to the Office of the Governor at 2:23 p.m., April 9, 2015.

LODGE, Chairman

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

April 9, 2015

The STATE AFFAIRS Committee reports out [HCR 26](#) with the recommendation that it do pass.

MCKENZIE, Chairman

[HCR 26](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 3:35 p.m. until the hour of 10:30 a.m., Friday, April 10, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

---

EIGHTY-NINTH LEGISLATIVE DAY  
FRIDAY, APRIL 10, 2015

Senate Chamber

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

Roll call showed all members present except Senators Brackett, Cameron, and Lacey, absent and formally excused by the Chair; and Senator Lodge, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Kayla Christensen, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 9, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

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

### Messages from the House

April 9, 2015

Dear Mr. President:

I return herewith [S 1135](#), as amended, which has passed the House.

ALEXANDER, Chief Clerk

[S 1135](#), as amended, was referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

The President announced that [HCR 26](#) was before the Senate for final consideration.

Moved by Senator Lakey, seconded by Senator Jordan, that [HCR 26](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Bair, Bayer, Buckner-Webb, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Burgoyne. Total - 1.

Absent and excused—Brackett, Cameron, Lacey, Lodge. Total - 4.

Total - 35.

Whereupon the President declared [HCR 26](#) adopted, title was approved, and the resolution ordered returned to the House.

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

### Reports of Special Committees

Senators Lodge, Cameron, and Lacey were recorded present at this order of business.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 10:55 a.m. until the hour of 1:30 p.m. of this day.

### RECESS AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senators Brackett, Burgoyne, Cameron and Lacey, absent and formally excused by the Chair; and Senator Lee, absent and excused.

Prior to recess the Senate was at the Seventh Order of Business, Reports of Special Committees.

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

### Reports of Standing Committees

April 10, 2015

The JUDICIARY AND RULES Committee reports that [S 1135](#), as amended, has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1135](#), as amended, and ordered it transmitted to the House for the signature of the Speaker.

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

### Messages from the Governor

April 9, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:



I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1041](#), as amended, [S 1047](#), [S 1062](#), as amended, as amended, [S 1066](#), [S 1071](#), as amended, [S 1113](#), [S 1136](#), [S 1159](#), and [S 1165](#)

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

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

The Senate advanced to the Ninth Order of Business.

#### Messages from the House

April 10, 2015

Dear Mr. President:

I return herewith [S 1112](#), which has passed the House.

ALEXANDER, Chief Clerk

[S 1112](#) was referred to the Judiciary and Rules Committee for enrolling.

April 10, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 309](#), as amended in the Senate, and [H 92](#), as amended, as amended in the Senate, for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 309](#), as amended in the Senate, and [H 92](#), as amended, as amended in the Senate, and ordered them returned to the House.

April 10, 2015

Dear Mr. President:

I return herewith Enrolled [S 1192](#) and [S 1174](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1192](#) and [S 1174](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

April 10, 2015

Dear Mr. President:

I return herewith Enrolled [SCR 126](#) and [SCR 130](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [SCR 126](#) and [SCR 130](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

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

#### Reports of Special Committees

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 5:05 p.m. until the hour of 7:30 p.m. of this day.

#### RECESS EVENING SESSION

The Senate reconvened at 7:30 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senators Cameron and McKenzie, absent and excused.

Prior to recess the Senate was at the Seventh Order of Business, Reports of Special Committees.

April 10, 2015

The Honorable Senator Brent Hill  
President Pro Tempore of the Senate

Dear President Pro Tempore Hill:

The Senate Conference Committee appointed to confer on H312, as amended in the Senate, has conferred and the Committees do jointly agree and recommend:

That H312, as amended in the Senate, be returned to the Senate; and that H312, as amended in the Senate be further amended in the Senate as follows:

1. An additional \$21 registration fee be placed on automobiles and that additional registration fees on certain trucks and electric and hybrid cars are imposed.

2. That the tax on motor fuels be increased to thirty-two cents per gallon with the increase to be ongoing.

3. All new revenue raised by this act shall be subject to a 60-40 split between the State Highway Account and Local Units of Government.

4. That the Section in the Senate amendments to H312 relating to gaseous special fuels be removed from the amendment so the language reads like it is in H132 which is law.

5. Agreed to create a Strategic Initiative Program in the Idaho Transportation Department that provides for a program for transportation projects that are proposed by the Department's six districts and rated competitively on their return on investment in safety, mobility, economic opportunity, repair and maintenance of bridges, and the purchase of right-of-way. The legislation also creates the Strategic Initiatives Program Fund. It will receive a distribution from the General Fund at the end of each fiscal year after it is determined that the General Fund balance is sufficient to provide for amounts necessary to be carried over into the next fiscal year as determined by the Legislature, to cover encumbrances, and to cover any reappropriation authorized by the Legislature. The amount distributed will be fifty percent of the excess at the end of the fiscal year as determined by the State Controller. A two-year sunset clause is placed upon the section of law authorizing the transfer from the General Fund to the Strategic Initiatives Program Fund in the surplus eliminator.

6. Include additional provisions to amend the statutes governing the Budget Stabilization Fund to move the transfer from the General Fund to the Budget Stabilization Fund in the current fiscal year rather than the following fiscal year, and provide an additional distribution to the Budget Stabilization Fund from the General Fund at the end of each fiscal year, after it is determined that the cash balance is sufficient to provide for amounts necessary to be carried over into the next fiscal year as determined by the Legislature, to cover encumbrances, and to cover any reappropriation authorized by the Legislature. The amount distributed will be fifty percent of the excess at the end of

the fiscal year as determined by the State Controller. A two-year sunset clause is placed upon the section of law authorizing the transfer from the General Fund to the Budget Stabilization Fund in the surplus eliminator.

7. Agreed to remove the cap of 10% of the total General Fund receipts for the fiscal year just ending, on the Budget Stabilization Fund.

8. All additional funds collected under the provisions of this act, remitted to the Idaho Transportation Department or entities subject to the distribution provisions of Section 40-709, Idaho Code, shall be used exclusively for road and bridge maintenance and replacement projects both at the state and local level.

9. It is the intent of the Legislature that on or before January 1, 2019, there shall be imposed on all commercial vehicles, irrespective of body type, and on all farm vehicles having a maximum weight in excess of sixty thousand (60,000) pounds, an operating fee by weight class based on total miles the owner operated such vehicles on roads and highways.

Senators  
 /s/ Bert Brackett, Chairman  
 /s/ Dean Cameron  
 /s/ Roy Lacey  
 Representatives  
 /s/ Joe Palmer, Chairman  
 /s/ John Vander Woude  
 /s/ Mat Erpelding

On request by Senator Davis, granted by unanimous consent, the Conference Committee Report and [H 312](#), as amended in the Senate, were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day, pursuant to Senate Rule 21(A).

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

#### Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate consideration of the Conference Committee Report pertaining to [H 312](#), as amended in the Senate, were suspended, and the report was placed before the Senate for final consideration at this time.

The question being, "Shall the report be adopted?"

On request by Senator Davis, granted by unanimous consent, the Conference Committee Report was adopted.

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

On request by Senator Davis, granted by unanimous consent, [H 312](#), as amended in the Senate, was referred to the Fourteenth Order of Business, General Calendar.

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

#### Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, [H 310](#) was recommitted to the Transportation Committee.

The Senate advanced to the Fourteenth Order of Business.

Senator Cameron was recorded present at this order of business.

#### General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

#### Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out [H 312](#), as amended in the Senate, without recommendation, amended as follows:

#### SENATE AMENDMENT TO SENATE AMENDMENT TO H 312 AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 9 through 42; and delete pages 2 through 9.

#### AMENDMENT TO THE AMENDMENT

On page 1 of the printed amendment, delete lines 1 through 34; delete pages 2 and 3; and on page 4, delete lines 1 through 23, and insert:

"SECTION 1. That Section 49-402, Idaho Code, be, and the same is hereby amended to read as follows:

49-402. ANNUAL REGISTRATION. (1) The annual fee for operating each pickup truck, each neighborhood electric vehicle and each other motor vehicle having a maximum gross weight not in excess of eight thousand (8,000) pounds and that complies with the federal motor vehicle safety standards as defined in section 49-107, Idaho Code, shall be:

Vehicles one (1) and two (2) years old .....	\$4869.00
Vehicles three (3) and four (4) years old .....	\$3657.00
Vehicles five (5) and six (6) years old .....	\$3657.00
Vehicles seven (7) and eight (8) years old .....	\$2445.00
Vehicles over eight (8) years old .....	\$2445.00

There shall be twelve (12) registration periods, starting in January for holders of validation registration stickers numbered 1, and proceeding consecutively through December for holders of validation registration stickers numbered 12, each of which shall start on the first day of a calendar month and end on the last day of the twelfth month from the first day of the beginning month. Registration periods shall expire midnight on the last day of the registration period in the year designated by the validation registration sticker. The numeral digit on the validation registration stickers shall, as does the registration card, fix the registration period under the staggered registration system for the purpose of reregistration and notice of expiration.

A vehicle that has once been registered for any of the above designated periods shall, upon reregistration, be registered for the period bearing the same number, and the registration card shall show and be the exclusive proof of the expiration date of registration and licensing. Vehicles may be initially registered for less than a twelve (12) month period, or for more than a twelve (12) month period, and the fee prorated on a monthly basis if the fractional registration tends to fulfill the purpose of the monthly series registration system.

(2) For all school buses operated either by a nonprofit, nonpublic school or operated pursuant to a service contract with a school district for transporting children to or from school or in connection with school approved activities, the annual fee shall be twenty-four dollars (\$24.00) and shall be subject to staggered registration for the purpose of reregistration and notice of expiration.

(3) For all motorcycles and motor-driven cycles which comply with the federal motor vehicle safety standards, operated upon the public highways, the annual fee shall be ~~nine~~ nineteen dollars (\$19.00) and shall be subject to staggered registration for the purpose of reregistration and notice of expiration.

(4) For operation of an all-terrain vehicle, utility type vehicle or motorbike, excluding a motorbike with an engine displacement of fifty (50) cubic centimeters or less, on city, county or highway district roads or highways open to such use, a restricted vehicle license plate fee pursuant to section 49-450, Idaho Code, shall be paid. In addition, the registration fee specified in section 67-7122, Idaho Code, shall be paid as provided in section 67-7122, Idaho Code. The registration and restricted vehicle license plate exemption provided in section 49-426(2), Idaho Code, applies to all-terrain vehicles, utility type vehicles, motorbikes and motorcycles used for the purposes described in subsection (2) of section 49-426, Idaho Code. Nonresidents shall be allowed to purchase a restricted vehicle license plate and sticker for an all-terrain vehicle, utility type vehicle or motorbike.

(5) For all motor homes the fee shall be as specified in subsection (1) of this section and shall be in addition to the fees provided for in section 49-445, Idaho Code.

(6) Registration fees shall not be subject to refund.

(7) A financial institution or repossession service contracted to a financial institution repossessing vehicles under the terms of a security agreement shall move the vehicle from the place of repossession to the financial institution's place of business on a repossession plate. The repossession plate shall also be used for demonstrating the vehicle to a prospective purchaser for a period not to exceed ninety-six (96) hours. The registration fees for repossession plates shall be as required in subsection (1) of this section for a vehicle one (1) and two (2) years old. All other fees required under chapter 4, title 49, Idaho Code, shall be in addition to the registration fee. The repossession plate shall be subject to staggered registration for the purpose of reregistration and notice of expiration.

(8) A wrecker or towing business engaged in the process of towing motorized vehicles, which have been wrecked, abandoned, salvaged or may be disabled, may apply for a wrecker plate to be displayed on those vehicles being towed, provided the power unit is properly registered under this chapter. The registration fees for wrecker plates shall be as required in subsection (1) of this section for a vehicle one (1) and two (2) years old. All other fees required under chapter 4, title 49, Idaho Code, shall be in addition to the registration fee and shall be subject to staggered registration for the purpose of reregistration and notice of expiration.

(9) In addition to the annual registration fee in this section, there shall be an initial program fee of twenty-five dollars (\$25.00) and an annual program fee of fifteen dollars (\$15.00) for all special license plate programs for those license plates issued pursuant to sections 49-404A, 49-407, 49-408, 49-409, 49-414, 49-416, 49-418 and 49-418D, Idaho Code. For special plates issued pursuant to sections 49-406 and 49-406A, Idaho Code, there shall be an initial program fee of twenty-five dollars (\$25.00) but there shall be no annual renewal fee. For special plates issued pursuant to sections 49-415C, 49-415D, 49-415E, 49-416A, 49-416B, 49-416C, 49-416D, 49-416E, 49-417, 49-417A, 49-417B, 49-417C, 49-417D, 49-417E, 49-418A, 49-418B, 49-418C, 49-418E, 49-419, 49-419A, 49-419B, 49-419C, 49-419D, 49-419E, 49-420, 49-420A, 49-420B, 49-420C, 49-420D, 49-420E, 49-420G, 49-420H, 49-420I, 49-420J, 49-420K, 49-420L and 49-420M, Idaho Code, and any new special plate program effective on and after January 1, 2013, pursuant to section 49-402D, Idaho Code, there shall

be an initial program fee of thirty-five dollars (\$35.00) and an annual program fee of twenty-five dollars (\$25.00). The fees contained in this subsection shall be applicable to all new special plate programs and shall be subject to staggered registration for the purpose of reregistration and notice of expiration. The initial program fee and the annual program fee shall be deposited in the state highway account and shall be used to fund the cost of administration of special license plate programs, unless otherwise specified by law.

(10) Any vehicle that does not meet federal motor vehicle safety standards shall not be registered and shall not be permitted to operate on public highways of the state, as defined in section 40-117, Idaho Code, unless otherwise specifically authorized.

(11) In addition to annual registration fees as provided in this section, registrants may pay a fee to purchase an Idaho state parks passport authorizing resident motor vehicle entry into all Idaho state parks. Registrants may pay the fee for a one (1) year or two (2) year period of time. The fee shall be ten dollars (\$10.00) for one (1) year and twenty dollars (\$20.00) for two (2) years. All fees collected pursuant to this subsection shall be deposited into the park and recreation fund and shall be subject to appropriation. Fees collected pursuant to this subsection shall not be considered a motor vehicle registration fee as provided in section 17, article VII, of the constitution of the state of Idaho.

SECTION 2. That Section 49-434, Idaho Code, be, and the same is hereby amended to read as follows:

49-434. OPERATING FEES. (1) There shall be paid on all commercial vehicles, noncommercial vehicles, and on all farm vehicles having a maximum gross weight not in excess of sixty thousand (60,000) pounds, an annual registration fee or a staggered registration fee for the purpose of reregistration and notice of expiration in accordance with the following schedule.

Unladen Weight for Wreckers Maximum Gross Weight For Other Vehicles (Pounds)	Annual Registration Fee	
	Noncommercial and Farm Vehicles	Commercial Vehicles and Wreckers
8,001-16,000 inc.....	\$ 48.00	\$ 48.00
16,001-26,000 inc.....	61.08	143.40
26,001-30,000 inc.....	91.68	223.80
30,001-40,000 inc.....	130.08	291.60
40,001-50,000 inc.....	188.28	360.00
50,001-60,000 inc.....	311.88	515.40

In addition to the registration fees provided in this subsection, there shall be an additional registration fee imposed of twenty-five dollars (\$25.00).

(2) There shall be paid on all commercial vehicles, irrespective of body type, and on all farm vehicles having a maximum gross weight in excess of sixty thousand (60,000) pounds, an annual registration fee in the amount prescribed by subsection (8) of this section, as applicable.

(3) In addition, the annual registration fee for trailers shall be:

- (a) Trailer or semitrailer in a combination of vehicles .....\$15.00
- (b) Rental utility trailer with a gross weight of two thousand (2,000) pounds or less .....\$8.00
- (c) Rental utility trailer with a gross weight over two thousand (2,000) pounds .....\$15.00

(4) As an option to the trailer and semitrailer and rental utility trailer annual registrations issued pursuant to subsection (3) of this section, the department may provide a nonexpiring plate and registration for trailers and semitrailers, and an optional, extended registration for rental utility trailers.

(a) For trailers and semitrailers, the nonexpiring registration fee shall be ninety-nine dollars (\$99.00). The license plate shall remain on the trailer or semitrailer until the registration is canceled or revoked. No part of the fee is subject to refund. However, the registrant may transfer the nonexpiring plate and registration to another trailer or semitrailer titled to the registrant if the original registration date is prior to July 1, 2009. The registration document shall be the official record of the status of the nonexpiring registration and no registration fee shall be required after the initial registration is paid. No validation sticker shall be required or issued for such nonexpiring license plate.

(i) Registration of a trailer or semitrailer based in another jurisdiction may be issued when the registrant provides a valid jurisdiction title or ownership document and certification statement, and no title transfer will be required.

(ii) Periodic verification will be made to confirm ownership status. Failure of the owner to comply with the verification request to confirm ownership within thirty (30) days, shall result in cancellation of the permanent plate registration.

(b) Idaho based trailer manufacturers may purchase trailer and semitrailer registration from the department. The manufacturer may issue the annual registration to foreign-based purchasers utilizing a manufacturer's certificate of origin or manufacturer's statement of origin as proof of ownership. If the foreign-based purchaser subsequently obtains an Idaho nonexpiring registration as provided in paragraph (a) of this subsection prior to annual registration expiration, the amount of the annual registration fee shall be applied to the nonexpiring registration fee provided that the customer acquires a title for such vehicle.

(c) For rental utility trailers, the registrant may prepay the annual registration for an additional one (1), two (2), three (3) or four (4) years, but in no event shall the optional registration period extend beyond five (5) years. The fee shall be as specified in subsection (3)(b) or (c) of this section. A pressure-sensitive sticker shall be used to validate the license plate. The license plate shall become void if the owner's interest in the rental utility trailer changes during the five (5) year period. If the owner fails to enter the rental utility trailer on the annual renewal application during the five (5) year period, the registration record shall be purged.

Any unrenewed plate shall be returned to the department if it is not entered on the renewal application.

(5) A fleet registration option is available to owners who have twenty-five (25) or more commercial or farm vehicles or any combination thereof. Such owners may register all of their company vehicles with the department in lieu of registering with a county assessor. To qualify the fleet must be owned and operated under the unified control of one (1) person and the vehicles must be physically garaged and maintained in two (2) or more counties. Fleet registration shall not include fleets of rental vehicles. The department shall provide a registration application to the owner and the owner shall provide all information that the department determines is necessary. The department shall devise a special license plate numbering system for fleet-registered vehicles as an alternative to county license plates. The fleet registration application and all subsequent registration renewals shall include the physical address where a vehicle is principally used, garaged and maintained. The fleet owner shall report the physical address to the department upon initial registration, on each renewal, and at any time a vehicle registered under this option is permanently transferred to another location.

(6) If the ownership of a vehicle changes during the registration period, the original owner may transfer the plate to another vehicle. The remaining fee shall be credited against the cost of the new registration. Refunds may be given for any unexpired portion of the vehicle registration fee if the plate is not transferred by the owner to another vehicle. Any request for refund shall include surrender of the license plate, validation sticker and registration document. Owners of vehicles registered under the international registration plan may request a refund of the unexpired portion of the Idaho vehicle registration fee by presenting evidence from the base jurisdiction that the license plate, validation sticker and registration document have been surrendered. A license plate shall not be transferred to another owner when the ownership of a vehicle changes. The owner shall obtain a replacement plate, validation sticker if required, and a registration document when a plate is lost, destroyed or becomes illegible.

(7) An administrative fee of four dollars (\$4.00) shall be paid and deposited to the state highway account on all registrations completed by the department under subsection (1) or (8)(a) of this section. Vehicles registered under subsection (8)(b) of this section shall pay the fee provided in section 49-435(2), Idaho Code.

(8) There shall be paid on all commercial and farm vehicles having a maximum gross weight in excess of sixty thousand (60,000) pounds, a registration fee based upon the maximum gross weight of a vehicle as declared by the owner and the total number of miles driven on roads and highways in the state, county, city and highway district systems in Idaho, and if registered under the international registration plan (IRP), in all other jurisdictions. The appropriate registration fee shall be determined as follows:

(a) If the owner registers vehicles under the international registration plan (IRP), the appropriate mileage column shall be determined by the total miles an owner operated a fleet of vehicles on roads and highways in the state, county, city and highway district systems in Idaho and in all other jurisdictions in the preceding year, as defined in section 49-117, Idaho Code, and by the maximum gross weight of each vehicle within a fleet.

(b) If the owner registers vehicles under the international registration plan and determines that the average international registration plan fleet miles, calculated by dividing the total IRP fleet miles in all jurisdictions by the number of registered vehicles, is less than fifty thousand

one (50,001) miles, the owner may apply to the department for refund of a portion of the registration fees paid, consistent with the fee schedules set forth in this section. The department shall provide an application for the refund. An owner making application for refund under this section shall be subject to auditing as provided in section 49-439, Idaho Code.

(c) If the owner is not registering vehicles under the international registration plan, the appropriate mileage column shall be determined by the total miles the owner operated each of the vehicles to be registered on roads and highways in the state, county, city and highway district systems in Idaho in the preceding year and by the maximum gross weight of each vehicle.

Maximum Gross Weight of Vehicle (Pounds)	Total Miles Driven				
	<b>1 to 7,500</b>	<b>7,501 to 20,000</b>	<b>20,001 to 35,000</b>	<b>35,001 to 50,000</b>	<b>Over 50,000</b>
60,001-62,000	\$223	\$ 511	\$ 789	\$1,068	\$1,560
62,001-64,000	\$251	\$ 576	\$ 890	\$1,205	\$1,760
64,001-66,000	\$280	\$ 642	\$ 992	\$1,342	\$1,960
66,001-68,000	\$309	\$ 707	\$1,093	\$1,479	\$2,160
68,001-70,000	\$337	\$ 773	\$1,194	\$1,615	\$2,360
70,001-72,000	\$366	\$ 838	\$1,295	\$1,752	\$2,560
72,001-74,000	\$394	\$ 904	\$1,396	\$1,889	\$2,760
74,001-76,000	\$423	\$ 969	\$1,498	\$2,026	\$2,960
76,001-78,000	\$451	\$1,035	\$1,599	\$2,163	\$3,160
78,001-80,000	\$480	\$1,100	\$1,700	\$2,300	\$3,360
80,001-82,000	\$494	\$1,133	\$1,751	\$2,368	\$3,460
82,001-84,000	\$509	\$1,165	\$1,801	\$2,437	\$3,560
84,001-86,000	\$523	\$1,198	\$1,852	\$2,505	\$3,660
86,001-88,000	\$537	\$1,231	\$1,902	\$2,574	\$3,760
88,001-90,000	\$551	\$1,264	\$1,953	\$2,642	\$3,860
90,001-92,000	\$566	\$1,296	\$2,004	\$2,711	\$3,960
92,001-94,000	\$580	\$1,329	\$2,054	\$2,779	\$4,060
94,001-96,000	\$594	\$1,362	\$2,105	\$2,848	\$4,160
96,001-98,000	\$609	\$1,395	\$2,155	\$2,916	\$4,260
98,001-100,000	\$623	\$1,427	\$2,206	\$2,985	\$4,360
100,001-102,000	\$637	\$1,460	\$2,257	\$3,053	\$4,460
102,001-104,000	\$651	\$1,493	\$2,307	\$3,121	\$4,560
104,001-106,000	\$666	\$1,526	\$2,358	\$3,190	\$4,660
106,001-108,000	\$680	\$1,558	\$2,408	\$3,258	\$4,760
108,001-110,000	\$694	\$1,591	\$2,459	\$3,327	\$4,860
110,001-112,000	\$709	\$1,624	\$2,510	\$3,395	\$4,960

Maximum Gross Weight of Vehicle (Pounds)	Total Miles Driven				
	<b>1 to 7,500</b>	<b>7,501 to 20,000</b>	<b>20,001 to 35,000</b>	<b>35,001 to 50,000</b>	<b>Over 50,000</b>
112,001-114,000	\$723	\$1,657	\$2,560	\$3,464	\$5,060
114,001-116,000	\$737	\$1,689	\$2,611	\$3,532	\$5,160
116,001-118,000	\$751	\$1,722	\$2,661	\$3,601	\$5,260
118,001-120,000	\$766	\$1,755	\$2,712	\$3,669	\$5,360
120,001-122,000	\$780	\$1,788	\$2,763	\$3,738	\$5,460
122,001-124,000	\$794	\$1,820	\$2,813	\$3,806	\$5,560
124,001-126,000	\$809	\$1,853	\$2,864	\$3,874	\$5,660
126,001-128,000	\$823	\$1,886	\$2,914	\$3,943	\$5,760
128,001-129,000	\$837	\$1,918	\$2,965	\$4,011	\$5,860



In addition to the registration fees provided for in this subsection, there shall be an additional registration fee imposed of twenty-five dollars (\$25.00).

(d) In addition to the fees set forth in paragraphs (a) and (c) of this subsection (8), an owner or operator may purchase a temporary permit as provided in section 49-432(2), Idaho Code, for operation of a vehicle at a weight in excess of the current, valid, registered maximum gross vehicle weight. The permit so issued shall be specific to the motor vehicle to which it is issued. No permit or fee shall be transferable or apportionable to any other vehicle, nor shall any such fee be refundable.

(e) Any commercial or farm vehicle registered for more than sixty thousand (60,000) pounds up to one hundred six thousand (106,000) pounds traveling fewer than two thousand five hundred (2,500) miles annually on roads and highways in the state, county, city and highway district systems in Idaho shall pay an annual registration fee of two hundred fifty-five dollars (\$255). The provisions of section 49-437(2), Idaho Code, shall not apply to vehicles registered under this subsection (8)(e).

(9) (a) During the first registration year that the fee schedule in subsection (8)(c) of this section is in use, an owner shall use the mileage data from the records used to report the mileage use fee in the immediately preceding year as the basis for determining the appropriate registration fee schedule.

(b) Any owner who registers a motor vehicle for the first time and who has no mileage history for the vehicle shall estimate the miles to determine the appropriate fee schedule in subsection (8)(c) of this section. When estimating the miles, the owner shall provide a statement on the application of the method used to arrive at the estimated miles.

(c) Any owner using any fee schedule other than the highest fee schedule under subsection (8)(c) of this section, shall certify at the time of registration that the miles operated in the preceding year do not exceed the schedule applied for. Any owner using a fee schedule under subsection (8)(c) of this section that is less than the highest schedule shall maintain records to substantiate the use of the schedule as required by section 49-439, Idaho Code.

(10) An owner registering under subsection (8)(a) or (8)(c) of this section may elect to pay the full annual registration fee at the time of registration or renewal of registration, or an owner may pay at least one-quarter (1/4) of the annual registration fee due. The remainder of the annual Idaho registration fee shall be paid in three (3) equal installments on dates as billed by the department.

(11) An owner registering or renewing a registration under subsection (8) (a) of this section electing to use installment payments as provided in subsection (10) of this section, shall pay all of the fees due to other IRP jurisdictions in addition to one-quarter (1/4) of the Idaho fee due at the time of registration or reregistration. The remainder of the annual Idaho registration fee shall be paid in three (3) equal installments on dates as billed by the department.

(12) If any vehicle or combinations of vehicles haul nonreducible loads, as authorized under the provisions of section 49-1004, Idaho Code, and weigh less than the starting weights per axle configuration listed in column 1 of subsection (2), section 49-1004, Idaho Code, then and in that event there shall be paid for that vehicle, in addition to the other fees required in this section, an additional use fee of 2.1 mills per mile for each two thousand (2,000) pounds or fraction thereof of the maximum gross weight in excess of those set forth in section 49-1001, Idaho Code.

SECTION 3. That Chapter 4, Title 49, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 49-457, Idaho Code, and to read as follows:

49-457. ELECTRIC VEHICLE FEE – HYBRID VEHICLE FEE. (1) An electric vehicle fee of one hundred forty dollars (\$140) shall be collected in addition to all other registration fees assessed pursuant to this chapter on each electric vehicle registered.

(2) A hybrid vehicle fee of seventy-five dollars (\$75.00) shall be collected in addition to all other registration fees assessed pursuant to this chapter on each hybrid vehicle registered.

(3) All fees provided for in this section shall be deposited to the highway distribution account as established in section 40-701, Idaho Code, and shall be apportioned as provided for in that section.

(4) For purposes of this chapter, "electric vehicle" means a vehicle powered only by a form of electricity and "hybrid vehicle" means a motor vehicle with a hybrid propulsion system that operates on both an alternative fuel, including electricity, and traditional fuel.

SECTION 4. That Section 63-2402, Idaho Code, be, and the same is hereby amended to read as follows:

#### 63-2402. IMPOSITION OF TAX UPON MOTOR FUEL.

(1) A tax is hereby imposed upon the distributor who receives motor fuel in this state. The legal incidence of the tax imposed under this section is borne by the distributor. The tax becomes due and payable upon receipt of the motor fuel in this state by the distributor unless such tax liability has previously accrued to another distributor pursuant to this section. The tax shall be imposed without regard to whether use is on a governmental basis or otherwise, unless exempted by this chapter.

(2) The tax imposed in this section shall be at the rate of ~~twenty-five~~ thirty-two cents (~~2532¢~~) per gallon of motor fuel received. This tax shall be subject to the exemptions, deductions and refunds set forth in this chapter.

(3) Nothing in this chapter shall prohibit the distributor who is liable for payment of the tax imposed under subsection (1) of this section from including as part of the selling price an amount equal to such tax on motor fuels sold or delivered by such distributor; provided however, that nothing in this chapter shall be deemed to impose tax liability on any person to whom such fuel is sold or delivered except as provided in subsection (6) of this section.

(4) Any person coming into this state in a motor vehicle may transport in the manufacturer's original tank of that vehicle, for his own use only, not more than thirty (30) gallons of motor fuel for the purpose of operating that motor vehicle, without complying with the provisions of this chapter.

(5) The tax imposed in this section does not apply to:

(a) Special fuels that have been dyed at a refinery or terminal under the provisions of 26 U.S.C. section 4082 and regulations adopted thereunder, or under the clean air act and regulations adopted thereunder except as provided in section 63-2425, Idaho Code; or

(b) Special fuel dispensed into a motor vehicle which uses gaseous special fuels and which displays a valid gaseous special fuels permit under section 63-2424, Idaho Code; or

(c) Special fuels that are gaseous special fuels, as defined in section 63-2401, Idaho Code, except that part thereof that is delivered into the fuel supply tank or tanks of a motor vehicle; or

(d) Aircraft engine fuel subject to tax under section 63-2408, Idaho Code.

(6) Should the distributor of first receipt be exempt from imposition of the tax as a matter of federal law, by virtue of its status as a ~~federally-recognized~~ federally recognized Indian tribe or member of such tribe, such distributor shall not bear the tax's legal incidence and must pass the tax through as part of the selling price of the fuel. Such distributor shall retain the administrative obligation to remit the tax, and such obligation shall accrue upon receipt in accordance with subsection (1) of this section. Should a retailer otherwise subject to the tax be exempt from imposition of the tax as a matter of federal law, by virtue of its status as a ~~federally-recognized~~ federally recognized Indian tribe or member of such tribe, the retailer shall not bear the tax's legal incidence and must pass the tax through as part of the selling price of the fuel to the consumer, unless such consumer is exempt from imposition of the tax as a matter of federal law, by virtue of its status as a ~~federally-recognized~~ federally recognized Indian tribe or membership in such tribe, and the retailer shall be entitled to claim a credit against taxes otherwise due and owing under this chapter or a tax refund, together with interest, attributable to the fuel purchased by such consumer.

SECTION 5. That Section 63-2412, Idaho Code, be, and the same is hereby amended to read as follows:

63-2412. DISTRIBUTION OF TAX REVENUES FROM TAX ON GASOLINE AND AIRCRAFT ENGINE FUEL. (1) The revenues received from the taxes imposed by sections 63-2402 and 63-2421, Idaho Code, upon the receipt or use of gasoline, and any penalties, interest, or deficiency additions, shall be distributed periodically as follows:

(a) An amount of money equal to the actual cost of collecting, administering and enforcing the gasoline tax requirements by the commission, as determined by it shall be retained by the commission. The amount retained by the commission shall not exceed the amount authorized to be expended by appropriation by the legislature. Any unencumbered balance in excess of the actual cost of collecting, administering and enforcing the gasoline tax requirements by the commission at the end of each fiscal year shall be distributed as listed in paragraph (f) of this subsection.

(b) An amount of money shall be distributed to the state refund account sufficient to pay current refund claims. All refunds authorized by the commission to be paid shall be paid from the state refund account and those moneys are hereby continuously appropriated for that purpose.

(c) As soon as possible after the beginning of each fiscal year, the sum of two hundred fifty thousand dollars (\$250,000) shall be distributed to the railroad grade crossing protection account in the dedicated fund, to pay the amounts from the account pursuant to the provisions of section 62-304C, Idaho Code.

(d) As soon as possible after the beginning of each fiscal year, the sum of one hundred thousand dollars (\$100,000) shall be distributed to the local bridge inspection account in the dedicated fund, to pay the amounts from the account pursuant to the provisions of section 40-703, Idaho Code.

(e) An amount of money equal to seven percent (7%) shall be distributed to the state highway account established in section 40-702, Idaho Code.

(f) From the balance remaining with the commission after distributing the amounts in paragraphs (a) through (e) of subsection (1) of this section:

1. One and twenty-eight hundredths percent (1.28%) shall be distributed as follows: sixty-six percent (66%) of the one and twenty-eight hundredths percent (1.28%) shall be distributed to the waterways improvement account, as created in chapter 15, title 57, Idaho Code. Up to twenty percent (20%) of the moneys distributed to the waterways improvement account under the provisions of this paragraph may be used by the department of parks and recreation to defray administrative costs. Any moneys unused at the end of the fiscal year by the department of parks and recreation shall be returned to the state treasurer for deposit in the waterways improvement account. Thirty-three percent (33%) of the one and twenty-eight hundredths percent (1.28%) shall be distributed into the park and recreation capital improvement account as created in section 57-1801, Idaho Code. One percent (1%) of the one and twenty-eight hundredths percent (1.28%) shall be distributed to the search and rescue fund created in section 67-2913, Idaho Code;

2. One and twenty-eight hundredths percent (1.28%) shall be distributed as follows: sixty-six percent (66%) of the one and twenty-eight hundredths percent (1.28%) shall be distributed to the off-road motor vehicle account, as created in section 57-1901, Idaho Code. Up to twenty percent (20%) of the moneys distributed to the off-road motor vehicle account by this subparagraph may be used by the department of parks and recreation to defray administrative costs. Any moneys unused at the end of the fiscal year by the department of parks and recreation shall be returned to the state treasurer for deposit in the off-road motor vehicle account. Thirty-three percent (33%) of the one and twenty-eight hundredths percent (1.28%) shall be distributed into the park and recreation capital improvement account as created in section 57-1801, Idaho Code. One percent (1%) of the one and twenty-eight hundredths percent (1.28%) shall be distributed to the search and rescue fund created in section 67-2913, Idaho Code; and

3. Forty-four hundredths percent (.44%) shall be distributed to the park and recreation capital improvement account as created in section 57-1801, Idaho Code, to be used solely to develop, construct, maintain and repair roads, bridges and parking areas within and leading to parks and recreation areas of the state.

4. The balance remaining shall be distributed to the highway distribution account created in section 40-701, Idaho Code.

(2) Provided however, the distribution pursuant to subsection (1) of this section of revenues received from the taxes imposed pursuant to section 63-2402(2), Idaho Code, shall apply only to twenty-five cents (25¢) of every thirty-two cents (32¢) received. The remaining seven cents (7¢) of every thirty-two cents (32¢) received pursuant to the provisions of section 63-2402(2), Idaho Code, shall be distributed as follows:

(a) Sixty percent (60%) to the state highway account; and

(b) Forty percent (40%) to be distributed pursuant to the provisions of section 40-709, Idaho Code.

(3) The revenues received from the taxes imposed by section 63-2408, Idaho Code, and any penalties, interest, and deficiency amounts, shall be distributed as follows:

(a) An amount of money shall be distributed to the state refund account sufficient to pay current refund claims. All refunds authorized by the commission to be paid shall be paid

from the state refund account, and those moneys are hereby continuously appropriated.

(b) The balance remaining of all the taxes collected shall be distributed to the state aeronautics account, as provided in section 21-211, Idaho Code.

SECTION 6. That Chapter 7, Title 40, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 40-719, Idaho Code, and to read as follows:

40-719. STRATEGIC INITIATIVES PROGRAM. (1) The Idaho transportation department shall establish and maintain a strategic initiatives program. The purpose of the program is to fund transportation projects that are proposed by the department's six (6) districts. Proposed projects shall compete for strategic initiative program selection and funding on a statewide basis based on an analysis of their return on investment in the following categories:

- (a) Safety, including the projected reduction of crashes, injuries and fatalities;
- (b) Mobility, including projected traffic-flow improvements for freight and passenger cars;
- (c) Economic opportunity, including the projected cost-benefit ratio for users and businesses;
- (d) The repair and maintenance of bridges; and
- (e) The purchase of public rights-of-way.

(2) There is hereby established in the state treasury the strategic initiatives program fund to which shall be deposited:

(a) Notwithstanding the provisions of section 57-814, Idaho Code, the provisions of this paragraph shall only be in effect from the effective date of this act through May 31, 2017. The state controller shall transfer fifty percent (50%) of any excess cash balance from the general fund to the strategic initiatives program fund upon the financial close of the current fiscal year subject to the following criteria: When calculating any excess cash balance the state controller shall first provide for the ending balance as determined by the legislative record to be carried over into the next fiscal year, plus an amount sufficient to cover encumbrances as approved by the division of financial management, and an amount sufficient to cover any reappropriation as authorized by the legislature.

(b) Any other appropriated moneys for funding of the strategic initiatives program.

Interest earned on the investment of idle moneys in the fund shall be paid to the fund. All moneys in the fund shall be used for funding the strategic initiatives program.

SECTION 7. That Section 57-814, Idaho Code, be, and the same is hereby amended to read as follows:

57-814. BUDGET STABILIZATION FUND. (1) There is hereby created in the state treasury the budget stabilization fund for the purpose of meeting general fund revenue shortfalls and to meet expenses incurred as the result of a major disaster declared by the governor. All moneys in the budget reserve account at the date of approval of this act shall be transferred to the budget stabilization fund. Interest earnings from the investment of moneys in this fund by the state treasurer shall be credited to the permanent building account subject to the provisions of section 67-1210, Idaho Code.

(2) Subject to the requirements of section 63-3203, Idaho Code, the state controller shall annually transfer moneys from the general fund to the budget stabilization fund ~~subject to the following criteria:~~ 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 four percent (4%), then the state controller shall transfer all general fund collections in excess of said four percent (4%) to the budget stabilization fund, up to a maximum of one percent (1%) of the actual general fund collections of the prior fiscal year. The state controller shall make the transfer upon the financial close of the current fiscal year.

~~(a) 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 four percent (4%), then the state controller shall transfer all general fund collections in excess of said four percent (4%) increase to the budget stabilization fund, up to a maximum of one percent (1%) of the actual general fund collections of the fiscal year just ending. The state controller shall make the transfers in four (4) equal amounts during September, December, March and June of the next fiscal year.~~

~~(b) The amount of moneys in the budget stabilization fund shall not exceed ten percent (10%) of the total general fund receipts for the fiscal year just ending.~~

~~(c) The state controller shall transfer moneys in the budget stabilization fund in excess of the limit imposed in subsection (2)(b) of this section to the general fund.~~

(3) The state controller shall transfer fifty percent (50%) of any excess cash balance from the general fund to the budget stabilization fund upon the financial close of the current fiscal year subject to the following criteria: When calculating any excess cash balance the state controller shall first provide for the ending balance as determined by the legislative record to be carried over into the next fiscal year, plus an amount sufficient to cover encumbrances as approved by the division of financial management, and an amount sufficient to cover any reappropriation as authorized by the legislature.

~~(4) If a majority of the membership of each house of the legislature adopt a concurrent resolution requesting the amount of the transfer specified in subsection (2) of this section be reduced, the state controller shall reduce the amount of the transfer.~~

~~(4) Appropriations of moneys from the budget stabilization fund in any year shall be limited to fifty percent (50%) after the fund balance has reached ten percent (10%).~~

SECTION 8. That Section 57-814, Idaho Code, is, and the same is hereby repealed.

SECTION 9. That Chapter 8, Title 57, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 57-814, Idaho Code, and to read as follows:

57-814. BUDGET STABILIZATION FUND. (1) There is hereby created in the state treasury the budget stabilization fund for the purpose of meeting general fund revenue shortfalls and to meet expenses incurred as the result of a major disaster declared by the governor. All moneys in the budget reserve account at the date of approval of this act shall be transferred to the budget stabilization fund. Interest earnings from the investment of moneys in this fund by the state treasurer shall be credited to the permanent building account subject to the provisions of section 67-1210, Idaho Code.

(2) Subject to the requirements of section 63-3203, Idaho Code, the state controller shall annually transfer moneys from the general fund to the budget stabilization fund subject to the following criteria:

(a) 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 four percent (4%), then the state controller shall transfer all general fund collections in excess of said four percent (4%) increase to the budget stabilization fund, up to a maximum of one percent (1%) of the actual general fund collections of the fiscal year just ending. The state controller shall make the transfers in four (4) equal amounts during September, December, March and June of the next fiscal year.

(b) The amount of moneys in the budget stabilization fund shall not exceed ten percent (10%) of the total general fund receipts for the fiscal year just ending.

(c) The state controller shall transfer moneys in the budget stabilization fund in excess of the limit imposed in subsection (2)(b) of this section to the general fund.

(3) If a majority of the membership of each house of the legislature adopt a concurrent resolution requesting the amount of the transfer specified in subsection (2) of this section be reduced, the state controller shall reduce the amount of the transfer.

(4) Appropriations of moneys from the budget stabilization fund in any year shall be limited to fifty percent (50%) after the fund balance has reached ten percent (10%).

SECTION 10. LEGISLATIVE INTENT. It is the intent of the Legislature that on or before January 1, 2019, there shall be imposed on all commercial vehicles, irrespective of body type, and on all farm vehicles having a maximum gross weight in excess of sixty thousand (60,000) pounds, an annual registration fee and in addition thereto, an operating fee by weight class based on the total miles the owner operated such vehicle on roads and highways in the state, county, city and highway district systems in Idaho during each quarter of the calendar year.

SECTION 11. LEGISLATIVE INTENT. It is the intent of the Legislature that all additional funds collected under the provisions of this act, remitted to the Idaho Transportation Department or entities subject to the distribution provisions of Section 40-709, Idaho Code, shall be used exclusively for road and bridge maintenance and replacement projects both at the state and local level.

SECTION 12. LEGISLATIVE INTENT. It is the intent of the Legislature that the Idaho Transportation Department, and all local units of government receiving funds collected under the provisions of this act, shall prepare an annual report and deliver the same to the Senate Transportation Committee and the House Transportation and Defense Committee on or before the first day of each legislative session. Local units of government shall submit report information to the Local Highway Technical Assistance Council, which shall compile the reporting information into one report for submission. The reports shall include a full accounting of the additional funds collected under the provisions of this act and how such funds were expended. Such report shall also include an updated assessment of the ongoing maintenance funding needs.

SECTION 13. LEGISLATIVE INTENT. It is the intent of the Legislature that the Idaho State Police and the State Tax Commission shall, no later than the first day of the 2016 legislative session, provide recommendations to the Senate Transportation Committee and the House Transportation and Defense Committee on greater enforcement of the prohibition of dyed fuel and other untaxed fuel use on Idaho roads and highways.

SECTION 14. LEGISLATIVE INTENT. This legislation is intended to be an interconnected solution to raise revenue for Idaho's transportation infrastructure and maintenance.

SECTION 15. That Section 40-701, Idaho Code, be, and the same is hereby amended to read as follows:

40-701. HIGHWAY DISTRIBUTION ACCOUNT – APPORTIONMENT. (1) There is established in the state treasury an account known as the "Highway Distribution Account," to which shall be credited:

(a) Moneys as provided by sections 63-2412(1)(f)4. and 63-2418(4), Idaho Code;

(b) All moneys collected by the department, their agents and vendors, and county assessors and sheriffs, under the provisions of title 49, Idaho Code, except as otherwise specifically provided for; and

(c) All other moneys as may be provided by law.

(2) The highway distribution account shall be apportioned as follows:

(a) Thirty-eight percent (38%) to local units of government as provided in section 40-709, Idaho Code;

(b) Fifty-seven percent (57%) to the state highway account established in section 40-702, Idaho Code; and

(c) Five percent (5%) to the law enforcement account, established in section 67-2914, Idaho Code. The state controller shall cause the remittance of the moneys apportioned to local units of government not later than January 25, April 25, July 25 and October 25 of each year, and to the state highway account and the law enforcement account as the moneys become available to the highway distribution account.

(3) All new revenues generated by increases in registration fees and fees on electric and hybrid vehicles pursuant to the provisions of House Bill No. 312, as amended in the Senate, as amended in the Senate, during the first regular session of the sixty-third Idaho legislature, shall be apportioned as follows:

(a) Forty percent (40%) to local units of government as provided in section 40-709, Idaho Code; and

(b) Sixty percent (60%) to the state highway account established in section 40-702, Idaho Code.

(4) Interest earned on the investment of idle moneys in the highway distribution account shall be paid to the highway distribution account.

(4) All idle moneys in the dedicated highway trust or asset accounts or subaccounts established from highway user revenues, reimbursements, fees or permits shall be invested by the state treasurer in the same manner as provided under section 67-1210, Idaho Code, with respect to other surplus or idle moneys in the state treasury. Interest earned on the investments shall be returned to the various highway trust or asset accounts and subaccounts.

SECTION 16. 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 17. An emergency existing therefor, which emergency is hereby declared to exist, Sections 6 and 7 of this act shall be in full force and effect on and after passage and approval. Sections 1, 2, 3, 4, 5, 10, 11, 12, 13, 14, 15 and 16 of this act shall be in full force and effect on and after July 1, 2015. Section 7 of this act shall be null, void and of no force and effect on and after May 31, 2017. Sections 8 and 9 of this act shall be in full force and effect on and after May 31, 2017."

## AMENDMENT TO THE CORRECTION TO TITLE

On page 4 of the amendment, delete lines 25 through 31, and insert:

"RELATING TO TRANSPORTATION; AMENDING SECTION 49-402, IDAHO CODE, TO REVISE REGISTRATION FEES; AMENDING SECTION 49-434, IDAHO CODE, TO PROVIDE FOR ADDITIONAL REGISTRATION FEES; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-457, IDAHO CODE, TO PROVIDE A FEE FOR ELECTRIC AND HYBRID VEHICLES, TO PROVIDE FOR THE DEPOSIT OF FEES AND TO DEFINE TERMS; AMENDING SECTION 63-2402, IDAHO CODE, TO REVISE THE TAX IMPOSED ON MOTOR FUEL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-2412, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DISTRIBUTION OF TAX IMPOSED ON MOTOR FUEL; AMENDING CHAPTER 7, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-719, IDAHO CODE, TO PROVIDE FOR THE STRATEGIC INITIATIVES PROGRAM, TO ESTABLISH THE STRATEGIC INITIATIVES PROGRAM FUND, TO PROVIDE FOR THE DEPOSIT OF CERTAIN MONEYS INTO THE FUND AND TO PROVIDE FOR USE OF MONEYS IN THE FUND; AMENDING SECTION 57-814, IDAHO CODE, TO REVISE PROVISIONS RELATING TO TRANSFERS OF MONEYS INTO THE BUDGET STABILIZATION FUND, TO PROVIDE FOR THE TRANSFER OF CERTAIN EXCESS CASH BALANCES INTO THE BUDGET STABILIZATION FUND AND TO REMOVE PROVISIONS RELATING TO THE MAXIMUM FUND BALANCE; REPEALING SECTION 57-814, IDAHO CODE, RELATING TO THE BUDGET STABILIZATION FUND; AMENDING CHAPTER 8, TITLE 57, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 57-814, IDAHO CODE, TO PROVIDE FOR THE BUDGET STABILIZATION FUND; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 40-701, IDAHO CODE, TO PROVIDE FOR DISTRIBUTION OF CERTAIN MONEYS; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES."

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

[H 312](#), as amended in the Senate, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

### Reports of Standing Committees

April 10, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 312](#), as amended in the Senate, have been correctly printed.

LODGE, Chairman

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

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

### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 312](#), as amended in the Senate, as amended in the Senate, by Ways and Means Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 312](#), as amended in the Senate, as amended in the Senate, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Tippetts, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Burgoyne, Thayne. Total - 2.

Absent and excused—McKenzie. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 312](#), as amended in the Senate, as amended in the Senate, was before the Senate for final consideration.

[H 312](#), as amended in the Senate, as amended in the Senate, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Stennett, Tippetts, Ward-Engelking, Winder. Total - 26.

NAYS—Bayer, Burgoyne, Hagedorn, Martin, Nonini, Nuxoll, Souza, Thayne, Vick. Total - 9.

Paired and voting included in roll call:

AYE - McKenzie                      NAY - Martin

Total - 35.

Whereupon the President declared [H 312](#), as amended in the Senate, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

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

**Miscellaneous Business**

On request by Senator Davis, granted by unanimous consent, the President appointed a committee consisting of Senator Heider, Chairman, and Senators Nonini and Lacey to notify the House of Representatives that the Senate had completed its business and was ready to adjourn *Sine Die*. The committee was excused.

On request by Senator Davis, granted by unanimous consent, the President appointed a committee consisting of Senator Mortimer, Chairman, and Senators Tippetts and Jordan to notify the Governor that the Senate had completed its business and was ready to adjourn *Sine Die*. The committee was excused.

The committee appointed to wait upon the House of Representatives returned and reported that it had delivered the Senate's message. The committee conveyed the Speaker's response to the President and the members of the Senate.

The President thanked and discharged the committee.

The committee appointed to wait upon the Governor returned and reported that it had delivered the Senate's message. The committee conveyed the Governor's response to the President and the members of the Senate.

The President thanked and discharged the committee.

President Pro Tempore Hill ordered the Sergeant-at-Arms to retrieve the Idaho State flag that had been raised over the Senate Chamber during the First Regular Session of the Sixty-third Legislature of the State of Idaho. The flag was then presented to Senator Keough in honor of her exemplary service to the Senate.

On request by Senator Davis, granted by unanimous consent, the President appointed a committee consisting of Senator Bair, Chairman, and Senators Brackett and Burgoyne to escort the committee from the House of Representatives into the Senate Chamber.

Representatives Andersen, Perry and Nye informed the Senate that the House was ready to adjourn *Sine Die*.

The President thanked and discharged the committee.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the First Regular Session of the Sixty-third Legislature of the Idaho Senate adjourned *Sine Die* at 1:33 a.m., Saturday, April 11, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

\*\*\*\*\*

**[Note: The following is action recorded after Senate *Sine Die*:]**

April 10, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1177](#), [S 1178](#), [S 1183](#), [S 1184](#), [S 1185](#),  
[S 1186](#), [S 1187](#), [S 1188](#), [S 1189](#), and [S 1190](#)

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

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

April 10, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1152](#), [S 1154](#), as amended, [S 1169](#), [S 1170](#),  
[S 1171](#), [S 1172](#), and [S 1176](#)

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

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

April 10, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1168](#)

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

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

April 13, 2015

The JUDICIARY AND RULES Committee reports that [S 1112](#) has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1112](#) and ordered it transmitted to the House for the signature of the Speaker.

April 13, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 126](#) and [SCR 130](#) were delivered to the Office of the Secretary of State at 10:40 a.m., April 13, 2015.

LODGE, Chairman

The report was filed in the office of the Secretary of the Senate.

April 13, 2015

**S 1192**

The JUDICIARY AND RULES Committee reports that Enrolled **S 1192** and **S 1174** were delivered to the Office of the Governor at 10:45 a.m., April 13, 2015.

LODGE, Chairman

The report was filed in the office of the Secretary of the Senate.

EXCEPT THAT said bill making appropriations of money embracing distinct items has been item vetoed and disapproved within the time limited by law, the bill having been received in the Office of the Governor at the hour of 10:45 a.m. on April 13, 2015. The item disapproved is as follows:

**On page 4 of the enrolled bill, line 19, the sum of "\$3,000,000"**

April 16, 2015

Dear Mr. President:

I transmit herewith Enrolled **HCR 26** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **HCR 26** and ordered it returned to the House.

The Industry Sector Grant program at the Idaho Department of Labor is an innovative and important program. It is helping to train and improve the skills of Idaho workers, preparing them for more technically challenging and higher paying jobs in growth industries. That will enhance Idaho's economy and the welfare of our citizens. However, rather than accepting my recommendation that the \$3 million request be appropriated from the General Fund, the Legislature chose to take it from a reserve fund at the State Industrial Commission dedicated to the workers' compensation program. There is no logical or policy nexus between the Industrial Commission's program benefiting workers injured on the job and the Department of Labor's workforce development efforts. Such a precedent is unwise and could lead to an increase in the rates that employers pay for workers' compensation insurance. The Department of Labor will continue working to educate businesses and legislators about the importance and efficacy of Industry Sector Grants.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

April 16, 2015

Dear Mr. President:

I transmit herewith Enrolled **H 312**, as amended in the Senate, as amended in the Senate, for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 312**, as amended in the Senate, as amended in the Senate, and ordered it returned to the House.

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

April 16, 2015

April 16, 2015

Dear Mr. President:

I return herewith Enrolled **S 1135**, as amended, and **S 1112**, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1135**, as amended, and **S 1112** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Honorable Lawrence Denney  
Secretary of State  
Statehouse

Dear Mr. Secretary of State:

I hereby advise you that I have returned without my approval, disapproved and vetoed, the following Senate Bill, to wit:

**S 1146**, as amended

April 16, 2015

The JUDICIARY AND RULES Committee reports that Enrolled **S 1112** and **S 1135**, as amended, were delivered to the Office of the Governor at 2:50 p.m., April 16, 2015.

LODGE, Chairman

The report was filed in the office of the Secretary of the Senate.

within the time limited by law, the same having arrived in the Office of the Governor at the hour of 9:24 a.m. on April 9, 2015.

I don't know what more I or senior members of my administration could have done to help legislators understand our strong opposition to this legislation. Both the House and Senate were told by the Office of Drug Policy, the Department of Health and Welfare, and the Idaho State Police - as well as prosecutors and local law enforcement officers from throughout Idaho - that there were too many questions and problems and too few answers and solutions in this bill to let it become law.

April 16, 2015

The Honorable Lawrence Denney  
Secretary of State  
Statehouse

Dear Mr. Secretary:

I have the honor to inform you that I have approved and am transmitting herewith the following bill, to wit:

Of course I sympathize with the heartbreaking dilemma facing some families trying to cope with the debilitating impacts of disease. They find themselves grasping for an answer - any answer that might help reduce or eliminate the pain and suffering, or that might provide some hope for a better, healthier future. It is difficult as a public official to separate those very real and profoundly upsetting situations from the tough public policy decisions we are elected to make. Nonetheless, such separation sometimes is necessary.

From the purposefully incorrect fiscal impact statement to the claims of patient outcomes that are more speculative than scientific, this legislation unfortunately - and with the very best of intentions and sense of humanity - is not what Benjamin Franklin meant when he described states as the laboratories of the republic. It ignores ongoing scientific testing on alternative treatments. It asks us to trust but not to verify. It asks us to legalize the limited use of cannabidiol oil, contrary to federal law. And it asks us to look past the potential for misuse and abuse with criminal intent.

So in vetoing this legislation, I echo the sentiments of the administrator of my Office of Drug Policy and the director of Health and Welfare, who wrote in an April 7 letter to me: "While we acknowledge the compassionate intention of S1146a, the list of negative outcomes associated with this bill will be extensive. In our quest to relieve suffering, it is vital that we ensure the solutions employed do not exacerbate health problems of the critically ill or decrease public safety. This bill has the potential to do both."

As an alternative to this legislation, I soon will issue an Executive Order authorizing the Department of Health and Welfare to study, and implement as it deems appropriate, an expanded access program for treatment-resistant epilepsy in children. That program has been approved by the U.S. Food and Drug Administration.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

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

April 20, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1098](#), as amended in the House, [S 1155](#), and [S 1182](#)

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

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

April 21, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1112](#), [S 1135](#), as amended, and [S 1174](#)

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

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

April 22, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I hereby advise you that I am transmitting today to the Office of the Secretary of State, the following Senate Bill, which will be allowed to become law without my signature within the time limited by law:

[S 1175](#)

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor of Idaho

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

**CERTIFICATE**

State of Idaho )  
 )  
Senate Chamber, Boise, Idaho )

We, BRAD LITTLE, President of the Senate, and JENNIFER NOVAK, Secretary of the Senate, do hereby certify and attest as follows:

That the daily Senate Journal of the proceedings of April 10th, 2015, the eighty-ninth Legislative Day, has been read and approved:

And, said Journal contains a true, complete, and accurate record of all Senate proceedings of said day, including final actions by the Senate and the Governor of the State of Idaho, as statutorily mandated.

IN WITNESS WHEREOF, we have hereunto set our hand this 22nd day of April, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

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**SENATE JOURNAL INDEX**

- ORGANIZATIONAL SESSION -
- FIRST REGULAR SESSION -
- FIRST EXTRAORDINARY SESSION -

**SIXTY-THIRD IDAHO LEGISLATURE - 2015**

This index is divided into the following sections:

<b>ORGANIZATIONAL SESSION:</b>		Page
SECTION I-O	Office and Administration of the Senate for the Organizational Session, December 4, 2014 .....	340
SECTION II-O	Committee Assignments for the First Regular Session.....	341
SECTION III-O	Alphabetical Index of Senate Action.....	348
<b>FIRST REGULAR SESSION:</b>		Page
SECTION I	Officers and Administration for the First Regular Session, January 12 .....	343
SECTION II	Elected Members and Committee Assignments .....	345
SECTION III	Senate Attaches .....	350
SECTION IV	Topic Index, Alphabetically arranged, of ALL Senate introductions, including ONLY House Legislation received by the Senate, and Senate action on that legislation. ....	339
SECTION V	Numerical Index of Senate Bills.....	422
SECTION VI	Numerical Index of Senate Joint Memorials .....	443
SECTION VII	Numerical Index of Senate Concurrent Resolutions .....	444
SECTION VIII	Actions of the Governor on Senate Bills which passed both the Senate and House, with effective dates and Session Law Chapter Numbers cited.....	447
SECTION IX	Numerical Index of House Bills received by the Senate .....	452
SECTION X	Numerical Index of House Joint Memorials received by the Senate.....	474
SECTION XI	Numerical Index of House Concurrent Resolutions received by the Senate.....	476
SECTION XII	Senate Sponsors of Senate Legislation voted on in the Senate.....	479
SECTION XIII	Senate Sponsors of House Legislation voted on in the Senate.....	482
<b>FIRST EXTRAORDINARY SESSION - May 18, 2015</b>		Page
SECTION I-EO	Journal for Extraordinary Session.....	491

## SECTION I-O

**SIXTY-THIRD LEGISLATURE - ORGANIZATIONAL SESSION - 2015**  
**OFFICERS AND ADMINISTRATION OF THE SENATE**

<b>Name</b>	<b>Address</b>
LITTLE, BRAD ..... Lieutenant Governor/President of the Senate	Emmett
HILL, BRENT ..... President Pro Tempore	Rexburg
DAVIS, BART M. .... Majority Leader	Idaho Falls
WINDER, CHUCK ..... Assistant Majority Leader	Boise
LAKEY, TODD M. .... Majority Caucus Chair	Nampa
STENNETT, MICHELLE ..... Minority Leader	Ketchum
WERK, ELLIOT ..... Assistant Minority Leader	Boise
BUCKNER-WEBB, CHERIE ..... Minority Caucus Chair	Boise
NOVAK, JENNIFER ..... Secretary of the Senate	Boise
SNELL, JAN ..... Secretary to the Secretary of the Senate	Boise
HENDRICK, SARAH ..... Journal Clerk	Boise
MCDONALD, SARAH JANE ..... Sergeant-at-Arms	Boise
CSUTORAS, JERRY ..... Assistant Sergeant-at-Arms	Boise
JONES, MARY SUE ..... Chief of Staff to President Pro Tem	Boise
ADAMSON, BRENT ..... Chaplain	Boise

## SECTION II-O

SENATE COMMITTEE ASSIGNMENTS  
2015 LEGISLATURE

[Organizational Session: December 4, 2014]

**Agricultural Affairs (9)**Rice, Chairman  
Bayer, Vice ChairmanBrackett  
Patrick  
Souza  
Lee  
Den HartogWard-Engelking  
BurgoyneDavis  
Tippets  
Johnson  
Bayer  
SouzaWerk  
Burgoyne**Judiciary and Rules (9)**Lodge, Chairman  
Hagedorn, Vice Chairman**Commerce and Human Resources (9)**Tippets, Chairman  
Patrick, Vice ChairmanCameron  
Martin  
Lakey  
Heider  
LeeSchmidt  
Ward-EngelkingMcKenzie  
Rice  
Vick  
Bayer  
GuthrieWerk  
Burgoyne**Local Government and Taxation (9)**Siddoway, Chairman  
Johnson, Vice Chairman**Education (9)**Mortimer, Chairman  
Thayn, Vice ChairmanKeough  
Nonini  
Patrick  
Souza  
Den HartogBuckner-Webb  
Ward-EngelkingCameron  
Siddoway  
Brackett  
Heider  
NuxollStennett  
Lacey**Resources and Environment (9)**Bair, Chairman  
Vick, Vice Chairman**Finance (10)**Cameron, Chairman  
Keough, Vice ChairmanMortimer  
Bair  
Nuxoll  
Johnson  
Thayn  
GuthrieSchmidt  
LaceyDavis  
Hill  
Winder  
Siddoway  
LakeyStennett  
Werk**State Affairs (9)**McKenzie, Chairman  
Lodge, Vice Chairman**Health and Welfare (9)**Heider, Chairman  
Martin, Vice ChairmanLodge  
Nuxoll  
Hagedorn  
Tippets  
LeeSchmidt  
StennettKeough  
Winder  
Hagedorn  
Vick  
Den HartogBuckner-Webb  
Lacey**Transportation (9)**Brackett, Chairman  
Nonini, Vice Chairman

# SENATE JOURNAL

## SECTION III-O

### SIXTY-THIRD IDAHO LEGISLATURE

#### ORGANIZATIONAL SESSION

#### 2015 LEGISLATIVE SESSION

December 4, 2014

<u>SUBJECT MATTER</u>	<u>PAGE</u>
ORGANIZATIONAL SESSION - December 4, 2014 .....	1
Certificate of Election and Oath of Office .....	1
Chaplain:	
Pastor Brent Adamson .....	1
Committee Assignments .....	2
Leadership Roster: Majority and Minority .....	2
President Pro Tempore:	
<b>HILL, BRENT</b> .....	1
Elected by the Senate .....	1
Oath of Office .....	1
Rules:	
Adopted, Sixty-third Legislature .....	2
Seat Assignments .....	2
Secretary of the Senate:	
<b>NOVAK, JENNIFER</b> .....	
Elected by the Senate .....	1
Oath of Office .....	2
Senate Organized and Ready to Conduct Business:	
Committee to Notify the Governor .....	3
Governor Notified .....	3
Committee to Notify the House of Representatives .....	3
House Notified .....	3
<i>Sine Die</i> Adjournment of Organizational Session .....	3

## SECTION I

SIXTY-THIRD LEGISLATURE - FIRST REGULAR SESSION - 2015  
OFFICERS AND ADMINISTRATION OF THE SENATE

Name	Address
LITTLE, BRAD ..... Lieutenant Governor/President of the Senate	Emmett
HILL, BRENT ..... President Pro Tempore	Rexburg
DAVIS, BART M. .... Majority Leader	Idaho Falls
WINDER, CHUCK ..... Assistant Majority Leader	Boise
LAKEY, TODD M. .... Majority Caucus Chair	Nampa
STENNETT, MICHELLE ..... Minority Leader	Ketchum
BUCKNER-WEBB, CHERIE ..... Assistant Minority Leader	Boise
BURGOYNE, GRANT ..... Minority Caucus Chair	Boise
NOVAK, JENNIFER ..... Secretary of the Senate	Boise
SNELL, JAN ..... Secretary to the Secretary of the Senate	Boise
HENDRICK, SARAH ..... Journal Clerk	Boise
KAISER, JAMIE ..... Assistant Clerk	Boise
JONES, MARY SUE ..... Chief of Staff to President Pro Tem	Boise
SMITH, MARIAN ..... Assistant to the Majority Leader	Boise
KUKLA, LIZZIE ..... Assistant to the Assistant Majority Leader	Melba
PENNINGTON, SHARON ..... Assistant to the Majority Caucus Chairman	Boise
KELLY, DIANE ..... Minority Chief of Staff	Boise
MCDONALD, SARAH JANE ..... Sergeant-at-Arms	Boise
CSUTORAS, JERRY ..... Assistant Sergeant-at-Arms	Boise

ADAMSON, BRENT ..... Idaho City  
Chaplain

SECTION II

2015 MEMBERS OF THE SENATE AND ASSIGNMENTS  
(Certificate of Election - First Regular Session)

Name	Address	District
BAIR, STEVE ..... Resources and Environment - Chair Finance	Blackfoot .....	31
BAYER, CLIFFORD R. .... Agricultural Affairs - Vice Chair Judiciary and Rules Local Government and Taxation	Meridian .....	21
BRACKETT, BERT ..... Transportation - Chair Agricultural Affairs Resources and Environment	Rogerson .....	23
BUCKNER-WEBB, CHERIE ..... Assistant Minority Leader Education State Affairs Transportation	Boise .....	19
BURGOYNE, GRANT ..... Minority Caucus Chair Agricultural Affairs Judiciary and Rules Local Government and Taxation	Boise .....	16
CAMERON, DEAN L. .... Finance - Chair Commerce and Human Resources Resources and Environment	Rupert .....	27
DAVIS, BART M. .... Majority Leader Judiciary and Rules State Affairs	Idaho Falls .....	33
DEN HARTOG, LORI ..... Agricultural Affairs Education Transportation	Meridian .....	22
GUTHRIE, JIM ..... Finance Local Government and Taxation	McCammon .....	28

Name	Address	District
HAGEDORN, MARV ..... Judiciary and Rules - Vice Chair Health and Welfare Transportation	Meridian.....	14
HEIDER, LEE ..... Health and Welfare - Chair Commerce and Human Resources Resources and Environment	Twin Falls.....	24
HILL, BRENT ..... President Pro Tempore State Affairs	Rexburg.....	34
JOHNSON, DAN G. .... Local Government and Taxation - Vice Chair Finance Judiciary and Rules	Lewiston.....	6
JORDAN, MARYANNE ..... Health and Welfare Judiciary and Rules	Boise.....	17
KEOUGH, SHAWN ..... Finance - Vice Chair Education Transportation	Sandpoint.....	1
LACEY, ROY ..... Finance Resources and Environment Transportation	Pocatello.....	29
LAKEY, TODD M. .... Majority Caucus Chair Commerce and Human Resources State Affairs	Nampa.....	12
LEE, ABBY ..... Agricultural Affairs Commerce and Human Resources Health and Welfare	Fruitland.....	9
LODGE, PATTI ANNE ..... Judiciary and Rules - Chair State Affairs - Vice Chair Health and Welfare	Huston.....	11



Name	Address	District
MARTIN, FRED S. Health and Welfare - Vice Chair Commerce and Human Resources	Boise	15
MCKENZIE, CURT State Affairs - Chair Local Government and Taxation	Boise	13
MORTIMER, DEAN M. Education - Chair Finance	Idaho Falls	30
NONINI, BOB Transportation - Vice Chair Education	Coeur d'Alene	3
NUXOLL, SHERYL L. Finance Health and Welfare Resources and Environment	Cottonwood	7
PATRICK, JIM Commerce and Human Resources - Vice Chair Agricultural Affairs Education	Twin Falls	25
RICE, JIM Agricultural Affairs - Chair Local Government and Taxation	Caldwell	10
SCHMIDT, DAN J. Commerce and Human Resources Finance Health and Welfare	Moscow	5
SIDDOWAY, JEFF C. Local Government and Taxation - Chair Resources and Environment State Affairs	Terreton	35
SOUZA, MARY Agricultural Affairs Education Judiciary and Rules	Coeur d'Alene	4
STENNETT, MICHELLE Minority Leader Local Government and Taxation Resources and Environment State Affairs	Ketchum	26

Name	Address	District
THAYN, STEVEN P. .... Education - Vice Chair Finance	Emmett.....	8
TIPPETS, JOHN H. .... Commerce and Human Resources - Chair Health and Welfare Judiciary and Rules	Bennington.....	32
VICK, STEVE ..... Resources and Environment - Vice Chair Local Government and Taxation Transportation	Dalton Gardens .....	2
WARD-ENGELKING, JANIE ..... Agricultural Affairs Commerce and Human Resources Education	Boise.....	18
WINDER, CHUCK ..... Assistant Majority Leader State Affairs Transportation	Boise.....	20

## SECTION II - Continued

SENATE COMMITTEE ASSIGNMENTS  
2015 LEGISLATURE**Agricultural Affairs (9)**Rice, Chairman  
Bayer, Vice ChairmanBrackett  
Patrick  
Souza  
Lee  
Den HartogWard-Engelking  
BurgoyneDavis  
Tippets  
Johnson  
Bayer  
Souza**Judiciary and Rules (9)**Lodge, Chairman  
Hagedorn, Vice ChairmanBurgoyne  
Jordan**Commerce and Human Resources (9)**Tippets, Chairman  
Patrick, Vice ChairmanCameron  
Martin  
Lakey  
Heider  
LeeSchmidt  
Ward-EngelkingMcKenzie  
Rice  
Vick  
Bayer  
Guthrie**Local Government and Taxation (9)**Siddoway, Chairman  
Johnson, Vice ChairmanStennett  
Burgoyne**Education (9)**Mortimer, Chairman  
Thayn, Vice ChairmanKeough  
Nonini  
Patrick  
Souza  
Den HartogBuckner-Webb  
Ward-EngelkingCameron  
Siddoway  
Brackett  
Heider  
Nuxoll**Resources and Environment (9)**Bair, Chairman  
Vick, Vice ChairmanStennett  
Lacey**Finance (10)**Cameron, Chairman  
Keough, Vice ChairmanBair  
Mortimer  
Nuxoll  
Johnson  
Thayn  
GuthrieSchmidt  
LaceyDavis  
Hill  
Winder  
Siddoway  
Lakey**State Affairs (9)**McKenzie, Chairman  
Lodge, Vice ChairmanStennett  
Buckner-Webb**Health and Welfare (9)**Heider, Chairman  
Martin, Vice ChairmanLodge  
Nuxoll  
Hagedorn  
Tippets  
LeeSchmidt  
JordanKeough  
Winder  
Hagedorn  
Vick  
Den Hartog**Transportation (9)**Brackett, Chairman  
Nonini, Vice ChairmanBuckner-Webb  
Lacey

**SECTION III**  
**2015 SENATE ATTACHE INDEX**

<u>Name</u>	<u>Position</u>
ADAMSON, BRENT .....	Chaplain
ASHBY, MOLLY .....	*Page
BENNETT, GAYE.....	Transportation Committee Secretary
BUDELL, JUANITA.....	Resources and Environment Committee Secretary
BUSH, TIM .....	*Page
CAHOON, SAMUEL.....	*Page
CHICK, BROOKE .....	Page
CHRISTENSEN, KAYLA.....	*Page
CLAYTON, JEANNE.....	Majority Staff Assistant
COLE, NOLAN.....	*Page
CORNWALL, CAROL.....	Judiciary and Rules Committee Secretary
CSUTORAS, JERRY .....	Assistant Sergeant-at-Arms
DEATHERAGE, LYDIA.....	*Page
DEIS, CAROL.....	Agricultural Affairs Committee Secretary
DENKER, ERIN.....	Health and Welfare Committee Secretary
FILIP, JEROME.....	Minority Staff Assistant
FLOYD, CAMERON.....	Page
FRONK, HALEY .....	Page
HAHN, LAURA .....	Page
HENDERSON, AL.....	Doorkeeper
HENDRICK, SARAH.....	Journal Clerk
HILL, MORGAN .....	*Minority Staff Assistant
JONES, MARY SUE.....	**Chief of Staff to President Pro Tem
KAISER, JAMIE .....	Assistant Clerk
KAMBEITZ, LINDA .....	Commerce and Human Resources Committee Secretary
KELLY, DIANE.....	**Minority Chief of Staff
KENNEDY, PAUL .....	Page
KLEOPFER, BRENTON .....	Page
KUKLA, LIZZIE.....	Assistant to the Assistant Majority Leader
LAKE, JAMESON.....	Page
LEWIS, BARBARA.....	Majority Staff Assistant
LOVE, KARESSA .....	Page
MADDEN, MILES.....	Page
MARTIN, SAVANNAH.....	*Page

<u>Name</u>	<u>Position</u>
MASTOURI, MARIEM.....	Page
MCDONALD, SARAH JANE.....	Sergeant-at-Arms
MCLENNAN, AMANDA.....	Local Government and Taxation Committee Secretary
MELTON, TWYLA.....	State Affairs Committee Secretary
MILLER, CHRISTOPHER.....	*Page
MOONEY, SAMANTHA.....	*Page
MOYER, PEGGY.....	Finance Committee Secretary
NOVAK, JENNIFER.....	**Secretary of the Senate
PENNINGTON, SHARON.....	Assistant to the Majority Caucus Chairman
PRICE, JOSHUA.....	*Page
REIDER, ZACH.....	Minority Staff Assistant
SCHUPACK, SEAN.....	Majority Staff Assistant
SMITH, JENNY.....	Majority Staff Assistant
SMITH, MARIAN.....	Assistant to the Majority Leader
SNELL, JAN.....	Secretary to the Secretary of the Senate
SOUTH, LEANN.....	Education Committee Secretary
TONKIN, PAULA.....	Majority Staff Assistant

Attache sworn in January 14, 2015

\* Attache sworn in February 23, 2015

\*\* Permanent Full-Time Employees

\*\*\* Permanent Part-Time Employees

## SECTION IV

TOPICAL INDEX  
[ALPHABETICALLY ARRANGED]

This Topical Index alphabetically lists subject matter for **ALL** Senate bills, and **ONLY** those House bills introduced in the Senate. Nonlegislative subject matter is included and referred to by page number only.

Since the Senate Journal **only** covers the actions of House bills transmitted to the Senate, this topical index does not refer to every House bill introduced in the House. Separate indices in this volume list, in numerical order, all House bills, memorials, resolutions, and proclamations received by the Senate and show action taken by the Senate thereon. If a particular subject matter does not appear in this index, refer to the House Journal Alphabetical Index. Session law numbers for legislation passing both Senate and House, and becoming law, are included for all Senate bills within the Numerical Index Section V.

	Bill Number	Intro. Page	Vote Page
- A -			
ABORTION			
Abortion providers, must have hospital privileges .....	S 1094	84	-
Abortion providers, must have hospital privileges .....	S 1102	93	-
Chemical abortions, requirements, court proceedings .....	H 154	136/217	239
ACCIDENTS			
See also EMERGENCIES			
ACCOUNTING AND ACCOUNTANTS			
Port district annual audited financial statement .....	S 1045	55	99
ACCOUNTS			
Fish and Game set-aside acct, class 7 licenses exempt .....	S 1020	35	95
Tax refund donations, certain recipient accts deleted .....	S 1107	118	152
Transportation funding, general funds, highway acct .....	H 310	282	-
ACTING SENATORS			
Melinda Smyser, January 19-22, 2015 .....		19	
Kimberly Johnson, January 23- February 20, 2015 .....		24	
ACTS			
Benefit Corporation Act, add .....	S 1076	81	167
Direct Primary Care Act, add .....	S 1062	71/172/188	199
Genetic Counselors Licensing Act, add .....	S 1080	82/141	156
Idaho Code of Military Justice (model code) added .....	H 53	147	263
Idaho Uniform Business Organizations Code, add .....	S 1025	41	148
Idaho Uniform Business Organizations Code, trailer bill .....	S 1109	124	148
Idaho Uniform Business Organizations Code, trailer bill .....	S 1182	282	286
Interstate Compact on Transfer of Public Lands Act, add .....	H 265	276	-
Limited Convention/No Runaway Convention Act, add .....	H 67	136	-
Naturopathic Medical Physicians Licensing Act, add .....	H 181	166/233/258	277
Naturopathic Physicians Licensing Act repealed .....	S 1177	241	277
Physician Physical Presence and Women Protection Act .....	H 154	136/217	239
Reimbursement Incentive Act, amend .....	H 172	136	214
Telehealth Access Act, add .....	H 189	140	203
Transportation Network Company Services Act, add .....	H 262	208	256
Transportation Network Insurance Act, add .....	H 316	276	293
Unclaimed Life Insurance Benefits Act, add .....	S 1023	36	119
Uniform Fiduciary Access to Digital Assets Act, add .....	S 1055	62	-
Uniform Interstate Family Support Act, amend .....	S 1067	75	229
Uniform Recognition of Substitute Decision-Making .....	S 1054	62	137
Uniform Voidable Transactions Act, formerly Fraudulent .....	H 92	228/268	277
Water Resources Reform Act, expedite federal funding .....	SJM 101	85	98
ADJOURNMENT, SINE DIE			
Organizational Session:			
Thursday, December 4, 2014, at 3:45 p.m. ....		3	
First Regular Session:			
Saturday, April 11, 2015 at 1:33 a.m. ....		336	

	Bill Number	Intro. Page	Vote Page
ADJUTANT GENERAL OF THE IDAHO MILITARY DIVISION			
Saylor, Gary: Appointment, Adjutant General			
Appointed by Governor/to State Affairs (Feb. 10).....		65	
Committee Report.....		109	
Confirmed by Senate.....			117
ADMINISTRATION DEPARTMENT			
Administration Department Purchasing Division rules rejected.....	SCR 129	275	285
Appropriation.....	S 1175	232	251
Appropriation, Capitol Commission.....	H 294	241	255
Appropriation, Public Works Division.....	S 1172	228	251
Appropriation, bond payment program.....	H 295	241	256
ADMINISTRATIVE PROCEDURE ACT			
See also RULES			
Administrative hearing officers, legislative study committee.....	SCR 124	191	207
Oil/Gas Commission, contested case hearings.....	H 123	124	203
Tax Commission, rulemaking, fiscal impact, continue in effect.....	H 34	48	119
ADMINISTRATOR OF THE OFFICE OF ENERGY RESOURCES			
Chatburn, John: Appointment, Administrator			
Appointed by Governor/to State Affairs (Jan. 22).....		21	
Committee Report.....		40	
Confirmed by Senate.....			54
ADVERTISING			
Parks and Recreation Department, long-term funding/sponsorship agreements.....	S 1098	93/298	124/304
AERONAUTICS ADVISORY BOARD			
Sorensen, Rodger Lee: Appointment, Member			
Appointed by Governor/to Transportation (Feb. 2).....		40	
Committee Report.....		116	
Confirmed by Senate.....			123
AGING, COMMISSION ON			
Appropriation.....	H 248	194	220
AGRICULTURE			
Agriculture Department animal importation rule rejected.....	SCR 116	149	165
Agriculture Department, livestock rule rejected.....	SCR 113	126	135
Agriculture Department, noxious weeds, research facility.....	S 1073	81/276	114/279
Beef Council, property lease or ownership.....	S 1113	129	161
Cherry Commission, creation of districts by rule.....	H 148	147	213
Columbia Snake River system, state sovereignty.....	HJM 11	291	304
Conservation easements/grazing permits, tax deduction.....	H 109	106/217	242
Department, appropriation.....	S 1161	202	224
Department, appropriation, Pest Control Deficiency Fund.....	H 26	33	48
Farm/ranching income, capital gains tax deduction.....	H 133	106	162
Food labeling, genetically engineered, FDA standards.....	HJM 6	151	180
Hand tools, sales tax production exemption.....	H 39	98	176
Highway transportation, agricultural products, vehicles.....	H 194	140/181	209
Honey Commission, membership qualifications.....	S 1074	81	133
Idaho Farm Bureau Federation Day, 75 years.....	HCR 14	151	180
Prisoners, private farm employers, no benefits.....	S 1075	81	152
Pure Seed Act, add cultivation, production and processing.....	H 114	129	200
Wolf Control Fund, appropriation.....	S 1160	202	224
AIR POLLUTION			
See POLLUTION			
ALCOHOLIC BEVERAGES			
See LIQUOR			
ALIENS			
See IMMIGRATION AND IMMIGRANTS			
ALTERNATIVE DISPUTE RESOLUTION			
See MEDIATION AND ARBITRATION			
AMBULANCES			
Community health emergency medical services, ambulance.....	H 153	147	212
Emergency Medical Services Bureau, draft legislation.....	HCR 19	258	-

	Bill Number	Intro. Page	Vote Page
AMENDMENTS			
<b>Senate Bills Amended in the Senate:</b>			
S 1015, As Amended.....		100	
S 1033, As Amended.....		198	
S 1040, As Amended.....		141	
S 1041, As Amended.....		170	
S 1053, As Amended.....		171	
S 1056, As Amended.....		141	
S 1059, As Amended.....		141	
S 1061, As Amended.....		107	
S 1062, As Amended.....		172	
S 1062, As Amended, As Amended .....		188	
S 1069, As Amended.....		155	
S 1069, As Amended, As Amended .....		181	
S 1070, As Amended.....		142	
S 1071, As Amended.....		141	
S 1072, As Amended.....		156	
S 1080, As Amended.....		141	
S 1095, As Amended.....		171	
S 1096, As Amended.....		171	
S 1108, As Amended.....		155	
S 1135, As Amended.....		217	
S 1146, As Amended.....		218	
S 1154, As Amended.....		218	
<b>House Bills Amended in the Senate:</b>			
H 15, As Amended in the Senate.....		100	
H 15, As Amended in the Senate, As Amended in the Senate .....		171	
H 17, As Amended in the Senate.....		171	
H 29, As Amended in the Senate.....		141	
H 72, As Amended in the Senate.....		155	
H 92, As Amended, As Amended in the Senate .....		268	
H 94, As Amended in the Senate.....		241	
H 95, As Amended in the Senate.....		311	
H 109, As Amended in the Senate.....		217	
H 113, As Amended in the Senate.....		216	
H 142, As Amended in the Senate.....		172	
H 152, As Amended in the Senate.....		268	
H 154, As Amended in the Senate.....		217	
H 155, As Amended in the Senate.....		265	
H 157, As Amended in the Senate.....		198	
H 167, As Amended in the Senate.....		218	
H 170, As Amended in the Senate.....		238	
H 181, As Amended in the Senate.....		233	
H 181, As Amended in the Senate, As Amended in the Senate .....		258	
H 194, As Amended in the Senate.....		181	
H 202, As Amended in the Senate.....		218	
H 257, As Amended in the Senate.....		263	
H 309, As Amended in the Senate.....		304	
H 312, As Amended in the Senate.....		306	
H 312, As Amended in the Senate, As Amended in the Senate .....		323	
<b>Senate Bills Amended in the House, Concurrence in:</b>			
S 1069, As Amended, As Amended, As Amended in the House .....		276	
S 1073, As Amended in the House.....		276	
S 1088, As Amended in the House.....		249	
S 1098, As Amended in the House.....		298	
S 1104, As Amended in the House.....		276	
ANDERSON, JEFF			
Appointment: Director of the State Liquor Division			
Appointed by Governor/to State Affairs (Feb. 25) .....		117	
Committee Report.....		144	
Confirmed by Senate.....			



	Bill Number	Intro. Page	Vote Page
ANIMALS			
See also WILDLIFE			
Agriculture Department animal importation rule rejected.....	SCR 116	149	165
Historical horse race wagering, certain premises only .....	S 1048	57	-
Historical horse races, betting repealed .....	S 1011	25	302
Sage-grouse, long-term management, state primacy .....	HJM 9	258	285
Salmon/steelhead, unlawful killing, delete flagrant .....	H 31	53	202
State amphibian is Idaho Giant Salamander .....	H 1	241	265
ANNEXATION			
City annexation types, notice of intent, voter approval .....	S 1093	83	-
City annexation, when voter approval is required .....	S 1065	71	-
Recreation districts, first year restrictions .....	H 27	35	64
APPEALS			
See also STATE APPELLATE PUBLIC DEFENDER			
APPOINTMENTS			
Fire commissioner terms, subdistricts, reapportion .....	H 204	194	-
State office vacancies, failed appointments, documents .....	S 1112	129	194
APPOINTMENTS, SENATE			
See COMMITTEES, Standing			
See COMMITTEES, Memorial Service, Lincoln Day, Idaho Day			
See GUBERNATORIAL APPOINTMENTS			
APPROPRIATIONS			
Administration Department .....	S 1175	232	251
Administration Department, Capitol Commission .....	H 294	241	255
Administration Department, Public Works Division .....	S 1172	228	251
Administration Department, bond payment program .....	H 295	241	256
Aging Commission .....	H 248	194	220
Agriculture Department .....	S 1161	202	224
Arts Commission .....	S 1118	135	160
Attorney General.....	H 254	198	222
Blind/Visually Impaired Commission .....	H 253	198	222
Budget Stabilization Fund.....	S 1191	289	296
Catastrophic Health Care Program.....	H 282	241	253
Commerce Department.....	S 1166	202	230
Correction Department .....	H 284	241	253
Correction Department, add'l.....	H 206	151	175
Department of Environmental Quality .....	S 1163	202	229
Department of Environmental Quality, add'l .....	S 1003	23	33
Economic Recovery Reserve Fund, 27th payroll.....	S 1190	289	296
Education Board/University of Idaho, colleges/universities.....	S 1176	233	251
Education Board/University of Idaho, health education programs.....	H 287	241	254
Education Board/University of Idaho, special programs .....	H 290	241	255
Education Board, Idaho Public Television.....	S 1149	170	208
Education Board, Idaho Public Television, add'l.....	S 1002	23	33
Education Board, Office of.....	H 305	249	265
Education Board, Professional-Technical Education Division .....	S 1151	193	219
Education Board, Vocational Rehabilitation Division .....	H 251	194	220
Education Board, Vocational Rehabilitation Division, add'l.....	S 1012	27	37
Education Board, community colleges.....	H 304	249	264
Education Department, broadband services to schools.....	H 168	104	111
Education Department, broadband services to schools, trailer .....	H 263	208	244
Education Department, public schools, administrators division.....	S 1183	288	294
Education Department, public schools, central services division.....	S 1189	289	296
Education Department, public schools, children's programs .....	S 1186	289	295
Education Department, public schools, deaf/blind services .....	S 1188	289	296
Education Department, public schools, facilities division.....	S 1187	289	295
Education Department, public schools, operations division.....	S 1185	288	295
Education Department, public schools, teachers division.....	S 1184	288	295
Education Department/Superintendent of Public Instruction .....	H 289	241	254
Endowment Fund Investment Board.....	H 231	160	210

	Bill Number	Intro. Page	Vote Page
APPROPRIATIONS (Continued)			
Finance Department.....	S 1126	146	167
Fire Suppression Deficiency Fund .....	H 26	33	48
Fish and Game Commission.....	H 320	302	308
Fish and Game Department.....	S 1013	30	48
Fish and Game Department.....	S 1133	147	168
Fish and Game Department, add'l.....	S 1115	132	152
Governor, Executive Office of.....	S 1143	159	195
Governor, Office of, Drug Policy Office.....	H 207	151	176
Governor, Office of, Energy Resources .....	H 223	160	204
Governor, Office of, Financial Management Division.....	S 1138	159	194
Governor, Office of, Human Resources Division .....	S 1114	132	151
Governor, Office of, Military Division .....	H 229	160	209
Governor, Office of, STEM Action Center.....	H 326	313	316
Governor, Office of, Species Conservation Office.....	S 1128	147	167
Governor, Office of, State Liquor Division.....	S 1127	146	167
Hazardous Substance Emergency Response Fund.....	H 26	33	48
Health and Welfare Department, Welfare Division .....	H 274	228	246
Health and Welfare Department, add'l., Medicaid .....	H 205	155	201
Health and Welfare Department, add'l., indirect support services.....	H 211	155	202
Health and Welfare Department, add'l., indirect support services.....	H 210	155	201
Health and Welfare Department, add'l., mental health, substance abuse .....	H 232	160	210
Health and Welfare Department, add'l., physical health services.....	H 218	160	204
Health and Welfare Department, child welfare, developmentally disabled .....	H 276	228	247
Health and Welfare Department, independent councils/indirect support/license .....	H 288	241	254
Health and Welfare Department, medicaid programs .....	H 240	180	219
Health and Welfare Department, mental health .....	H 264	208	244
Health and Welfare Department, public health services.....	H 281	241	253
Health and Welfare Department, public health services, add'l. ....	S 1180	278	293
Hispanic Affairs Commission.....	S 1148	170	208
Idaho State Historical Society .....	H 293	241	255
Idaho State Lottery .....	S 1130	147	168
Idaho State Police.....	H 247	194	219
Industrial Commission.....	S 1140	159	194
Insurance Department.....	S 1139	159	194
Juvenile Corrections Department .....	H 226	160	209
Labor Department.....	S 1173	228	-
Labor Department (line-item veto).....	S 1192	299	308
Lands Department.....	H 268	216	245
Lands Department, fire suppression deficiency fund.....	S 1190	289	296
Lava Hot Springs.....	H 225	160	204
Legislative Legal Defense Fund, sage-grouse .....	S 1190	289	296
Legislative Services Office.....	S 1142	159	195
Legislative Services Office, OPE.....	S 1179	278	-
Libraries Commission.....	H 250	194	220
Lieutenant Governor.....	S 1131	147	168
Pardons and Parole Commission.....	S 1157	197	223
Parks and Recreation Department.....	S 1158	197	223
Pest Control Deficiency Fund.....	H 26	33	48
Public Employee Retirement System of Idaho, appropriation .....	S 1117	135	160
Public Health Trust Fund.....	H 230	160	209
Public Utilities Commission.....	H 228	160	209
Public schools, children's programs .....	S 1116	135	160
Secretary of State.....	S 1125	146	167
Secretary of State, presidential primary.....	S 1178	278	292
Self-Governing Agencies, Building Safety Division .....	S 1141	159	194
Self-Governing Agencies, Public Defense Commission .....	S 1145	166	199
Self-Governing Agencies, Veterans Services Division.....	H 227	160	209
Self-Governing Agencies, medical boards.....	H 224	160	204
Self-Governing Agencies, regulatory boards .....	S 1132	147	168

	Bill Number	Intro. Page	Vote Page
APPROPRIATIONS (Continued)			
Soil and Water Conservation Commission.....	S 1162	202	224
State Appellate Public Defender .....	H 271	216	245
State Appellate Public Defender, add'l.....	S 1110	128	148
State Controller.....	H 249	194	220
State Independent Living Council.....	H 41	48	55
State Independent Living Council.....	S 1129	147	168
Superintendent of Public Instruction.....	S 1171	216	247
Superintendent of Public Instruction, add'l.....	H 321	302	312
Supreme Court.....	S 1159	197	224
Tax Appeals Board.....	S 1164	202	229
Tax Commission.....	S 1165	202	230
Tobacco/drug programs, Millennium Income Fund.....	S 1144	166	199
Transportation Department.....	S 1174	228	311
Treasurer, State.....	H 272	216	245
University of Idaho, Agricultural Research/Extension.....	S 1150	193	219
Water Resources Department.....	H 273	216	245
Water Resources Department, Secondary Aquifer Planning Fund.....	S 1190	289	296
Wolf Control Fund.....	S 1160	202	224
ARBITRATION			
See MEDIATION AND ARBITRATION			
ARIAL, CAMERON			
Appointment, Member: Treasurer's Investment Advisory Board			
Appointed by Governor/to State Affairs (Jan. 27).....		28	
Committee Report.....		106	
Confirmed by Senate.....			110
ARMED FORCES			
See MILITARY AND MILITIA			
ARTS			
Commission, appropriation.....	S 1118	135	160
Music therapy, important health care service.....	SCR 109	91	132
ASSESSMENTS AND ASSESSORS			
Eminent domain property valuation, factors in assessing.....	S 1039	53	-
Ground water district, increase maximum amount of warrants.....	S 1169	208	250
Immunization Assessments Board act, extend to 2017.....	H 107	118	212
Irrigation district, special assessments, protect facility.....	S 1059	63/141	156
Lateral water users association, assessments, withdrawal.....	S 1099	93	125
New plant investments, property tax exemption criteria.....	H 286	258	-
Personal/operating property tax exemption, apportion.....	H 29	37/141	161
Recreational "park model" vehicles, assessment standard.....	H 257	228/263	-
Tax sale of property, purchase by county, best interest.....	H 156	147	210
Water Users District, project resolutions and funding.....	S 1100	93	136
ASSISTED LIVING AND NURSING HOMES			
Residential care lease, relicensing not required.....	S 1042	55	96
ASSOCIATIONS			
Idaho Farm Bureau Federation Day, 75 years.....	HCR 14	151	180
Lateral water users association, assessments, withdrawal.....	S 1099	93	125
National Rifle Association friends, special license plates.....	H 16	50	67
ATHLETICS			
Gary Stevens, Idaho jockey, honor accomplishments.....	SCR 101	34	62
Massage therapy, licensure, short-term, athletic events.....	H 23	77	120
Physical therapy license exemptions, athletic events.....	H 25	71	121
YMCA Day, March 20th, recognize community contributions.....	SCR 118	163	180
ATTACHES			
See EMPLOYERS AND EMPLOYEES			
Election and Oath of Office			
Attaches and First Group Pages, January 14, 2015.....		14	14
Attaches and Second Group Pages, February 23, 2015.....		109	109
ATTORNEY GENERAL			
Appropriation.....	H 254	198	222

	Bill Number	Intro. Page	Vote Page
ATTORNEYS			
Capital case deadline to claim ineffective counsel .....	S 1040	55/141	156
Public defense reform, legislative study committee .....	SCR 103	73	87
AUCTIONS AND AUCTIONEERS			
Fire protection district, property auction.....	H 202	170/218	242
AUDITORIUM DISTRICTS			
See DISTRICTS			
AUDITS AND AUDITORS			
Local Highway Technical Assistance Council, evaluation.....	SCR 102	69	154
Port district annual audited financial statement .....	S 1045	55	99
School transportation, repeal Education Department audits of .....	S 1097	93	136
AUTOMOBILES			
See MOTOR VEHICLES			
AWARDS			
See HONORS AND AWARDS			
- B -			
BAIL			
Bench warrant, bail amount and conditions.....	H 158	140	222
BAKER, BRENT			
Appointment, Member: Lake Pend Oreille Basin Commission			
Appointed by Governor/to Resources and Environment (Jan. 16).....		17	
Committee Report.....		212	
Confirmed by Senate.....			218
BALLOTS			
See ELECTIONS			
BANKRUPTCY			
Debtor collection exemption, life insurance contracts.....	S 1014	30	114
Uniform Voidable Transactions Act, property transfers .....	H 92	228/268	277
BANKS AND FINANCIAL INSTITUTIONS			
Banks, regulation of, loan production offices .....	H 99	147	243
Financial transaction card number acquisition, defraud .....	S 1029	47	99
BAROWSKY, BOB			
Appointment, Member: Idaho Outfitters and Guides Licensing Board			
Appointed by Dept. of Fish and Game /to Resources and Environment (Feb. 6)			
Committee Report.....		112	
Confirmed by Senate.....			123
BASKIN, THOMAS P.			
Appointment, Member: Idaho Industrial Commission			
Appointed by Governor/to Commerce and Human Resources (Jan. 22) .....		23	
Committee Report.....		122	
Confirmed by Senate.....			131
BECK, TRAVIS			
Appointment, Member: Commission for the Blind & Visually Impaired			
Appointed by Governor/to Health and Welfare (Jan. 22).....		22	
Committee Report.....		60	
Confirmed by Senate.....			67
BEER			
See LIQUOR			
BIDS			
State government purchasing laws, legislative study commission.....	HCR 23	272	310
BINGO-RAFFLE ADVISORY BOARD			
Gehring, Shane: Appointment, Member			
Appointed by Governor/to State Affairs (Feb. 9).....		61	
Committee Report.....		116	
Confirmed by Senate.....			123
Lively, Wendy: Appointment, Member			
Appointed by Governor/to State Affairs (Feb. 10).....		66	
Committee Report.....		127	
Confirmed by Senate.....			142

SENATE INDEX

	Bill Number	Intro. Page	Vote Page
BIOLOGY			
See SCIENCE AND TECHNOLOGY			
BLACK, MAX			
Appointment, Member: State Insurance Fund Board			
		192	
		221	
			228
BLIND			
	HCR 11	129	193
	H 253	198	222
	H 75	98	176
BOARD OF ENVIRONMENTAL QUALITY			
Kiebert, Kermit: Appointment, Member			
		74	
		122	
			128
McCreeedy, John: Appointment, Member			
		29	
		122	
			131
BOARDS			
	H 238	198	250
	H 231	160	210
	S 1046	57	137
	H 302	272	287
	S 1041	55/170	195
BOATS			
	H 252	233	-
BOLZ, DARRELL			
Appointment, Member: State Public Defense Commission			
		97	
		153	
			165
BONDS			
	S 1147	166	229
	H 219	228	280
	S 1015	32/100	114
BOSTAPH, LISA GROWETTE			
Appointment, Member: Commission on Pardons and Parole			
		41	
		108	
			113
BOWLING ALLEYS			
See ENTERTAINMENT			
BOXING			
See ENTERTAINMENT			
BRIDGES			
	HCR 2	58	103
BRINKMEYER, MARC			
Appointment, Member: Lake Pend Oreille Basin Commission			
		35	
		158	
			165
BUDGE, SUZANNE			
Appointment, Member: Hazardous Waste Facility Siting License Application Review Panel			
		192	
		212	
			227
BUDGET MESSAGE			
		6	

	Bill Number	Intro. Page	Vote Page
<b>BUDGETS</b>			
Budget Stabilization Fund, appropriation .....	S 1191	289	296
Irrigation Board power to incur debts, mitigation projects .....	H 166	140	203
Legislative budgeting, reporting of federal funding .....	S 1122	140	-
Property tax, budget requests, correct code reference .....	H 28	37	64
State budget, federal funding reports and planning .....	S 1152	193	229
Transportation funding, general funds, highway acct.....	H 310	282	-
Water Users District, project resolutions and funding.....	S 1100	93	136
<b>BUILDING SAFETY DIVISION</b>			
Appropriation .....	S 1141	159	194
Industrial equipment, when certification unnecessary .....	H 238	198	250
Industrial safety inspection powers, training, funds .....	S 1001	20	137
<b>BUILDINGS</b>			
Building Safety Division, industrial safety training .....	S 1001	20	137
New plant investments, property tax exemption criteria.....	H 286	258	-
<b>BURDICK, CHIEF JUSTICE ROGER S.</b>			
State of the Judiciary, February 2, 2015 .....		38	
<b>BURNHAM, JOHN</b>			
Appointment, Member: Sexual Offender Management Board			
Appointed by Governor/to Judiciary and Rules (Jan. 26) .....		26	
Committee Report.....		94	
Confirmed by Senate.....			98
<b>BUSINESS</b>			
Hunting/fishing business, sales tax production exempt .....	H 221	180	246
Idaho Uniform Business Organizations Code, add.....	S 1025	41	148
Idaho Uniform Business Organizations Code, trailer bill.....	S 1109	124	148
Idaho Uniform Business Organizations Code, trailer bill.....	S 1182	282	286
New plant investments, property tax exemption criteria.....	H 286	258	-
Reimbursement Incentive Act, tax credit requirements.....	H 172	136	214
Vehicle dealer's business place, phone number posted.....	H 131	118	-
<b>BUSINESS ENTITIES</b>			
Benefit Corporation Act.....	S 1076	81	167
Idaho Uniform Business Organizations Code, add.....	S 1025	41	148
Idaho Uniform Business Organizations Code, trailer bill.....	S 1109	124	148
Idaho Uniform Business Organizations Code, trailer bill.....	S 1182	282	286
- C -			
<b>CALL OF THE SENATE</b>			
Senator Cameron, February 19, 2015 .....		104	
<b>CAMPAIGN FINANCE</b>			
See CAMPAIGNS AND CANDIDATES			
<b>CAMPAIGNS AND CANDIDATES</b>			
Campaign contribution disclosures, political committees .....	H 112	124	252
Electronic poll book and miscellaneous election laws .....	H 212	170	280
Expenditure, nonbusiness, nonpolitical entities .....	H 214	180	281
Presidential primary date, conduct of election.....	S 1049	57	-
Presidential primary date, conduct of election.....	S 1066	75	136
Primary election candidate withdrawal deadline .....	H 128	129	213
School board candidates, campaign finance reporting.....	S 1072	77/156	174
State legislator qualifications, registered elector.....	H 3	20	-
<b>CAPITAL PUNISHMENT</b>			
Capital case deadline to claim ineffective counsel .....	S 1040	55/141	156
<b>CAPITOL</b>			
Commission, appropriation.....	H 294	241	255
<b>CATTLE</b>			
See LIVESTOCK			

	Bill Number	Intro. Page	Vote Page
CELLAN, SID			
Appointment, Member: Oil and Gas Commission			
Appointed by Governor/to Resources and Environment (Feb. 12) .....		74	
Committee Report .....		145	
Confirmed by Senate .....			151
CEREMONY, FLAG			
Presentation of State Flag, January 12, 2015 .....		5	
Idaho National Guard Color Guard .....		5	
Pledge of Allegiance: .....		5	
Sarah Jane McDonald, Sergeant-at-Arms .....		5	
National Anthem: .....		5	
Sugar-Salem Choir, Sugar City, Idaho .....		5	
Retrieve State Flag, April 11, 2015 .....		336	
Sarah Jane McDonald, Sergeant-at-Arms .....		336	
Presented to Senator Keough .....		336	
CERTIFICATE OF ELECTION			
Senators .....		1	
CERTIFICATES OF APPOINTMENT			
Maryanne Jordan, March 9, 2015 .....		154	
Acting Senator Appointments			
Melinda Smyser, January 19, 2015 .....		19	
Kimberly Johnson, January 23, 2015 .....		24	
CHAPLAIN			
Chaplain, Brent Adamson .....		1	
Mountain Life Ministries, Idaho City, Idaho			
Acting Chaplain, Keith Buhler .....		97	
The Church of Jesus Christ of Latter-day Saints, Boise			
Acting Chaplain, Rajan Zed .....		134	
President, Universal Society of Hinduism, Reno, Nevada			
CHARITIES			
Benefit Corporation Act .....	S 1076	81	167
Charitable contributions, tax treatment of reductions .....	H 37	48	100
Charity meals, school/church/senior citizen, tax exempt .....	H 11	48	100
Community primary care pilot program, counties .....	S 1193	304	-
Live Laugh Love Give, Inc., special license plates .....	S 1022	36	-
Live Laugh Love Give, Inc., special license plates .....	S 1083	82	-
National Diaper Need Awareness Week .....	SCR 110	91	132
Tax refund donations, certain recipient accts deleted .....	S 1107	118	152
YMCA Day, March 20th, recognize community contributions .....	SCR 118	163	180
CHATBURN, JOHN			
Appointment: Administrator of the Office of Energy Resources			
Appointed by Governor/to State Affairs (Jan. 22) .....		21	
Committee Report .....		40	
Confirmed by Senate .....			54
CHILDREN			
Charity meals, school/church/senior citizen, tax exempt .....	H 11	48	100
Crimes leading to termination of parental rights .....	S 1095	86/171	199
Immunization Assessments Board act, extend to 2017 .....	H 107	118	212
License plates, special, America the Beautiful, charity .....	S 1083	82	-
Medicaid reimbursement rate, adolescent mental health .....	H 298	258	287
Minors, restrictions on use of tanning devices .....	H 177	140	175
National Diaper Need Awareness Week .....	SCR 110	91	132
Parental fundamental rights over children affirmed .....	H 113	124/216	239
Public assistance recipient, no forgiveness of child support .....	S 1038	50	-
Tobacco use by minors, first offense an infraction .....	H 159	140	214
Uniform Interstate Family Support Act, foreign country .....	S 1067	75	229
YMCA Day, March 20th, recognize community contributions .....	SCR 118	163	180
Youth Challenge program, extend indefinitely .....	H 52	86	121
CHURCHES			
See RELIGION AND CHURCHES			

	Bill Number	Intro. Page	Vote Page
CIGARETTES			
See TOBACCO			
CIRCUIT BREAKER TAX RELIEF			
See TAX AND TAXATION, PROPERTY			
CITIES			
City annexation types, notice of intent, voter approval.....	S 1093	83	-
City annexation, when voter approval is required.....	S 1065	71	-
City bond, allowable uses, police departments.....	S 1147	166	229
City initiative and referendum procedures, dates.....	H 216	208	281
Eagle Rock Bridge/Idaho Falls, 150 years.....	HCR 2	58	103
Knives, no city/county regulation.....	S 1092	83	194
Planning and Zoning Commission vacancies, appointee requirements.....	H 142	140/172	200
School emergency fund levy, effect on tax rate.....	H 76	86	133
Seed Act, add cultivation, production, and processing.....	H 114	129	200
Urban renewal laws, legislative study committee.....	HCR 17	208	276
CIVIL ACTIONS			
Chemical abortions, requirements, court proceedings.....	H 154	136/217	239
Human trafficking victims, expunge criminal records.....	S 1154	193/218	239
Judgments, enforcement period increased to ten years.....	S 1068	77	-
Judgments, liens, duration extended by five years.....	S 1069	77/155/181/276	199/279
Parental fundamental rights over children affirmed.....	H 113	124/216	239
Property trespass, water rights penalty exception.....	H 94	113/241	252
Redistricting plan, court challenges, when.....	S 1091	83	133
CLEZIE, LANE			
Appointment, Member: Idaho Fish and Game Commission			
Appointed by Governor/to Resources and Environment (Jan. 15).....		15	
Committee Report.....		28	
Confirmed by Senate.....			32
CODES			
Electrical Board, industrial equipment, certification.....	H 238	198	250
Federal Internal Revenue Code, update reference to.....	H 77	71	87
Idaho Code codifier's corrections.....	S 1030	47	142
Idaho Code of Military Justice (model code) added.....	H 53	147	263
Joint legislative publishing committee, session laws.....	S 1181	282	286
Joint legislative publishing committee, session laws.....	H 328	313	316
Property tax, budget requests, correct code reference.....	H 28	37	64
Public records laws, correct code citations.....	H 91	129	211
COLLECTIONS AND COLLECTION AGENCIES			
See DEBTORS AND CREDITORS			
COLLEGES AND UNIVERSITIES			
College classes, foreign exchange high school students.....	H 245	228	277
College health care plans, self-funded, minimum surplus.....	S 1081	82	107
Education Board/University of Idaho, appropriation, health education.....	H 287	241	254
Education Board/University of Idaho, appropriation, special programs.....	H 290	241	255
Education Board/University of Idaho, appropriation, universities.....	S 1176	233	251
Education Board, appropriation, community colleges.....	H 304	249	264
Postsecondary credit scholarship, requirements.....	S 1050	58	114
Professional-technical education credit transferability.....	S 1086	82	132
Rural physician incentive fund, appropriate balance.....	H 178	147	210
STEM Action Center and Board created.....	H 302	272	287
STEM Action Center, appropriation.....	H 326	313	316
School counselors, college/career advisors.....	H 313	282	294
University of Idaho, appropriation, agricultural research/extension.....	S 1150	193	219
COMMERCE			
Columbia Snake River system, state sovereignty.....	HJM 11	291	304
Conference/event center, liquor license, requirements.....	H 318	291	312
Department, appropriation.....	S 1166	202	230
Economic Advisory Council, membership, qualifications.....	H 120	147	213
Federal interstates in Idaho, truck weights, Congress.....	HJM 8	151	173
Highway transportation, agricultural/forestry products.....	H 194	140/181	209



	Bill Number	Intro. Page	Vote Page
COMMERCE (Continued)			
Idaho Farm Bureau Federation Day, 75 years .....	HCR 14	151	180
Outdoor recreation, Outdoor Retailer shows invited .....	HCR 7	113	165
Reimbursement Incentive Act, tax credit requirements .....	H 172	136	214
STEM Action Center and Board created .....	H 302	272	287
STEM Action Center, appropriation .....	H 326	313	316
COMMISSION FOR THE BLIND & VISUALLY IMPAIRED			
Beck, Travis: Appointment, Member			
Appointed by Governor/to Health and Welfare (Jan. 22) .....		22	
Committee Report .....		60	
Confirmed by Senate .....			67
Gibson, Michael: Appointment, Member			
Appointed by Governor/to Health and Welfare (Jan. 22) .....		22	
Committee Report .....		60	
Confirmed by Senate .....			67
COMMISSION ON PARDONS AND PAROLE			
Bostaph, Lisa Growette: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Feb. 2) .....		41	
Committee Report .....		108	
Confirmed by Senate .....			113
Scheihing, Gary: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Jan. 22) .....		23	
Committee Report .....		36	
Confirmed by Senate .....			41
COMMISSIONS			
Blind Commission rule rejected .....	HCR 11	129	193
Blind/Visually Impaired Commission, appropriation .....	H 253	198	222
Cherry Commission, creation of districts by rule .....	H 148	147	213
Hispanic Affairs Commission, appropriation .....	S 1148	170	208
Honey Commission, membership qualifications .....	S 1074	81	133
Oil/Gas Commission, contested case hearings, when .....	H 123	124	203
Oil/Gas Commission, unit operation application, plan and order .....	H 50	71	162
PUC/Tax/Industrial commissioner salary increase .....	S 1119	135	160
Planning and Zoning Commission vacancies, appointee requirements .....	H 142	140/172	200
Soil and Water Conservation Commission, appropriation .....	S 1162	202	224
COMMITTEE, CONFERENCE			
<b>H 312</b> , as amended in the Senate			
Letter from House: April 8, 2015 .....		318	
Appointed April 8, 2015: Senators Brackett, Cameron and Lacey .....		318	
Report of Committee: April 10, 2015 .....		323	
COMMITTEES			
Administrative hearing officers, legislative study committee .....	SCR 124	191	207
Endowment asset issues, legislative study committee .....	HCR 12	160	-
Federal lands, legislative study committee .....	SCR 108	90	-
Joint legislative publishing committee, session laws .....	S 1181	282	286
Joint legislative publishing committee, session laws .....	H 328	313	316
Natural resources legislative study committee .....	HCR 8	118	284
Public defense reform, legislative study committee .....	SCR 103	73	87
State broadband services, legislative study committee .....	SCR 131	314	317
State broadband services, legislative study committee .....	HCR 26	320	321
State government purchasing laws, legislative study commission .....	HCR 23	272	310
Student data collection, legislative study committee .....	HCR 3	86	135
Substance abuse, repeal advisory committee, treatment record .....	H 33	86	161
Urban renewal laws, legislative study committee .....	HCR 17	208	276
COMMITTEES, SENATE			
See also SENATE INDEX, STANDING COMMITTEE ASSIGNMENTS			
Senator, Standing Committee Assignments: March 9, 2015 .....		154	
Lincoln Day Service, Senators Souza and Lee, Co-chairs .....		78	
Memorial Service, Senators Lee and Souza, Co-chairs .....		87	
Idaho Day Service, Senator Burgoyne .....		143	

	Bill Number	Intro. Page	Vote Page
COMMITTEES, STANDING			
Assigned during Organizational Session, December 4, 2014.....		2	
Revised:			
January 12, 2015.....		5	
February 19, 2015.....		104	
March 9, 2015.....		154	
COMMODITIES			
Cherry Commission, creation of districts by rule.....	H 148	147	213
Honey Commission, membership qualifications.....	S 1074	81	133
COMMUNICATIONS			
See TELECOMMUNICATIONS			
COMPACTS			
See MULTISTATE COMPACTS AND AGREEMENTS			
COMPUTERS			
See ELECTRONIC TECHNOLOGY			
CONCURRENCE, IN SENATE BILLS AMENDED IN THE HOUSE			
S 1088, As Amended in the House.....		249	
S 1104, As Amended in the House.....		276	
S 1073, As Amended in the House.....		276	
S 1069, As Amended, As Amended, As Amended in the House.....		276	
S 1098, As Amended in the House.....		299	
CONDEMNATION			
See EMINENT DOMAIN			
CONFLICT OF INTEREST			
Pursuant to Senate Rule 39(H)			
Gubernatorial Appointment of Sharon Harrigfeld, Senator Burgoyne.....		66	66
S 1011, Senator Ward-Engelking, Acting Senator Johnson (11).....		96	96
S 1014, Senators Cameron, Nonini.....		114	114
S 1023, Senators Cameron, Nonini.....		119	119
S 1060, Senator Tippetts.....		125	125
HJM 2, Senator Lacey.....		128	128
Gubernatorial Appointment of Dennis Johnson, Senator Cameron.....		131	132
S 1001, Senator Keough.....		137	137
H 70, Senator Keough.....		151	151
H 133, Senators Siddoway, Brackett, Nuxoll, Rice, Guthrie, Lodge.....		162	162
SCR 116, Senator Siddoway.....		165	165
S 1126, Senators Cameron, Mortimer.....		167	167
S 1130, Senator Guthrie.....		168	168
Gubernatorial Appointment of Jerry Edgington, Senator Cameron.....		173	173
H 75, Senator Tippetts.....		176	176
HJM 6, Senator Patrick.....		180	180
H 210, Senator Cameron.....		201	201
H 194, as amended in the Senate, Senator Keough.....		209	209
H 231, Senator Winder.....		210	210
H 46, Senator Cameron.....		210	210
H 158, Senator Tippetts.....		223	223
S 1160, Senator Siddoway.....		225	225
S 1146, as amended, Senator Tippetts.....		243	243
H 264, Senator Nuxoll.....		245	245
S 1170, Senator Lee.....		251	251
H 262, Senator Jordan.....		257	257
SCR 125, Senators Cameron, Nonini.....		266	266
H 181, as amended in the Senate, as amended in the Senate; Senators Lakey, Tippetts.....		278	278
S 1177, Senator Lakey.....		278	278
H 182, as amended, Senator Cameron.....		278	278
S 1185, Senators Cameron, Nonini.....		296	296
H 95, as amended in the Senate, Senator Lakey.....		313	313
CONFLICTS OF INTEREST			
See ETHICS			

	Bill Number	Intro. Page	Vote Page
<b>CONSERVATION</b>			
Conservation easements/grazing permits, tax deduction .....	H 109	106/217	242
Deer Flat National Wildlife Refuge, oppose conservation .....	HJM 10	249	285
Energy Resources Authority, conservation measures .....	S 1024	36	71
Land and sage-grouse management plans not public .....	H 291	258	286
Sage-grouse, long-term management, state primacy .....	HJM 9	258	285
Soil and Water Conservation Commission, appropriation .....	S 1162	202	224
Species Conservation Office, appropriation .....	S 1128	147	167
<b>CONSERVATORS</b>			
See GUARDIANS AND CONSERVATORS			
<b>CONSTITUTIONAL AMENDMENTS</b>			
Limited Convention/No Runaway Convention Act, add .....	H 67	136	-
Regulation Freedom Amendment, U.S. Constitution .....	HJM 1	84	-
<b>CONSTRUCTION</b>			
Public irrigation construction, engineer exemption .....	H 256	228	272
Public roads, materials, sales tax exemption .....	H 95	106/311	312
<b>CONSUMERS</b>			
Contact lens manufacturers, unlawful practices .....	H 149	140	-
<b>CONTRACTORS</b>			
Public irrigation construction, engineer exemption .....	H 256	228	272
Public roads, materials, sales tax exemption .....	H 95	106/311	312
<b>CONTRACTS</b>			
Debtor collection exemption, life insurance contracts .....	S 1014	30	114
Direct Primary Care Act, contracts, not insurance .....	S 1062	71/172/188	199
Education Department, contracts for approved services .....	H 170	129/238	250
Idaho Session Laws, printing contract .....	SCR 130	313	317
Idaho State Police, extra services, reimbursement .....	H 157	129/198	219
Labor negotiations, open meeting, exceptions .....	H 167	140/218	243
Land and sage-grouse management plans not public .....	H 291	258	286
Parks and Recreation Department, long-term funding/sponsorship agreements .....	S 1098	93/298	124/304
Spendthrift trusts, correct standards .....	S 1052	62	114
Teacher contracts, factfinders, repealed .....	H 169	140	203
Teacher contracts, reductions in force .....	S 1088	83/249	137/264
Teacher renewable contracts if career ladder unfunded .....	H 323	305	315
<b>CONTRIBUTIONS</b>			
Campaign contribution disclosures, political committees .....	H 112	124	252
Charitable contributions, tax credit, identify schools .....	H 220	160	243
Charitable contributions, tax treatment of reductions .....	H 37	48	100
Live Laugh Love Give, Inc., special license plates .....	S 1022	36	-
Live Laugh Love Give, Inc., special license plates .....	S 1083	82	-
<b>CONTROLLED SUBSTANCES</b>			
Cannabidiol oil, use for seizures, penalty exception .....	S 1146	166/218	242
Controlled substances schedules III & IV amended .....	H 9	67	120
Drug overdose, prescribe opioid antagonists .....	H 108	118	175
Hemp extract, registered use for epilepsy treatment .....	S 1167	208	-
Investigational drugs, expanded access programs .....	S 1156	197	242
Marijuana definition, excludes cannabidiol oil .....	S 1106	118	-
Office of Drug Policy, appropriation .....	H 207	151	176
Pharmacy Board rules, registration, researchers, fines .....	H 4	71	120
Pharmacy laws, miscellaneous amendments, restrictions .....	H 8	71	120
Pharmacy license applicants, criminal history check .....	H 5	67	120
Prescription drug orders, validity, transmission method .....	H 6	71	120
Prescriptions database, monitoring records, court order .....	H 7	67	120
Substance abuse, repeal advisory committee, treatment record .....	H 33	86	161
<b>CONTROLLER, STATE</b>			
Appropriation .....	H 249	194	220
<b>CORBETT, W. CRAIG</b>			
Appointment, Member: Idaho Lottery Commission			
Appointed by Governor/to State Affairs (Jan. 22) .....		23	
Committee Report .....		106	
Confirmed by Senate .....			110

	Bill Number	Intro. Page	Vote Page
<b>CORPORATIONS</b>			
Banks, regulation of, loan production offices .....	H 99	147	243
Benefit Corporation Act.....	S 1076	81	167
Electrical corp, not electric vehicle battery chargers.....	H 185	159	243
Idaho Uniform Business Organizations Code, add.....	S 1025	41	148
Idaho Uniform Business Organizations Code, trailer bill.....	S 1109	124	148
Idaho Uniform Business Organizations Code, trailer bill.....	S 1182	282	286
New plant investments, property tax exemption criteria.....	H 286	258	-
Property holding period, capital gains tax deduction .....	H 85	86	133
<b>CORRECTIONS</b>			
Correction Department, appropriation.....	H 284	241	253
Correction Department, appropriation, add'l.....	H 206	151	175
Correction Department, food tax credit, inmate information .....	H 236	198	246
Death penalty, persons/pharmacies are confidential .....	S 1005	23	-
Escape from custody, age at time of escape .....	S 1034	50	119
Inmate incentive pay, work, compensation, effect.....	S 1004	23	136
Juvenile convicts, blended sentence, dual custody .....	S 1035	50	132
Parole violations, powers of hearing officer .....	S 1136	155	208
Parolees/probationers in county jails, state payments.....	H 136	129	204
Prisoner, computation of time served, credits.....	H 64	95	201
Prisoners, private farm employers, no benefits.....	S 1075	81	152
Probation and parole provisions, delay effective date.....	H 163	136	222
Sex Offender Management Board member terms, experience.....	S 1041	55/170	195
Sex offender, risk-based registration levels, expunge.....	S 1095	86/171	199
<b>CORRECTIONS, TYPOGRAPHICAL</b>			
<b>H 277</b> , Senator Martin, unanimous consent			
Typographical correction to printed bill, March 27, 2015.....		274	
<b>COSMETOLOGY</b>			
Cosmetologist licensing, minimum education hours .....	S 1064	71	-
<b>COUNCILS</b>			
Beef Council, property lease or ownership.....	S 1113	129	161
Economic Advisory Council, membership, qualifications.....	H 120	147	213
Local Highway Technical Assistance Council, evaluation.....	SCR 102	69	154
Public Lands Council and Public Lands Office created.....	S 1134	151	-
State Independent Living Council, appropriation .....	H 41	48	55
State Independent Living Council, appropriation .....	S 1129	147	168
<b>COUNSELING AND COUNSELORS</b>			
Genetic Counselors Licensing Act.....	S 1080	82/141	156
School counselors, college/career advisors.....	H 313	282	294
<b>COUNTIES</b>			
Benewah County, honor centennial anniversary.....	HCR 16	155	249
Boundary County, celebrate 100 year anniversary .....	SCR 112	105	132
Community primary care pilot program, counties.....	S 1193	304	-
County medical assistance, procedures and requirements.....	S 1123	146	230
County medical indigence program, income eligibility.....	S 1153	193	-
Government printing work, exceptions apply to counties.....	H 68	98	161
Hospital treasurers, investment duty, limitations .....	H 179	155	245
Juvenile curfew violations, reduce offense and fine.....	H 102	118	214
Knives, no city/county regulation .....	S 1092	83	194
Medical indigents defined by federal poverty level.....	S 1101	93	-
New plant investments, property tax exemption criteria.....	H 286	258	-
Parolees/probationers in county jails, state payments.....	H 136	129	204
Personal/operating property tax exemption, apportionment .....	H 29	37/141	161
Planning and Zoning Commission vacancies, appointee requirements.....	H 142	140/172	200
Pure Seed Act, add cultivation, production, and processing.....	H 114	129	200
Tax sale of property, purchase by county, best interest.....	H 156	147	210
Urban renewal laws, legislative study committee.....	HCR 17	208	276
<b>COURTS</b>			
Bench warrant, bail amount and conditions.....	H 158	140	222
Capital case deadline to claim ineffective counsel.....	S 1040	55/141	156

	Bill Number	Intro. Page	Vote Page
COURTS (Continued)			
Certified shorthand reporters, temporary permits, exam .....	H 30	110	210
Chemical abortions, requirements, court proceedings .....	H 154	136/217	239
Crime victim restitution, judgment lien, execution .....	H 62	95	200
Drunk driver, restricted driving privileges .....	S 1026	47	99
Human trafficking victim, expunge criminal record, when .....	S 1103	104	-
Human trafficking victims, expunge criminal records .....	S 1154	193/218	239
Idaho Code of Military Justice (model code) added .....	H 53	147	263
Informal probate unavailable for multiple codicils .....	S 1051	62	114
Infractions, fine amounts, recalcitrant smokers .....	H 121	118	214
Judges/justices, qualifications revised .....	S 1170	212	250
Judgments, enforcement period increased to ten years .....	S 1068	77	-
Judgments, liens, duration extended by five years .....	S 1069	77/155/181/276	199/279
Juvenile convicts, blended sentence, dual custody .....	S 1035	50	132
Juvenile offender, probation period, review hearing .....	H 61	95	176
Juvenile offenses, when court records may be sealed .....	S 1124	146	-
Lengthy trial juror compensation fund created .....	H 162	140	-
Prescriptions database, monitoring records, court order .....	H 7	67	120
Prisoner, computation of time served, credits .....	H 64	95	201
Public defense reform, legislative study committee .....	SCR 103	73	87
Redistricting plan, court challenges, when .....	S 1091	83	133
Senior judges, qualifications .....	S 1027	47	99
Supreme Court, appropriation .....	S 1159	197	224
U.S. activist judges, Congress should impeach .....	HJM 4	233	-
Uniform Interstate Family Support Act, foreign country .....	S 1067	75	229
CRAPO, MICHAEL D.			
US Senator Address, February 17, 2015 .....		95	
CREDIT AND CREDITORS			
See DEBTORS AND CREDITORS			
CREDIT CARDS			
See PAYMENT METHODS			
CRIMINAL BACKGROUND CHECKS			
Human trafficking victims, expunge criminal records .....	S 1154	193/218	239
Pharmacy license applicants, criminal history check .....	H 5	67	120
Rap back service, fingerprints, later crimes .....	S 1033	50/198	219
School employees, cost of background checks .....	S 1019	33	58
School employees, cost of background checks .....	H 190	151	213
CRIMINAL OFFENSES & PROCEDURES			
Anti-human trafficking signs authorized, road rest area .....	H 183	160	245
Bench warrant, bail amount and conditions .....	H 158	140	222
Bullying of students, school professional development .....	H 246	241	278
Cannabidiol oil, use for seizures, penalty exception .....	S 1146	166/218	242
Capital case deadline to claim ineffective counsel .....	S 1040	55/141	156
Crime victim restitution, judgment lien, execution .....	H 62	95	200
Crimes leading to termination of parental rights .....	S 1095	86/171	199
Death penalty, persons/pharmacies are confidential .....	S 1005	23	-
Dental licensee, notice of felony conviction to Board .....	S 1036	50	78
Drunk driver, restricted driving privileges .....	S 1026	47	99
Duels, out-of-state, repeal .....	H 139	118	204
Escape from custody, age at time of escape .....	S 1034	50	119
Financial transaction card number acquisition, defraud .....	S 1029	47	99
Fireworks, altering/selling/using, infraction offense .....	H 195	160	244
Hemp extract, registered use for epilepsy treatment .....	S 1167	208	-
Human trafficking victim, expunge criminal record, when .....	S 1103	104	-
Human trafficking victims, expunge criminal records .....	S 1154	193/218	239
Hunting infractions, fines .....	H 161	140	200
Infractions, fine amounts, recalcitrant smokers .....	H 121	118	214
Juvenile curfew violations, reduce offense and fine .....	H 102	118	214
Juvenile offenses, when court records may be sealed .....	S 1124	146	-
Littering on highways/property, revise penalties .....	H 104	129	221

	Bill Number	Intro. Page	Vote Page
CRIMINAL OFFENSES & PROCEDURES (Continued)			
Littering, hazardous conditions, misdemeanor.....	H 160	136	222
Minors, restrictions on use of tanning devices .....	H 177	140	175
Parole violations, powers of hearing officer .....	S 1136	155	208
Prisoner, computation of time served, credits.....	H 64	95	201
Probation and parole provisions, delay effective date .....	H 163	136	222
Public defense reform, legislative study committee .....	SCR 103	73	87
Refusing assistance to police, repeal offense.....	H 101	118	214
Sex Offender Management Board member terms, experience .....	S 1041	55/170	195
Tampering with vehicle, repeal offense .....	H 101	118	214
Tobacco use by minors, first offense an infraction.....	H 159	140	214
CRITCHFIELD, DEBORAH			
Appointment, Member: State Board of Education			
Appointed by Governor/to Education (Jan. 27).....		29	
Committee Report.....		49	
Confirmed by Senate.....			52
CROPS			
See AGRICULTURE			
CUDDY, CHARLES			
Appointment, Member: Idaho Water Resource Board			
Appointed by Governor/to Resources and Environment (Jan. 28).....		31	
Committee Report.....		60	
Confirmed by Senate.....			66
- D -			
DAYS			
See HOLIDAYS AND DAYS			
DEAF			
Hearing aids/eyeglass parts, sales tax exemption .....	H 75	98	176
Sign language interpreters, licensing.....	H 152	151/268	276
DEATH			
Capital case deadline to claim ineffective counsel .....	S 1040	55/141	156
Community property, right of survivorship, terminate .....	S 1056	63/141	157
Death certificates, funeral designees or family .....	S 1077	81	152
Death penalty, persons/pharmacies are confidential .....	S 1005	23	-
Informal probate unavailable for multiple codicils.....	S 1051	62	114
Insurer duty to check death file for insureds.....	S 1023	36	119
Suicide prevention program, implementation plan .....	SCR 104	79	95
U.S. flag, half-staff, governor's directive .....	S 1155	197	264
DEBTORS AND CREDITORS			
Banks, regulation of, loan production offices .....	H 99	147	243
City bond, allowable uses, police departments .....	S 1147	166	229
Claim of lien, excludes deeds of trust.....	S 1135	155/217	238
Crime victim restitution, judgment lien, execution .....	H 62	95	200
Debtor collection exemption, life insurance contracts.....	S 1014	30	114
Irrigation Board power to incur debts, mitigation projects .....	H 166	140	203
Judgments, enforcement period increased to ten years.....	S 1068	77	-
Judgments, liens, duration extended by five years.....	S 1069	77/155/181/276	199/279
Levy/bond indebtedness, disclosures before ballot.....	H 219	228	280
Public assistance recipient, no forgiveness of child support .....	S 1038	50	-
Uniform Voidable Transactions Act, property transfers .....	H 92	228/268	277
DELORENZO, JULIE			
Appointment, Member: Idaho Transportation Board			
Appointed by Governor/to Transportation (Jan. 26).....		27	
Committee Report.....		70	
Confirmed by Senate.....			75

	Bill Number	Intro. Page	Vote Page
DENTISTRY AND DENTISTS			
Dental licensee, notice of felony conviction to Board.....	S 1036	50	78
License non-renewal, cancellation, reinstatement.....	S 1037	50	95
Stand-alone dental plan defined .....	H 46	84	210
DENTURISTS			
See PROFESSIONS			
DIRECTOR OF THE DEPARTMENT OF AGRICULTURE			
Gould, Celia: Appointment, Director			
Appointed by Governor/to Agricultural Affairs (Jan. 19) .....		18	
Committee Report.....		65	
Confirmed by Senate.....			71
DIRECTOR OF THE DEPARTMENT OF COMMERCE			
Sayer, Jeffery: Appointment, Director			
Appointed by Governor/to Commerce and Human Resources (Feb. 9) .....		61	
Committee Report.....		122	
Confirmed by Senate.....			128
DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY			
Fransen, Curt: Appointment, Director			
Appointed by Governor/to Health and Welfare (Feb. 9) .....		60	
Committee Report.....		122	
Confirmed by Senate.....			128
DIRECTOR OF THE DEPARTMENT OF FINANCE			
Gee, Gavin: Appointment, Director			
Appointed by Governor/to Commerce and Human Resources (Feb. 9) .....		61	
Committee Report.....		122	
Confirmed by Senate.....			128
DIRECTOR OF THE DEPARTMENT OF JUVENILE CORRECTIONS			
Harrigfeld, Sharon: Appointment, Director			
Appointed by Governor/to Judiciary and Rules (Jan. 19) .....		18	
Committee Report.....		60	
Confirmed by Senate.....			66
DIRECTOR OF THE DEPARTMENT OF LABOR			
Edmunds, Ken: Appointment, Director			
Appointed by Governor/to Commerce and Human Resources (Feb. 11).....		70	
Committee Report.....		127	
Confirmed by Senate.....			131
DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES			
Spackman, Gary: Appointment, Director			
Appointed by Governor/to Resources and Environment (Jan. 28).....		31	
Committee Report.....		74	
Confirmed by Senate.....			87
DIRECTOR OF THE IDAHO STATE POLICE			
Powell, Ralph: Appointment, Director			
Appointed by Governor/to Judiciary and Rules (Mar. 19) .....		221	
Committee Report.....		257	
Confirmed by Senate.....			272
DIRECTOR OF THE STATE LIQUOR DIVISION			
Anderson, Jeff: Appointment, Director			
Appointed by Governor/to State Affairs (Feb. 25) .....		117	
Committee Report.....		144	
Confirmed by Senate.....			150
DISABLED			
Guardians ad litem, duties and powers .....	S 1053	62/171	199
Idaho Caregiver Alliance task force, family caregiving.....	SCR 111	91	-
Idaho Caregiver Alliance task force, family caregiving.....	SCR 123	190	207
Idaho Caregiver Alliance task force, family caregiving.....	HCR 24	272	285
Peace officer temporary disability condition, extend.....	H 55	63	138
Property tax relief claimant, disability qualification .....	H 208	160	243
State Independent Living Council, appropriation .....	H 41	48	55
State Independent Living Council, appropriation .....	S 1129	147	168

	Bill Number	Intro. Page	Vote Page
DISCLOSURE, CONFLICTS OF INTEREST			
See CONFLICT OF INTEREST			
DISEASES			
American Diabetes Month, support goals .....	HCR 5	118	132
Cannabidiol oil, use for seizures, penalty exception .....	S 1146	166/218	242
Hemp extract, registered use for epilepsy treatment.....	S 1167	208	-
Immunization Assessments Board act, extend to 2017 .....	H 107	118	212
DISTRICTS			
See also SCHOOLS AND SCHOOL DISTRICTS			
Cherry Commission, creation of districts by rule .....	H 148	147	213
Community health emergency medical services, ambulance .....	H 153	147	212
Fire commissioner terms, subdistricts, reapportion .....	H 204	194	-
Fire protection district, property auction.....	H 202	170/218	242
Ground water, increase maximum amount of warrants .....	S 1169	208	250
Highway district commissioners, 3-year terms .....	S 1061	71/107	119
Highway district records, nonpaper archival copies .....	S 1082	82	114
Hospital treasurers, investment duty, limitations .....	H 179	155	245
Irrigation Board power to incur debts, mitigation projects .....	H 166	140	203
Irrigation district meetings, suitable locations .....	S 1057	63	124
Irrigation, acceptable forms of payment, fees.....	S 1058	63	124
Irrigation, special assessments, facilities protection .....	S 1059	63/141	156
Port, annual audited financial statement.....	S 1045	55	99
Public Health Trust Fund, appropriation.....	H 230	160	209
Public library, meetings, trustee oaths.....	H 213	170	280
Recreation, first year restrictions .....	H 27	35	64
School emergency fund levy, effect on tax rate.....	H 76	86	133
Soil conservation, management agreements, not public.....	H 291	258	286
Urban renewal laws, legislative study committee.....	HCR 17	208	276
Water Users District, project resolutions and funding.....	S 1100	93	136
DIVORCE			
See DOMESTIC RELATIONS			
DNA			
See SCIENCE AND TECHNOLOGY			
DOCTORS			
See PHYSICIANS AND SURGEONS			
DOGS			
See ANIMALS			
DOMAN, RANDY K.			
Appointment, Member: Park and Recreation Board			
Appointed by Governor/to Resources and Environment (Jan. 27).....		30	
Committee Report.....		112	
Confirmed by Senate.....			117
DOMESTIC RELATIONS			
Community property, right of survivorship, terminate .....	S 1056	63/141	157
Parental fundamental rights over children affirmed.....	H 113	124/216	239
U.S. activist judges, Congress should impeach .....	HJM 4	233	-
DRIVERS			
Autocycles, plates, registration, insurance, licensing .....	H 17	86/171	200
Autonomous driven vehicles, testing requirements .....	S 1108	118/155	174
Driver's training fees, Occupational Licenses Bureau .....	S 1120	136	167
Drunk driver, restricted driving privileges .....	S 1026	47	99
License plates, special, America the Beautiful, charity.....	S 1022	36	-
License plates, special, America the Beautiful, charity.....	S 1083	82	-
License plates, special, Friends of National Rifle Association.....	H 16	50	67
License plates, special, Rocky Mountain Elk Foundation.....	H 44	58	119
Littering on highways/property, revise penalties .....	H 104	129	221
Littering, hazardous conditions, misdemeanor, fine.....	H 160	136	222
Off-road vehicles, when permitted on highways .....	H 129	147	222
Transportation Network Company Services, requirements .....	H 262	208	256
Transportation network companies/drivers, insurance.....	H 316	276	293
Vehicle licensees, commercial learner permits, citizens.....	S 1016	32	58



SENATE INDEX

371

	Bill Number	Intro. Page	Vote Page
DRUG POLICY, OFFICE OF			
Appropriation.....	H 207	151	176
- E -			
ECONOMIC DEVELOPMENT			
Columbia Snake River system, state sovereignty.....	HJM 11	291	304
Conference/event center, liquor license, requirements.....	H 318	291	312
Economic Advisory Council, membership, qualifications.....	H 120	147	213
Outdoor recreation, Outdoor Retailer shows invited.....	HCR 7	113	165
Reimbursement Incentive Act, tax credit requirements.....	H 172	136	214
STEM Action Center and Board created.....	H 302	272	287
EDGINGTON, JERRY			
Appointment, Member: Idaho Health Insurance Exchange Board			
Appointed by Governor/to Commerce and Human Resources (Mar. 5).....		145	
Committee Report.....		164	
Confirmed by Senate.....			173
EDMUNDS, KEN			
Appointment: Director of the Department of Labor			
Appointed by Governor/to Commerce and Human Resources (Feb. 11).....		70	
Committee Report.....		127	
Confirmed by Senate.....			131
EDUCATION			
Alternative school support units, grades 6-12.....	H 300	272	286
Board/University of Idaho, appropriation, colleges and universities.....	S 1176	233	251
Board/University of Idaho, appropriation, health education programs.....	H 287	241	254
Board/University of Idaho, appropriation, special programs.....	H 290	241	255
Board, appropriation, Idaho Public Television.....	S 1149	170	208
Board, appropriation, Office of.....	H 305	249	265
Board, appropriation, Professional-Technical Education Division.....	S 1151	193	219
Board, appropriation, Vocational Rehabilitation Division.....	H 251	194	220
Board, appropriation, add'l, Idaho Public Television.....	S 1002	23	33
Board, appropriation, add'l, Vocational Rehabilitation Division.....	S 1012	27	37
Board, appropriation, community colleges.....	H 304	249	264
Board, rules, ESEA flexibility document, 2015 ELA standard.....	H 314	282	294
Bullying of students, school professional development.....	H 246	241	278
Charitable contributions, tax credit, identify schools.....	H 220	160	243
Charter school admission preferences, reciprocity.....	S 1087	82	133
Charter school fee, authorizers fund, date.....	S 1021	35	63
Charter schools, staff allowance reduction inapplicable.....	H 308	272	287
Civics test or school alternative, student completion.....	S 1071	77/141	157
College classes, foreign exchange high school students.....	H 245	228	277
College health care plans, self-funded, minimum surplus.....	S 1081	82	107
Cosmetologist licensing, minimum education hours.....	S 1064	71	-
Department, appropriation, public schools, administrators division.....	S 1183	288	294
Department, appropriation, public schools, central services division.....	S 1189	289	296
Department, appropriation, public schools, children's programs.....	S 1186	289	295
Department, appropriation, public schools, deaf/blind services.....	S 1188	289	296
Department, appropriation, public schools, facilities division.....	S 1187	289	295
Department, appropriation, public schools, operations division.....	S 1185	288	295
Department, appropriation, public schools, teachers division.....	S 1184	288	295
Department, contracts for approved services, standards.....	H 170	129/238	250
Department, criminal history checks on employee, cost.....	S 1019	33	58
Department, criminal history checks on employee, cost.....	H 190	151	213
Department/Superintendent of Public Instruction, appropriation.....	H 289	241	254
Driver's training fees, Occupational Licenses Bureau.....	S 1120	136	167
Education Board/Department Rule Docket 08-0202-1402 rejected.....	HCR 22	249	272
Education Board/Department Rule Docket 08-0203-1406 rejected.....	HCR 21	249	271

	Bill Number	Intro. Page	Vote Page
EDUCATION (Continued)			
Education Board lands, property disposal processes .....	H 20	50	99
Education Department thoroughness rules rejected .....	SCR 121	178	207
Education Department thoroughness rules rejected .....	SCR 122	178	207
Education Department uniformity rules rejected .....	SCR 119	178	207
Education Department uniformity rules rejected .....	SCR 120	178	207
Graduation requirement, standardized test alternative .....	S 1070	77/142	157
Land Board, navigable waterways, revenues, fund deposits .....	H 47	63	176
License plates, special, America the Beautiful, charity .....	S 1083	82	-
Mastery-based education, planning and development .....	H 110	110	161
Math/English language standards, customize for Idaho .....	SCR 105	88	-
Nursing education changes, repeal Education Board approval .....	H 21	50	77
Occupational therapy, continuing education rules .....	H 24	71	121
Parental rights in education, promote involvement .....	S 1096	92/171	195
Postsecondary credit scholarship, requirements .....	S 1050	58	114
Professional-technical education credit transferability .....	S 1086	82	132
Public charter school debt reserve, facilities funding .....	H 309	276/304	307
Public schools, children's programs, appropriation .....	S 1116	135	160
Rural physician incentive fund, appropriate balance .....	H 178	147	210
STEM Action Center and Board created .....	H 302	272	287
STEM Action Center, appropriation .....	H 326	313	316
School administrator salary funding calculation amended .....	S 1183	288	294
School board candidates, campaign finance reporting .....	S 1072	77/156	174
School broadband services, appropriation .....	H 168	104	111
School broadband services, appropriation, trailer bill .....	H 263	208	244
School continuous improvement plans, annual reports .....	H 122	110	162
School counselors, college/career advisors .....	H 313	282	294
School emergency fund levy, effect on tax rate .....	H 76	86	133
School salary funding calculation amended .....	S 1185	288	295
School staff allowance support unit calculation .....	H 126	136	213
School teacher salary funding calculation amended .....	S 1184	288	295
School transportation, repeal Education Department audits of .....	S 1097	93	136
School trustee term changes, repeal transition law .....	H 22	50	78
Smarter Balanced Assessment Consortium, remove Idaho .....	S 1085	82	-
Student data collection, legislative study committee .....	HCR 3	86	135
Student/teacher assessment standards, SBAC alternatives .....	SCR 106	89	124
Teacher career ladder, salary, funding calculation .....	H 296	241	268
Teacher contracts, factfinders, repealed .....	H 169	140	203
Teacher contracts, reductions in force .....	S 1088	83/249	137/264
Teacher renewable contracts if career ladder unfunded .....	H 323	305	315
Teaching certificate records/fees, use of .....	S 1018	33	58
Youth Challenge program, extend indefinitely .....	H 52	86	121
ELDERLY			
See SENIOR CITIZENS			
ELECTION, ATTACHES			
See ATTACHES, ELECTION OF; INDEX SECTION II			
ELECTION, CERTIFICATE OF			
See ACTING SENATORS; CERTIFICATE OF ELECTION; CERTIFICATES OF			
APPOINTMENT			
ELECTION, SENATE OFFICERS			
Brent Hill, President Pro Tempore .....		1	1
Jennifer Novak, Secretary of the Senate .....		1	2
ELECTIONS			
Campaign contribution disclosures, political committees .....	H 112	124	252
City annexation, when voter approval is required .....	S 1065	71	-
City initiative and referendum procedures, dates .....	H 216	208	281
Election automatic recounts, filing requests .....	H 242	198	281
Electronic poll book and miscellaneous election laws .....	H 212	170	280
Expenditure, nonbusiness, nonpolitical entities .....	H 214	180	281
Highway district commissioners, 3-year terms .....	S 1061	71/107	119

	<b>Bill Number</b>	<b>Intro. Page</b>	<b>Vote Page</b>
<b>ELECTIONS (Continued)</b>			
Levy/bond indebtedness, disclosures before ballot.....	H 219	228	280
Presidential primary date, conduct of election.....	S 1049	57	-
Presidential primary date, conduct of election.....	S 1066	75	136
Primary election candidate withdrawal deadline .....	H 128	129	213
Public library trustee elections, oath of office .....	H 213	170	280
School board candidates, campaign finance reporting.....	S 1072	77/156	174
School trustee term changes, repeal transition law.....	H 22	50	78
State legislator qualifications, registered elector.....	H 3	20	-
<b>ELECTRICITY AND ELECTRICIANS</b>			
Electric utility property sale, findings required.....	S 1137	159	-
Electrical corporation, not electric vehicle battery chargers.....	H 185	159	243
Energy Resources Authority, conservation measures .....	S 1024	36	71
Industrial equipment, when certification unnecessary .....	H 238	198	250
<b>ELECTRONIC TECHNOLOGY</b>			
Autonomous driven vehicles, testing requirements .....	S 1108	118/155	174
Digital media, permanent right to use, sales tax.....	H 209	160	214
Electronic poll book and miscellaneous election laws .....	H 212	170	280
Financial transaction card number acquisition, defraud .....	S 1029	47	99
Highway district records, nonpaper archival copies .....	S 1082	82	114
Prescription drug orders, validity, transmission method.....	H 6	71	120
School broadband services, appropriation.....	H 168	104	111
School broadband services, appropriation, trailer bill .....	H 263	208	244
State broadband services, legislative study committee.....	SCR 131	314	317
State broadband services, legislative study committee.....	HCR 26	320	321
Student data collection, legislative study committee.....	HCR 3	86	135
Telehealth health care services, scope of practice .....	H 189	140	203
Transportation Network Company Services, requirements .....	H 262	208	256
Uniform Fiduciary Access to Digital Assets Act.....	S 1055	62	-
VOIP/IP-enabled services, regulation restricted .....	S 1105	118	-
<b>ELK (DOMESTIC CERVIDAE)</b>			
See ANIMALS			
<b>EMERGENCIES</b>			
Community health emergency medical services, ambulance .....	H 153	147	212
Drug overdose, prescribe opioid antagonists .....	H 108	118	175
Emergency Medical Services Bureau, draft legislation .....	HCR 19	258	-
Medical indigents defined by federal poverty level.....	S 1101	93	-
<b>EMERGENCY FUND, LETTER FROM GOVERNOR</b>			
January 13, 2015.....		13	
<b>EMERGENCY MEDICAL TECHNICIANS</b>			
See EMERGENCIES			
<b>EMINENT DOMAIN</b>			
Dilapidated property, expert assessment, cure period.....	H 303	272	-
Eminent domain, restrictions on recreational trail use .....	S 1044	55	111
Property valuation, factors in assessing .....	S 1039	53	-
<b>EMPLOYERS AND EMPLOYEES</b>			
See also LABOR			
Food retailers giving food to employees, no tax .....	H 237	198	246
Inmate incentive pay, work, compensation, effect.....	S 1004	23	136
Labor negotiations, open meeting, exceptions .....	H 167	140/218	243
Minimum wage increase, annual CPI increases.....	S 1111	128	-
Prisoners, private farm employers, no benefits.....	S 1075	81	152
Property tax relief claimant, disability qualification .....	H 208	160	243
Reimbursement Incentive Act, tax credit requirements.....	H 172	136	214
School employees, cost of background checks.....	S 1019	33	58
School employees, cost of background checks.....	H 190	151	213
Senior judges, qualifications.....	S 1027	47	99
Teacher contracts, reductions in force.....	S 1088	83/249	137/264
U.S. employment retirement benefits, tax deductibility.....	H 36	48	119
Unemployment benefits, overpayment penalty distribution .....	H 78	86	210
Unemployment insurance exemption, motor carrier leases.....	H 143	147	213

	Bill Number	Intro. Page	Vote Page
<b>EMPLOYMENT SECURITY LAW</b>			
Exemption, leases to motor carriers .....	H 143	147	213
Prisoners, private farm employers, no benefits .....	S 1075	81	152
Unemployment benefits, overpayment penalty distribution .....	H 78	86	210
<b>ENDOWMENT FUNDS AND LANDS</b>			
Endowment Fund Investment Board, appropriation .....	H 231	160	210
Endowment asset issues, legislative study committee .....	HCR 12	160	-
Land Board, navigable waterways, revenues, fund deposits .....	H 47	63	176
Public lands, multiparty exchanges authorized .....	SCR 107	90	128
<b>ENERGY</b>			
Electrical corp, not electric vehicle battery chargers .....	H 185	159	243
Energy Resources Authority, conservation measures .....	S 1024	36	71
Idaho National Lab, geothermal system production .....	HJM 7	151	180
John Grossenbacher, INL Director, honor service .....	SCR 117	149	165
Office of Energy Resources, appropriation .....	H 223	160	204
Office of Energy Resources, appropriation, add'l. ....	H 40	35	50
<b>ENGINEERS AND SURVEYORS</b>			
Authoritative land surveying services defined .....	S 1063	71	137
Intern, plat and survey requirements .....	S 1079	82	107
Professional engineers/surveyors, board members, licensing .....	S 1046	57	137
Public irrigation construction, engineer exemption .....	H 256	228	272
STEM Action Center and Board created .....	H 302	272	287
STEM Action Center, appropriation .....	H 326	313	316
<b>ENTERTAINMENT</b>			
Historical horse races, betting repealed .....	S 1011	25	302
<b>ENVIRONMENT</b>			
Allowable ground water degradation, mine operators .....	H 197	160	244
Aquatic invasive species, expedite federal funding .....	SJM 101	85	98
Boulder-White Clouds, national monument status .....	HJM 5	151	180
Columbia Snake River system, state sovereignty .....	HJM 11	291	304
Deer Flat National Wildlife Refuge, oppose conservation .....	HJM 10	249	285
Department of Environmental Quality, appropriation .....	S 1163	202	229
Department of Environmental Quality, appropriation, add'l. ....	S 1003	23	33
Land and sage-grouse management plans not public .....	H 291	258	286
Natural resources legislative study committee .....	HCR 8	118	284
Outdoor recreation, Outdoor Retailer shows invited .....	HCR 7	113	165
Public Lands Council and Public Lands Office created .....	S 1134	151	-
Sage-grouse, long-term management, state primacy .....	HJM 9	258	285
Water quality rule approval, mixing zone, permit .....	H 58	136	203
<b>ESCROW</b>			
See REAL ESTATE			
<b>ESKRIDGE, GEORGE</b>			
Appointment, Member: Idaho Energy Resources Authority			
Appointed by Governor/to State Affairs (Feb. 17) .....		94	
Committee Report .....		158	
Confirmed by Senate .....			165
<b>ESTATES</b>			
Community property, right of survivorship, terminate .....	S 1056	63/141	157
Income tax rate reduction .....	H 311	282	-
Informal probate unavailable for multiple codicils .....	S 1051	62	114
Insurer duty to check death file for insureds .....	S 1023	36	119
Spendthrift trusts, correct standards .....	S 1052	62	114
Uniform Fiduciary Access to Digital Assets Act .....	S 1055	62	-
Uniform Recognition of Substitute Decision-Making .....	S 1054	62	137
<b>ETHICS</b>			
Ethical government, correct code citations .....	H 91	129	211
Executive officials, communications, no contingent fees .....	H 214	180	281
Open meeting violations, increase fines .....	H 324	305	316
Transparent and Ethical Government, new title 74 .....	H 90	129	211

SENATE INDEX

375

	Bill Number	Intro. Page	Vote Page
ETHNIC			
Hispanic Affairs Commission, appropriation.....	S 1148	170	208
EVANS, SHANE			
Appointment, Member: Sexual Offender Management Board			
Appointed by Governor/to Judiciary and Rules (Jan. 26) .....		26	
Committee Report.....		94	
Confirmed by Senate.....			103
EXECUTIVE DIRECTOR OF THE COMMISSION ON PARDONS AND PAROLE			
Jones, Cassandra: Appointment, Executive Director			
Appointed by Governor/to Judiciary and Rules (Jan. 19) .....		18	
Committee Report.....		54	
Confirmed by Senate.....			62

- F -

FARMS AND FARMING

See AGRICULTURE

FEDERAL LAWS AND RELATIONS

Aquatic invasive species, expedite federal funding .....	SJM 101	85	98
Boulder-White Clouds, national monument status .....	HJM 5	151	180
Caldera, Island Park, oppose monument designation .....	HJM 2	84	128
Craters of the Moon, urge National Park status.....	SJM 102	287	-
Craters of the Moon, urge National Park status.....	SJM 103	290	292
Deer Flat National Wildlife Refuge, oppose conservation .....	HJM 10	249	285
Federal REAL ID law, compliance extension.....	H 96	110	138
Federal interstates in Idaho, truck weights, Congress .....	HJM 8	151	173
Federal lands in Idaho, develop long-term state leases .....	SCR 115	130	-
Federal lands in Idaho, working group, agreements.....	SCR 126	231	249
Federal lands, legislative study committee .....	SCR 108	90	-
Food labeling, genetically engineered, FDA standards .....	HJM 6	151	180
Health care sharing ministries, request choice.....	SCR 125	226	265
Idaho National Lab, geothermal system production .....	HJM 7	151	180
Interstate Compact on Transfer of Public Lands Act .....	H 265	276	-
Legislative budgeting, reporting of federal funding .....	S 1122	140	-
Limited Convention/No Runaway Convention Act, add.....	H 67	136	-
Oil/Gas Commission, geographic spacing units, exceptions .....	H 124	124	176
Public Lands Council and Public Lands Office created .....	S 1134	151	-
Regulation Freedom Amendment, U.S. Constitution .....	HJM 1	84	-
Sage-grouse, long-term management, state primacy .....	HJM 9	258	285
State budget, federal funding reports and planning .....	S 1152	193	229
U.S. activist judges, Congress should impeach .....	HJM 4	233	-
U.S. employment retirement benefits, tax deductibility.....	H 36	48	119

FEES

Agency fee rules approved, except Insurance Department.....	SCR 128	274	285
Charter school fee, authorizers fund, date.....	S 1021	35	63
Driver's training fees, Occupational Licenses Bureau .....	S 1120	136	167
Ground water district, increase maximum amount of warrants.....	S 1169	208	250
Idaho State Police, extra services, reimbursement.....	H 157	129/198	219
Irrigation district, acceptable forms of payment, fees .....	S 1058	63	124
Irrigation district, special assessments, protect facility.....	S 1059	63/141	156
Lateral water users association, assessments, withdrawal .....	S 1099	93	125
Lengthy trial juror compensation fund created.....	H 162	140	-
Occupational Licenses Bureau, service fees authorized .....	H 116	136	223
Oil/Gas Commission, drilling and permit fee schedule.....	H 49	67	161
Real Estate Commission, errors insurance fee repealed.....	S 1008	25	115
Real estate fee splitting, payments .....	S 1010	25	119
Real estate license denial, insufficient fee payment .....	S 1007	25	115
School employees, cost of background checks.....	S 1019	33	58

	Bill Number	Intro. Page	Vote Page
FEES (Continued)			
School employees, cost of background checks.....	H 190	151	213
Teaching certificate records/fees, use of.....	S 1018	33	58
Transportation funding, fee increases, hybrid vehicles.....	H 312	282/306/323	309/334
Veterinary application/licensing fees, nonrefundable.....	H 73	140	-
Water Users District, project resolutions and funding.....	S 1100	93	136
FIELD, DEBRA			
Appointment, Member: State Board of Correction			
Appointed by Governor/to Judiciary and Rules (Feb. 10).....		66	
Committee Report.....		94	
Confirmed by Senate.....			103
FILM			
See ENTERTAINMENT			
FINANCE			
Alternative school support units, grades 6-12.....	H 300	272	286
Banks, regulation of, loan production offices.....	H 99	147	243
Department, appropriation.....	S 1126	146	167
Financial Management Division, appropriation.....	S 1138	159	194
Hospital treasurers, investment duty, limitations.....	H 179	155	245
Irrigation Board power to incur debts, mitigation projects.....	H 166	140	203
Legislative budgeting, reporting of federal funding.....	S 1122	140	-
Port district annual audited financial statement.....	S 1045	55	99
School board candidates, campaign finance reporting.....	S 1072	77/156	174
State budget, federal funding reports and planning.....	S 1152	193	229
FINANCIAL INSTITUTIONS			
See BANKS AND FINANCIAL INSTITUTIONS			
FINES			
Fireworks, altering/selling/using, infraction offense.....	H 195	160	244
Hunting infractions, fines.....	H 161	140	200
Juvenile curfew violations, reduce offense and fine.....	H 102	118	214
Littering on highways/property, revise penalties.....	H 104	129	221
Open meeting violations, increase fines.....	H 155	159/265	285
Open meeting violations, increase fines.....	H 324	305	316
Pharmacy Board rules, registration, researchers, fines.....	H 4	71	120
Salmon/steelhead, unlawful killing, delete flagrant.....	H 31	53	202
Tobacco use by minors, first offense an infraction.....	H 159	140	214
Unemployment benefits, overpayment penalty distribution.....	H 78	86	210
Vehicle liability insurance violations, increase fine.....	S 1032	50	-
FIRE AND FIREFIGHTERS			
District commissioner terms, subdistricts, reapportion.....	H 204	194	-
Fire Suppression Deficiency Fund, appropriation.....	H 26	33	48
Fire protection district, property auction.....	H 202	170/218	242
FIREARMS			
See WEAPONS			
FIREWORKS			
Fireworks, altering/selling/using, infraction offense.....	H 195	160	244
FISCAL NOTE			
Challenged:			
<b>S 1096</b> , as amended, Senator Johnson, March 16, 2015.....		195	
FISCHER, BLAKE			
Appointment, Member: Idaho Fish and Game Commission			
Appointed by Governor/to Resources and Environment (Jan. 15).....		15	
Committee Report.....		28	
Confirmed by Senate.....			32
FISH AND GAME			
Columbia Snake River system, state sovereignty.....	HJM 11	291	304
Commission, appropriation.....	H 320	302	308
Department, appropriation.....	S 1013	30	48
Department, appropriation.....	S 1133	147	168
Department, appropriation, add'l.....	S 1115	132	152

	<b>Bill Number</b>	<b>Intro. Page</b>	<b>Vote Page</b>
FISH AND GAME (Continued)			
Fish and Game set-aside acct, class 7 licenses exempt .....	S 1020	35	95
Hunting infractions, fines .....	H 161	140	200
Hunting/fishing business, sales tax production exempt .....	H 221	180	246
Hunting/fishing licenses, senior resident defined .....	S 1031	50	95
License plates, special, Rocky Mountain Elk Foundation .....	H 44	58	119
Salmon/steelhead, unlawful killing, delete flagrant .....	H 31	53	202
Wolf Control Fund, appropriation .....	S 1160	202	224
FISHER, JEAN			
Appointment, Member: Sexual Offender Management Board			
Appointed by Governor/to Judiciary and Rules (Jan. 26) .....		26	
Committee Report .....		94	
Confirmed by Senate .....			98
FISHER, JOY			
Appointment, Member: Public Employee Retirement System of Idaho Board			
Appointed by Governor/to Commerce and Human Resources (Feb. 9) .....		61	
Committee Report .....		139	
Confirmed by Senate .....			145
FLAGS			
U.S. flag, half-staff, governor's directive .....	S 1155	197	264
FOOD			
Charity meals, school/church/senior citizen, tax exempt .....	H 11	48	100
Cherry Commission, creation of districts by rule .....	H 148	147	213
Food labeling, genetically engineered, FDA standards .....	HJM 6	151	180
Food retailers giving food to employees, no tax .....	H 237	198	246
Grocery tax credit increase .....	H 330	320	-
Grocery tax credit repealed, food sales tax exemption .....	H 311	282	-
Grocery tax credit, inmates, indigents, Tax Commission .....	H 236	198	246
Mobile/temporary food court, beer/wine license .....	S 1089	83	-
FORESTS AND FORESTRY			
Highway transportation, forestry products, vehicles .....	H 194	140/181	209
FRACKING			
See OIL			
FRANSEN, CURT			
Appointment: Director of the Department of Environmental Quality			
Appointed by Governor/to Health and Welfare (Feb. 9) .....		60	
Committee Report .....		122	
Confirmed by Senate .....			128
FRAUD			
Financial transaction card number acquisition, defraud .....	S 1029	47	99
FUELS			
Fuels tax increase, transportation funding .....	H 311	282	-
Gas tax refund/tax credit procedures .....	H 42	63	120
Gaseous special fuels measurement, taxation .....	H 132	140	222
Motor fuels distributor, licensing, violations .....	H 43	58	138
Oil tax based on gross income, determination .....	H 269	228	264
FUNDS			
Budget Stabilization Fund, appropriation .....	S 1191	289	296
Catastrophic Health Care Fund, appropriation .....	H 282	241	253
Charter school fee, authorizers fund, date .....	S 1021	35	63
Economic Recovery Reserve Fund, appropriation, 27th payroll .....	S 1190	289	296
Fish and Game set-aside acct, class 7 licenses exempt .....	S 1020	35	95
Industrial Administration Fund, Building Safety Division use .....	S 1001	20	137
Industrial administration fund premium tax reduced .....	S 1168	208	263
Legislative Legal Defense Fund, appropriation, sage-grouse .....	S 1190	289	296
Legislative budgeting, reporting of federal funding .....	S 1122	140	-
Lengthy trial juror compensation fund created .....	H 162	140	-
Public Health Trust Fund, appropriation .....	H 230	160	209
Public charter school debt reserve, facilities funding .....	H 309	276/304	307
Rural physician incentive fund, appropriate balance .....	H 178	147	210

	Bill Number	Intro. Page	Vote Page
FUNDS (Continued)			
State budget, federal funding reports and planning .....	S 1152	193	229
Tax refund donations, certain recipient accts deleted .....	S 1107	118	152
Tobacco/drug programs, appropriation, Millennium Income Fund .....	S 1144	166	199
Transportation funding, general funds, highway acct .....	H 310	282	-
FUNERALS			
Death certificates, funeral designees or family .....	S 1077	81	152
- G -			
GALLIMORE, JANET			
Appointment: State Historic Preservation Officer			
Appointed by Governor/to State Affairs (Feb. 9) .....		61	
Committee Report .....		134	
Confirmed by Senate .....			142
GAMBLING			
Historical horse race wagering, certain premises only .....	S 1048	57	-
Historical horse races, betting repealed .....	S 1011	25	302
GARNISHMENT			
See also DEBTORS AND CREDITORS			
Debtor collection exemption, life insurance contracts .....	S 1014	30	114
GASOLINE			
See FUELS			
GAY			
See HOMOSEXUALITY			
GEE, GAVIN			
Appointment: Director of the Department of Finance			
Appointed by Governor/to Commerce and Human Resources (Feb. 9) .....		61	
Committee Report .....		122	
Confirmed by Senate .....			128
Appointment, Member: Treasurer's Investment Advisory Board			
Appointed by Governor/to State Affairs (Jan. 27) .....		28	
Committee Report .....		106	
Confirmed by Senate .....			113
GEHRING, SHANE			
Appointment, Member: Bingo-Raffle Advisory Board			
Appointed by Governor/to State Affairs (Feb. 9) .....		61	
Committee Report .....		116	
Confirmed by Senate .....			123
GEOLOGY AND GEOLOGISTS			
Craters of the Moon, urge National Park status .....	SJM 102	287	-
Craters of the Moon, urge National Park status .....	SJM 103	290	292
Geologist registration, professional examination, rules .....	H 81	113	210
GEOTHERMAL			
Idaho National Lab, geothermal system production .....	HJM 7	151	180
GIBSON, MICHAEL			
Appointment, Member: Commission for the Blind & Visually Impaired			
Appointed by Governor/to Health and Welfare (Jan. 22) .....		22	
Committee Report .....		60	
Confirmed by Senate .....			67
GIFTS			
See CONTRIBUTIONS			
GIUFFRE, JIM V.			
Appointment, Member: State Board of Health and Welfare			
Appointed by Governor/to Health and Welfare (Feb. 13) .....		80	
Committee Report .....		134	
Confirmed by Senate .....			142



SENATE INDEX

	Bill Number	Intro. Page	Vote Page
GOULD, CELIA			
Appointment: Director of the Department of Agriculture			
Appointed by Governor/to Agricultural Affairs (Jan. 19) .....		18	
Committee Report .....		65	
Confirmed by Senate .....			71
Appointment, Member: Public Employee Retirement System of Idaho Board			
Appointed by Governor/to Commerce and Human Resources (Mar. 16) .....		192	
Committee Report .....		221	
Confirmed by Senate .....			242
GOVERNMENT			
Administrative hearing officers, legislative study committee .....	SCR 124	191	207
Agency fee rules approved, except Insurance Department .....	SCR 128	274	285
Agency rules, continue in force and effect .....	H 319	302	308
Agency temporary rules approved and extended .....	SCR 127	274	284
Civics test or school alternative, student completion .....	S 1071	77/141	157
Economic Advisory Council, membership, qualifications .....	H 120	147	213
Eminent domain property valuation, factors in assessing .....	S 1039	53	-
Eminent domain, restrictions on recreational trail use .....	S 1044	55	111
Government of Turkey, urge Christian Church rights .....	HJM 3	151	-
Government of Turkey, urge Christian Church rights .....	HJM 12	299	310
Government printing work, exceptions apply to counties .....	H 68	98	161
Labor negotiations, open meeting, exceptions .....	H 167	140/218	243
Land Board, navigable waterways, revenues, fund deposits .....	H 47	63	176
Limited Convention/No Runaway Convention Act, add .....	H 67	136	-
Oil/Gas Commission, contested case hearings, when .....	H 123	124	203
Open meeting violations, increase fines .....	H 155	159/265	285
Open meeting violations, increase fines .....	H 324	305	316
Parental fundamental rights over children affirmed .....	H 113	124/216	239
Parks and Recreation Department, long-term funding/sponsorship agreements .....	S 1098	93/298	124/304
Public Employee Retirement System of Idaho contribution rule rejected .....	HCR 6	113	180
Public Employee Retirement System of Idaho retirement calculations, Idaho legislators .....	H 100	141	-
Public Lands Council and Public Lands Office created .....	S 1134	151	-
Public irrigation construction, engineer exemption .....	H 256	228	272
Public records laws, correct code citations .....	H 91	129	211
Regulation Freedom Amendment, U.S. Constitution .....	HJM 1	84	-
School trustee term changes, repeal transition law .....	H 22	50	78
State amphibian is Idaho Giant Salamander .....	H 1	241	265
State broadband services, legislative study committee .....	SCR 131	314	317
State broadband services, legislative study committee .....	HCR 26	320	321
State government purchasing laws, legislative study commission .....	HCR 23	272	310
State office vacancies, failed appointments, documents .....	S 1112	129	194
State purchasing law, alphabetize definitions .....	S 1047	57	137
Tax sale of property, purchase by county, best interest .....	H 156	147	210
Transparent and Ethical Government, new title 74 .....	H 90	129	211
U.S. activist judges, Congress should impeach .....	HJM 4	233	-
VOIP/IP-enabled services, regulation restricted .....	S 1105	118	-
GOVERNOR			
Appointments: See GUBERNATORIAL APPOINTMENTS			
State of the State and Budget Address .....		6	
Emergency Fund, Letter from Governor .....		13	
Law without Signature: <b>S 1175</b> .....		338	
Line Item Veto: <b>S 1192</b> .....		337	
Veto: <b>S 1011</b> .....		302	
Veto: <b>S 1146</b> , as amended .....		337	
Executive Office of, appropriation .....	S 1143	159	195
Hazardous Substance Emergency Response Fund, appropriation .....	H 26	33	48
Joint session, message from the Governor .....	HCR 1	5	6
Office of, appropriation, Drug Policy Office .....	H 207	151	176
Office of, appropriation, Energy Resources .....	H 223	160	204
Office of, appropriation, Energy Resources, add'l .....	H 40	35	50

	Bill Number	Intro. Page	Vote Page
GOVERNOR (Continued)			
Office of, appropriation, Financial Management Division .....	S 1138	159	194
Office of, appropriation, Human Resources Division .....	S 1114	132	151
Office of, appropriation, Military Division .....	H 229	160	209
Office of, appropriation, STEM Action Center .....	H 326	313	316
Office of, appropriation, Species Conservation Office .....	S 1128	147	167
Office of, appropriation, State Liquor Division .....	S 1127	146	167
STEM Action Center and Board created .....	H 302	272	287
State office vacancies, failed appointments, documents .....	S 1112	129	194
U.S. flag, half-staff, governor's directive .....	S 1155	197	264
Wolf Control Fund, appropriation .....	S 1160	202	224
GUARDIANS AND CONSERVATORS			
Guardians ad litem, duties and powers .....	S 1053	62/171	199
Uniform Fiduciary Access to Digital Assets Act .....	S 1055	62	-
Uniform Recognition of Substitute Decision-Making .....	S 1054	62	137
GUBERNATORIAL APPOINTMENTS			
Adjutant General of the Idaho Military Division			
Sayler, Gary: Appointment, Adjutant General			
Appointed by Governor/to State Affairs (Feb. 10) .....		65	
Committee Report .....		109	
Confirmed by Senate .....			117
Administrator of the Office of Energy Resources			
Chatburn, John: Appointment, Administrator			
Appointed by Governor/to State Affairs (Jan. 22) .....		21	
Committee Report .....		40	
Confirmed by Senate .....			54
Aeronautics Advisory Board			
Sorensen, Rodger Lee: Appointment, Member			
Appointed by Governor/to Transportation (Feb. 2) .....		40	
Committee Report .....		116	
Confirmed by Senate .....			123
Bingo-Raffle Advisory Board			
Gehring, Shane: Appointment, Member			
Appointed by Governor/to State Affairs (Feb. 9) .....		61	
Committee Report .....		116	
Confirmed by Senate .....			123
Lively, Wendy: Appointment, Member			
Appointed by Governor/to State Affairs (Feb. 10) .....		66	
Committee Report .....		127	
Confirmed by Senate .....			142
Board of Environmental Quality			
Kiebert, Kermit: Appointment, Member			
Appointed by Governor/to Health and Welfare (Feb. 12) .....		74	
Committee Report .....		122	
Confirmed by Senate .....			128
McCreedy, John: Appointment, Member			
Appointed by Governor/to Health and Welfare (Jan. 27) .....		29	
Committee Report .....		122	
Confirmed by Senate .....			131
Commission for the Blind & Visually Impaired			
Beck, Travis: Appointment, Member			
Appointed by Governor/to Health and Welfare (Jan. 22) .....		22	
Committee Report .....		60	
Confirmed by Senate .....			67
Gibson, Michael: Appointment, Member			
Appointed by Governor/to Health and Welfare (Jan. 22) .....		22	
Committee Report .....		60	
Confirmed by Senate .....			67

	Bill Number	Intro. Page	Vote Page
GUBERNATORIAL APPOINTMENTS (Continued)			
Commission on Pardons and Parole			
Bostaph, Lisa Growette: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Feb. 2).....		41	
Committee Report.....		108	
Confirmed by Senate.....			113
Scheihing, Gary: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Jan. 22) .....		23	
Committee Report.....		36	
Confirmed by Senate.....			41
Director of the Department of Agriculture			
Gould, Celia: Appointment, Director			
Appointed by Governor/to Agricultural Affairs (Jan. 19) .....		18	
Committee Report.....		65	
Confirmed by Senate.....			71
Director of the Department of Commerce			
Sayer, Jeffery: Appointment, Director			
Appointed by Governor/to Commerce and Human Resources (Feb. 9).....		61	
Committee Report.....		122	
Confirmed by Senate.....			128
Director of the Department of Environmental Quality			
Fransen, Curt: Appointment, Director			
Appointed by Governor/to Health and Welfare (Feb. 9) .....		60	
Committee Report.....		122	
Confirmed by Senate.....			128
Director of the Department of Finance			
Gee, Gavin: Appointment, Director			
Appointed by Governor/to Commerce and Human Resources (Feb. 9).....		61	
Committee Report.....		122	
Confirmed by Senate.....			128
Director of the Department of Juvenile Corrections			
Harrigfeld, Sharon: Appointment, Director			
Appointed by Governor/to Judiciary and Rules (Jan. 19) .....		18	
Committee Report.....		60	
Confirmed by Senate.....			66
Director of the Department of Labor			
Edmunds, Ken: Appointment, Director			
Appointed by Governor/to Commerce and Human Resources (Feb. 11).....		70	
Committee Report.....		127	
Confirmed by Senate.....			131
Director of the Idaho Department of Water Resources			
Spackman, Gary: Appointment, Director			
Appointed by Governor/to Resources and Environment (Jan. 28).....		31	
Committee Report.....		74	
Confirmed by Senate.....			87
Director of the Idaho State Police			
Powell, Ralph: Appointment, Director			
Appointed by Governor/to Judiciary and Rules (Mar. 19) .....		221	
Committee Report.....		257	
Confirmed by Senate.....			272
Director of the State Liquor Division			
Anderson, Jeff: Appointment, Director			
Appointed by Governor/to State Affairs (Feb. 25) .....		117	
Committee Report.....		144	
Confirmed by Senate.....			150
Executive Director of the Commission on Pardons and Parole			
Jones, Cassandra: Appointment, Executive Director			
Appointed by Governor/to Judiciary and Rules (Jan. 19) .....		18	
Committee Report.....		54	
Confirmed by Senate.....			62

	Bill Number	Intro. Page	Vote Page
GUBERNATORIAL APPOINTMENTS (Continued)			
Hazardous Waste Facility Siting License Application Review Panel			
Budge, Suzanne: Appointment, Member			
Appointed by Governor/to Health and Welfare (Mar. 16).....		192	
Committee Report.....		212	
Confirmed by Senate.....			227
Von Lindern, Mark: Appointment, Member			
Appointed by Governor/to Health and Welfare (Mar. 16).....		192	
Committee Report.....		211	
Confirmed by Senate.....			218
Idaho Commission on Human Rights			
Johnson, Ruthie: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 22).....		22	
Committee Report.....		52	
Confirmed by Senate.....			57
Olsen, Sheila: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 22).....		22	
Committee Report.....		52	
Confirmed by Senate.....			57
Idaho Energy Resources Authority			
Eskridge, George: Appointment, Member			
Appointed by Governor/to State Affairs (Feb. 17).....		94	
Committee Report.....		158	
Confirmed by Senate.....			165
Idaho Fish and Game Commission			
Clezie, Lane: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 15).....		15	
Committee Report.....		28	
Confirmed by Senate.....			32
Fischer, Blake: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 15).....		15	
Committee Report.....		28	
Confirmed by Senate.....			32
Idaho Health Insurance Exchange Board			
Edgington, Jerry: Appointment, Member			
Appointed by Governor/to Commerce and Human Resources (Mar. 5).....		145	
Committee Report.....		164	
Confirmed by Senate.....			173
Murray, Roland James: Appointment, Member			
Appointed by Governor/to Commerce and Human Resources (Jan. 22).....		22	
Sweigart, Candace: Appointment, Member			
Appointed by Governor/to Commerce and Human Resources (Feb. 23).....		109	
Committee Report.....		164	
Confirmed by Senate.....			173
Idaho Industrial Commission			
Baskin, Thomas P.: Appointment, Member			
Appointed by Governor/to Commerce and Human Resources (Jan. 22).....		23	
Committee Report.....		122	
Confirmed by Senate.....			131
Idaho Lottery Commission			
Corbett, W. Craig: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 22).....		23	
Committee Report.....		106	
Confirmed by Senate.....			110
Idaho Outfitters and Guides Licensing Board			
Barowsky, Bob: Appointment, Member			
Appointed by Idaho Fish and Game/to Resources and Environment (Feb. 6)			
Committee Report.....		112	
Confirmed by Senate.....			123

	Bill Number	Intro. Page	Vote Page
GUBERNATORIAL APPOINTMENTS (Continued)			
McQuiston Jr., George: Appointment, Member			
Appointed by Governor/to Resources and Environment (Feb. 2) .....		40	
Committee Report .....		112	
Confirmed by Senate .....			117
Idaho Transportation Board			
DeLorenzo, Julie: Appointment, Member			
Appointed by Governor/to Transportation (Jan. 26) .....		27	
Committee Report .....		70	
Confirmed by Senate .....			75
Idaho Water Resource Board			
Cuddy, Charles: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 28) .....		31	
Committee Report .....		60	
Confirmed by Senate .....			66
Raybould, Jeffery: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 28) .....		31	
Committee Report .....		60	
Confirmed by Senate .....			67
Van Der Meulen, Peter: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 28) .....		32	
Committee Report .....		60	
Confirmed by Senate .....			70
Van Stone, Dale: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 29) .....		35	
Committee Report .....		60	
Confirmed by Senate .....			66
Lake Pend Oreille Basin Commission			
Baker, Brent: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 16) .....		17	
Committee Report .....		212	
Confirmed by Senate .....			218
Brinkmeyer, Marc: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 29) .....		35	
Committee Report .....		158	
Confirmed by Senate .....			165
Northwest Power and Conservation Council			
Yost, Jim: Appointment, Member			
Appointed by Governor/to Resources and Environment (Feb. 3) .....		49	
Committee Report .....		153	
Confirmed by Senate .....			165
Oil and Gas Commission			
Cellan, Sid: Appointment, Member			
Appointed by Governor/to Resources and Environment (Feb. 12) .....		74	
Committee Report .....		145	
Confirmed by Senate .....			151
Park and Recreation Board			
Doman, Randy K.: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 27) .....		30	
Committee Report .....		112	
Confirmed by Senate .....			117
Public Employee Retirement System of Idaho Board			
Fisher, Joy: Appointment, Member			
Appointed by Governor/to Commerce and Human Resources (Feb. 9) .....		61	
Committee Report .....		139	
Confirmed by Senate .....			145
Gould, Celia: Appointment, Member			
Appointed by Governor/to Commerce and Human Resources (Mar. 16) .....		192	
Committee Report .....		221	
Confirmed by Senate .....			242

	Bill Number	Intro. Page	Vote Page
GUBERNATORIAL APPOINTMENTS (Continued)			
Public Utilities Commission			
Sasser, Kristine: Appointment, Member			
Appointed by Governor/to State Affairs (Feb. 19) .....		103	
Committee Report .....		134	
Confirmed by Senate.....			142
Sexual Offender Management Board			
Burnham, John: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Jan. 26) .....		26	
Committee Report .....		94	
Confirmed by Senate.....			98
Evans, Shane: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Jan. 26) .....		26	
Committee Report .....		94	
Confirmed by Senate.....			103
Fisher, Jean: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Jan. 26) .....		26	
Committee Report .....		94	
Confirmed by Senate.....			98
State Appellate Public Defender			
Thomas, Sara B.: Appointment, State Appellate Public Defender			
Appointed by Governor/to Judiciary and Rules (Jan. 22) .....		22	
Committee Report .....		36	
Confirmed by Senate.....			41
State Board of Correction			
Field, Debra: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Feb. 10).....		66	
Committee Report .....		94	
Confirmed by Senate.....			103
State Board of Education			
Critchfield, Deborah: Appointment, Member			
Appointed by Governor/to Education (Jan. 27) .....		29	
Committee Report .....		49	
Confirmed by Senate.....			52
Hill, Dr. David: Appointment, Member			
Appointed by Governor/to Education (Jan. 27) .....		29	
Committee Report .....		127	
Confirmed by Senate.....			135
State Board of Health and Welfare			
Giuffre, Jim V.: Appointment, Member			
Appointed by Governor/to Health and Welfare (Feb. 13) .....		80	
Committee Report .....		134	
Confirmed by Senate.....			142
Kerby, Darrell: Appointment, Member			
Appointed by Governor/to Health and Welfare (Feb. 13) .....		80	
Committee Report .....		116	
Confirmed by Senate.....			128
Roberge, Richard: Appointment, Member			
Appointed by Governor/to Health and Welfare (Feb. 13) .....		80	
Committee Report .....		116	
Confirmed by Senate.....			123
Weeg, Stephen: Appointment, Member			
Appointed by Governor/to Health and Welfare (Feb. 13) .....		80	
Committee Report .....		116	
Confirmed by Senate.....			123
State Historic Preservation Officer			
Gallimore, Janet: Appointment, State Historic Preservation Officer			
Appointed by Governor/to State Affairs (Feb. 9) .....		61	
Committee Report .....		134	
Confirmed by Senate.....			142

SENATE INDEX

	Bill Number	Intro. Page	Vote Page
GUBERNATORIAL APPOINTMENTS (Continued)			
State Insurance Fund Board			
Black, Max: Appointment, Member			
Appointed by Governor/to Commerce and Human Resources (Mar. 16) .....		192	
Committee Report .....		221	
Confirmed by Senate.....			228
Higgins, Rod: Appointment, Member			
Appointed by Governor/to Commerce and Human Resources (Mar. 16) .....		192	
Committee Report .....		221	
Confirmed by Senate.....			228
State Public Defense Commission			
Bolz, Darrell: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Feb. 18).....		97	
Committee Report .....		153	
Confirmed by Senate.....			165
Ricks, Kimber: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Feb. 19).....		102	
Committee Report .....		144	
Confirmed by Senate.....			150
Thomas, Sara: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Feb. 18).....		98	
Committee Report .....		135	
Confirmed by Senate.....			142
Wellman, William: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Feb. 12).....		74	
Committee Report .....		112	
Confirmed by Senate.....			118
State Soil and Water Conservation Commission			
Radford, Dave: Appointment, Member			
Appointed by Governor/to Agricultural Affairs (Feb. 2).....		41	
Committee Report .....		106	
Confirmed by Senate.....			109
State Tax Commission			
Werk, Elliot: Appointments, Member			
Appointed by Governor/to Local Government and Taxation (Feb. 19) .....		103	
Committee Reports .....		140	
Confirmed by Senate.....			146
Treasurer's Investment Advisory Board			
Ariall, Cameron: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 27).....		28	
Committee Report .....		106	
Confirmed by Senate.....			110
Gee, Gavin: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 27).....		28	
Committee Report .....		106	
Confirmed by Senate.....			113
Johnson, Dennis: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 27).....		28	
Committee Report .....		127	
Confirmed by Senate.....			131
Michael, Gary: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 27).....		29	
Committee Report .....		108	
Confirmed by Senate.....			113
Murray, Kerrie: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 27).....		29	
Committee Report .....		106	
Confirmed by Senate.....			110

GUNS

See WEAPONS

	Bill Number	Intro. Page	Vote Page
- H -			
HANDICAPPED			
See DISABLED			
HARRIGFELD, SHARON			
Appointment: Director of the Department of Juvenile Corrections			
Appointed by Governor/to Judiciary and Rules (Jan. 19) .....		18	
Committee Report .....		60	
Confirmed by Senate .....			66
HAZARDOUS SUBSTANCES			
Hazardous Substance Emergency Response Fund, appropriation .....	H 26	33	48
HAZARDOUS WASTE FACILITY SITING LICENSE APPLICATION REVIEW PANEL			
Budge, Suzanne: Appointment, Member			
Appointed by Governor/to Health and Welfare (Mar. 16) .....		192	
Committee Report .....		212	
Confirmed by Senate .....			227
Von Lindern, Mark: Appointment, Member			
Appointed by Governor/to Health and Welfare (Mar. 16) .....		192	
Committee Report .....		211	
Confirmed by Senate .....			218
HEALTH			
Abortion providers, must have hospital privileges .....	S 1094	84	-
Abortion providers, must have hospital privileges .....	S 1102	93	-
American Diabetes Month, support goals .....	HCR 5	118	132
Cannabidiol oil, use for seizures, penalty exception .....	S 1146	166/218	242
Catastrophic Health Care Fund, appropriation .....	H 282	241	253
Chemical abortions, requirements, court proceedings .....	H 154	136/217	239
College health care plans, self-funded, minimum surplus .....	S 1081	82	107
Community health emergency medical services, ambulance .....	H 153	147	212
Community primary care pilot program, counties .....	S 1193	304	-
County medical assistance, procedures and requirements .....	S 1123	146	230
County medical indigence program, income eligibility .....	S 1153	193	-
Direct Primary Care Act, contracts, not insurance .....	S 1062	71/172/188	199
Genetic Counselors Licensing Act .....	S 1080	82/141	156
Health care sharing ministries, request choice .....	SCR 125	226	265
Hearing aids/eyeglass parts, sales tax exemption .....	H 75	98	176
Hemp extract, registered use for epilepsy treatment .....	S 1167	208	-
Idaho Caregiver Alliance task force, family caregiving .....	SCR 111	91	-
Idaho Caregiver Alliance task force, family caregiving .....	SCR 123	190	207
Idaho Caregiver Alliance task force, family caregiving .....	HCR 24	272	285
Immunization Assessments Board act, extend to 2017 .....	H 107	118	212
Insurance guaranty association, no consumer-operated plans .....	H 182	208	277
Investigational drugs, expanded access programs .....	S 1156	197	242
Medical indigents defined by federal poverty level .....	S 1101	93	-
Minors, restrictions on use of tanning devices .....	H 177	140	175
Music therapy, important health care service .....	SCR 109	91	132
National Diaper Need Awareness Week .....	SCR 110	91	132
Public Health Trust Fund, appropriation .....	H 230	160	209
Stand-alone dental plan defined .....	H 46	84	210
Substance abuse, repeal advisory committee, treatment record .....	H 33	86	161
Suicide prevention program, implementation plan .....	SCR 104	79	95
Telehealth health care services, scope of practice .....	H 189	140	203
Tobacco/drug programs, appropriation, Millennium Income Fund .....	S 1144	166	199
Uniform Recognition of Substitute Decision-Making .....	S 1054	62	137
YMCA Day, March 20th, recognize community contributions .....	SCR 118	163	180
HEALTH AND WELFARE DEPARTMENT			
Appropriation, Medicaid, add'l .....	H 205	155	201
Appropriation, Welfare Division .....	H 274	228	246
Appropriation, child welfare, developmentally disabled .....	H 276	228	247



	Bill Number	Intro. Page	Vote Page
<b>HEALTH AND WELFARE DEPARTMENT (Continued)</b>			
Appropriation, independent councils/indirect support/license.....	H 288	241	254
Appropriation, indirect support services, add'l.....	H 210	155	201
Appropriation, indirect support services, add'l.....	H 211	155	202
Appropriation, medicaid programs.....	H 240	180	219
Appropriation, mental health.....	H 264	208	244
Appropriation, mental health, substance abuse, add'l.....	H 232	160	210
Appropriation, physical health services, add'l.....	H 218	160	204
Appropriation, public health services.....	H 281	241	253
Appropriation, public health services, add'l.....	S 1180	278	293
Drug overdose, prescribe opioid antagonists.....	H 108	118	175
Emergency Medical Services Bureau, draft legislation.....	HCR 19	258	-
Food stamp recipients, food tax credit, Tax Commission.....	H 236	198	246
Hemp extract, registered use for epilepsy treatment.....	S 1167	208	-
Immunization registry, release of information, when.....	S 1121	136	161
Investigational drugs, expanded access programs.....	S 1156	197	242
Medical foster home for veterans, licensing exemption.....	S 1043	55	96
Public assistance recipient, no forgiveness of child support.....	S 1038	50	-
Residential care lease, relicensing not required.....	S 1042	55	96
Substance abuse, repeal advisory committee, treatment record.....	H 33	86	161
<b>HIGGINS, ROD</b>			
Appointment, Member: State Insurance Fund Board			
Appointed by Governor/to Commerce and Human Resources (Mar. 16).....		192	
Committee Report.....		221	
Confirmed by Senate.....			228
<b>HIGHWAYS</b>			
Anti-human trafficking signs authorized, road rest area.....	H 183	160	245
Authority to close highways, Idaho State Police.....	H 82	86	162
Autocycles, plates, registration, insurance, licensing.....	H 17	86/171	200
Federal interstates in Idaho, truck weights, Congress.....	HJM 8	151	173
Highway district commissioners, 3-year terms.....	S 1061	71/107	119
Highway district records, nonpaper archival copies.....	S 1082	82	114
Highway transportation, agricultural/forestry products.....	H 194	140/181	209
Littering on highways/property, revise penalties.....	H 104	129	221
Littering, hazardous conditions, misdemeanor, fine.....	H 160	136	222
Local Highway Technical Assistance Council, evaluation.....	SCR 102	69	154
Maximum load for inch width of tire on highways.....	H 70	98	151
Off-road vehicles, when permitted on highways.....	H 129	147	222
Public roads, materials, sales tax exemption.....	H 95	106/311	312
Speed limits, engineering safety exceptions.....	S 1028	47	67
Telecommunications facilities relocation cost allocated.....	S 1017	33	-
Transportation funding, fee increases, hybrid vehicles.....	H 312	282/306/323	309/334
Transportation funding, general funds, highway acct.....	H 310	282	-
Transportation funding, various tax changes.....	H 311	282	-
<b>HILL, DR. DAVID</b>			
Appointment, Member: State Board of Education			
Appointed by Governor/to Education (Jan. 27).....		29	
Committee Report.....		127	
Confirmed by Senate.....			135
<b>HISTORICAL SOCIETY</b>			
125 years of Idaho statehood, celebrate.....	HCR 15	147	265
Idaho State Historical Society, appropriation.....	H 293	241	255
<b>HISTORY</b>			
Benewah County, honor centennial anniversary.....	HCR 16	155	249
Boundary County, celebrate 100 year anniversary.....	SCR 112	105	132
Civics test or school alternative, student completion.....	S 1071	77/141	157
Eagle Rock Bridge/Idaho Falls, 150 years.....	HCR 2	58	103
<b>HOLIDAYS AND DAYS</b>			
125 years of Idaho statehood, celebrate.....	HCR 15	147	265
American Diabetes Month, support goals.....	HCR 5	118	132

	Bill Number	Intro. Page	Vote Page
<b>HOLIDAYS AND DAYS (Continued)</b>			
Benewah County, honor centennial anniversary .....	HCR 16	155	249
Boundary County, celebrate 100 year anniversary .....	SCR 112	105	132
Idaho Farm Bureau Federation Day, 75 years .....	HCR 14	151	180
National Diaper Need Awareness Week .....	SCR 110	91	132
Social Work Recognition Month declared .....	HCR 9	118	180
YMCA Day, March 20th, recognize community contributions.....	SCR 118	163	180
<b>HOMELAND SECURITY</b>			
Federal REAL ID law, compliance extension.....	H 96	110	138
<b>HOMES AND HOUSING</b>			
Medical foster home for veterans, licensing exemption.....	S 1043	55	96
Mortgage insurance coverage limits repealed.....	S 1078	81	138
Recreational "park model" vehicles, assessment standard.....	H 257	228/263	-
Residential care lease, relicensing not required.....	S 1042	55	96
Veterans Home in northern Idaho authorized .....	S 1104	106/276	148/279
<b>HOMOSEXUALITY</b>			
U.S. activist judges, Congress should impeach .....	HJM 4	233	-
<b>HONORS AND AWARDS</b>			
Gary Stevens, Idaho jockey, honor accomplishments.....	SCR 101	34	62
John Grossenbacher, INL Director, honor service .....	SCR 117	149	165
<b>HORSE RACING</b>			
See RACING			
<b>HOSPITALS</b>			
Abortion providers, must have hospital privileges .....	S 1094	84	-
Abortion providers, must have hospital privileges .....	S 1102	93	-
Hospital treasurers, investment duty, limitations .....	H 179	155	245
Medical indigents defined by federal poverty level.....	S 1101	93	-
<b>HOUSE OF REPRESENTATIVES</b>			
See also LEGISLATURE			
Joint legislative publishing committee, session laws.....	S 1181	282	286
Joint legislative publishing committee, session laws.....	H 328	313	316
Joint session, message from the Governor .....	HCR 1	5	6
Public Employee Retirement System of Idaho retirement calculations, Idaho legislators .....	H 100	141	-
Redistricting plan, court challenges, when .....	S 1091	83	133
State legislator qualifications, registered elector.....	H 3	20	-
<b>HUMAN RESOURCES DIVISION</b>			
Appropriation .....	S 1114	132	151
<b>HUNTING</b>			
See FISH AND GAME			
<b>- I -</b>			
<b>IDAHO CODE</b>			
See CODES			
<b>IDAHO COMMISSION ON HUMAN RIGHTS</b>			
Johnson, Ruthie: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 22).....		22	
Committee Report.....		52	
Confirmed by Senate.....			57
Olsen, Sheila: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 22).....		22	
Committee Report.....		52	
Confirmed by Senate.....			57
<b>IDAHO DAY</b>			
Committee: Senator Burgoyne, Chairman .....		143	
Idaho Day Service: March 4, 2015 .....		143	
Senator Burgoyne: Opening Remarks .....		143	
Senator Den Hartog: Prayer.....		143	
Paul Pugmire, Horizon Elementary School Fourth Grade Choir: "Idaho In Me".....		143	
Horizon Elementary School Fourth Grade Choir, "Here We Have Idaho" .....		143	
Senator Lakey: Concluding Remarks.....		143	

SENATE INDEX

	Bill Number	Intro. Page	Vote Page
<b>IDAHO ENERGY RESOURCES AUTHORITY</b>			
Eskridge, George: Appointment, Member			
Appointed by Governor/to State Affairs (Feb. 17).....		94	
Committee Report.....		158	
Confirmed by Senate.....			165
<b>IDAHO FISH AND GAME COMMISSION</b>			
Clezie, Lane: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 15).....		15	
Committee Report.....		28	
Confirmed by Senate.....			32
Fischer, Blake: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 15).....		15	
Committee Report.....		28	
Confirmed by Senate.....			32
<b>IDAHO HEALTH INSURANCE EXCHANGE BOARD</b>			
Edgington, Jerry: Appointment, Member			
Appointed by Governor/to Commerce and Human Resources (Mar. 5).....		145	
Committee Report.....		164	
Confirmed by Senate.....			173
Murray, Roland James: Appointment, Member			
Appointed by Governor/to Commerce and Human Resources (Jan. 22).....		22	
Sweigart, Candace: Appointment, Member			
Appointed by Governor/to Commerce and Human Resources (Feb. 23).....		109	
Committee Report.....		164	
Confirmed by Senate.....			173
<b>IDAHO HOUSING AND FINANCE ASSOCIATION</b>			
Public charter school debt reserve, facilities funding.....	H 309	276/304	307
<b>IDAHO INDUSTRIAL COMMISSION</b>			
Baskin, Thomas P.: Appointment, Member			
Appointed by Governor/to Commerce and Human Resources (Jan. 22).....		23	
Committee Report.....		122	
Confirmed by Senate.....			131
<b>IDAHO LOTTERY COMMISSION</b>			
Corbett, W. Craig: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 22).....		23	
Committee Report.....		106	
Confirmed by Senate.....			110
<b>IDAHO NATIONAL LABORATORY</b>			
Idaho National Lab, geothermal system production.....	HJM 7	151	180
John Grossenbacher, INL Director, honor service.....	SCR 117	149	165
<b>IDAHO OUTFITTERS AND GUIDES LICENSING BOARD</b>			
Barowsky, Bob: Appointment, Member			
Appointed by Idaho Fish and Game/to Resources and Environment (Feb. 6)			
Committee Report.....		112	
Confirmed by Senate.....			123
McQuiston Jr., George: Appointment, Member			
Appointed by Governor/to Resources and Environment (Feb. 2).....		40	
Committee Report.....		112	
Confirmed by Senate.....			117
<b>IDAHO TRANSPORTATION BOARD</b>			
DeLorenzo, Julie: Appointment, Member			
Appointed by Governor/to Transportation (Jan. 26).....		27	
Committee Report.....		70	
Confirmed by Senate.....			75
<b>IDAHO WATER RESOURCE BOARD</b>			
Cuddy, Charles: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 28).....		31	
Committee Report.....		60	
Confirmed by Senate.....			66

	Bill Number	Intro. Page	Vote Page
IDAHO WATER RESOURCE BOARD (Continued)			
Raybould, Jeffery: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 28).....		31	
Committee Report.....		60	
Confirmed by Senate.....			67
Van Der Meulen, Peter: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 28).....		32	
Committee Report.....		60	
Confirmed by Senate.....			70
Van Stone, Dale: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 29).....		35	
Committee Report.....		60	
Confirmed by Senate.....			66
IDENTITY AND NAMES			
Federal REAL ID law, compliance extension.....	H 96	110	138
Vehicle licensees, commercial learner permits, citizens.....	S 1016	32	58
IMMIGRATION AND IMMIGRANTS			
Civics test or school alternative, student completion.....	S 1071	77/141	157
Vehicle licensees, commercial learner permits, citizens.....	S 1016	32	58
IMMUNITY			
See LIABILITY			
IMMUNIZATION			
Immunization Assessments Board act, extend to 2017.....	H 107	118	212
Immunization registry, release of information, when.....	S 1121	136	161
INCOME TAX			
See TAX AND TAXATION, INCOME			
INDIGENTS			
See PUBLIC ASSISTANCE			
INDUSTRIAL COMMISSION			
Appropriation.....	S 1140	159	194
Industrial Administration Fund, Building Safety Division use.....	S 1001	20	137
Industrial administration fund premium tax reduced.....	S 1168	208	263
PUC/Tax/Industrial commissioner salary increase.....	S 1119	135	160
INITIATIVES AND REFERENDUMS			
City initiative and referendum procedures, dates.....	H 216	208	281
INSPECTIONS AND INSPECTORS			
Building Safety Division, industrial safety training.....	S 1001	20	137
Industrial equipment, when certification unnecessary.....	H 238	198	250
INSURANCE			
Autocycles, plates, registration, insurance, licensing.....	H 17	86/171	200
College health care plans, self-funded, minimum surplus.....	S 1081	82	107
Debtor collection exemption, life insurance contracts.....	S 1014	30	114
Department fee rule rejected.....	SCR 128	274	285
Department, appropriation.....	S 1139	159	194
Direct Primary Care Act, contracts, not insurance.....	S 1062	71/172/188	199
Guaranty association, no consumer-operated/oriented plans.....	H 182	208	277
Health care sharing ministries, request choice.....	SCR 125	226	265
Industrial administration fund premium tax reduced.....	S 1168	208	263
Insurer duty to check death file for insureds.....	S 1023	36	119
Mortgage insurance coverage limits repealed.....	S 1078	81	138
Real Estate Commission, errors insurance fee repealed.....	S 1008	25	115
Stand-alone dental plan defined.....	H 46	84	210
Title insurance, closing or settlement protection.....	H 277	241	273
Transportation network companies/drivers, insurance.....	H 316	276	293
Unemployment insurance exemption, motor carrier leases.....	H 143	147	213
Vehicle liability insurance violations, increase fine.....	S 1032	50	-
INTERNATIONAL RELATIONS			
Foreign exchange high school students, college classes.....	H 245	228	277
Government of Turkey, urge Christian Church rights.....	HJM 3	151	-
Government of Turkey, urge Christian Church rights.....	HJM 12	299	310
Uniform Interstate Family Support Act, foreign country.....	S 1067	75	229

SENATE INDEX

391

	Bill Number	Intro. Page	Vote Page
INTERNET			
See ELECTRONIC TECHNOLOGY			
INTERSTATE COMPACTS			
See MULTISTATE COMPACTS AND AGREEMENTS			
INVESTMENTS			
Farm/ranching income, capital gains tax deduction.....	H 133	106	162
Hospital treasurers, investment duty, limitations .....	H 179	155	245
New plant investments, property tax exemption criteria.....	H 286	258	-
IRRIGATION			
Columbia Snake River system, state sovereignty .....	HJM 11	291	304
District Board power to incur debts, mitigation plans.....	H 166	140	203
District, acceptable forms of payment, fees.....	S 1058	63	124
District, special assessments, facilities protection .....	S 1059	63/141	156
Energy Resources Authority, conservation measures .....	S 1024	36	71
Irrigation district meetings, suitable locations .....	S 1057	63	124
Lateral water users association, assessments, withdrawal .....	S 1099	93	125
Property trespass, water rights penalty exception.....	H 94	113/241	252
Public irrigation construction, engineer exemption .....	H 256	228	272
Water Users District, project resolutions and funding.....	S 1100	93	136
- J -			
JAILS			
Parolees/probationers in county jails, state payments.....	H 136	129	204
Prisoner removal requirements, repeal.....	H 138	118	204
JOHNSON, DENNIS			
Appointment, Member: Treasurer's Investment Advisory Board			
Appointed by Governor/to State Affairs (Jan. 27).....		28	
Committee Report.....		127	
Confirmed by Senate.....			131
JOHNSON, RUTHIE			
Appointment, Member: Idaho Commission on Human Rights			
Appointed by Governor/to State Affairs (Jan. 22).....		22	
Committee Report.....		52	
Confirmed by Senate.....			57
JOINT SESSION			
Governor's State of the State and Budget Address, January 12, 2015.....		6	6
JONES, CASSANDRA			
Appointment: Executive Director of the Commission on Pardons and Parole			
Appointed by Governor/to Judiciary and Rules (Jan. 19).....		18	
Committee Report.....		54	
Confirmed by Senate.....			62
MCQUISTON JR., GEORGE			
Appointment, Member: Idaho Outfitters and Guides Licensing Board			
Appointed by Governor/to Resources and Environment (Feb. 2).....		40	
Committee Report.....		112	
Confirmed by Senate.....			117
JUDGES			
Bench warrant, bail amount and conditions.....	H 158	140	222
Electronic poll book and miscellaneous election laws .....	H 212	170	280
Judges/justices, qualifications revised .....	S 1170	212	250
Prescriptions database, monitoring records, court order.....	H 7	67	120
Senior judges, qualifications.....	S 1027	47	99
U.S. activist judges, Congress should impeach .....	HJM 4	233	-
JUDGMENTS			
Crime victim restitution, judgment lien, execution .....	H 62	95	200
Enforcement period increased to ten years .....	S 1068	77	-
Judgments, liens, duration extended by five years.....	S 1069	77/155/181/276	199/279

	Bill Number	Intro. Page	Vote Page
JUDICIARY, STATE OF			
Chief Justice Roger S. Burdick, February 2, 2015 .....		38	
JURIES			
Lengthy trial juror compensation fund created .....	H 162	140	-
JUVENILE CORRECTIONS			
Department, appropriation .....	H 226	160	209
Escape from custody, age at time of escape .....	S 1034	50	119
Juvenile convicts, blended sentence, dual custody .....	S 1035	50	132
Juvenile curfew violations, reduce offense and fine .....	H 102	118	214
Juvenile offender, probation period, review hearing .....	H 61	95	176
Juvenile offenses, when court records may be sealed .....	S 1124	146	-
Youth Challenge program, extend indefinitely .....	H 52	86	121
- K -			
KERBY, DARRELL			
Appointment, Member: State Board of Health and Welfare			
Appointed by Governor/to Health and Welfare (Feb. 13) .....		80	
Committee Report .....		116	
Confirmed by Senate .....			128
KIEBERT, KERMIT			
Appointment, Member: Board of Environmental Quality			
Appointed by Governor/to Health and Welfare (Feb. 12) .....		74	
Committee Report .....		122	
Confirmed by Senate .....			128
- L -			
LABELS			
Food labeling, genetically engineered, FDA standards .....	HJM 6	151	180
LABOR			
See also EMPLOYERS AND EMPLOYEES			
Department, appropriation .....	S 1173	228	-
Department, appropriation (line-item veto) .....	S 1192	299	308
Food retailers giving food to employees, no tax .....	H 237	198	246
Inmate incentive pay, work, compensation, effect .....	S 1004	23	136
Labor negotiations, open meeting, exceptions .....	H 167	140/218	243
Minimum wage increase, annual Consumer Price Index increases .....	S 1111	128	-
Prisoners, private farm employers, no benefits .....	S 1075	81	152
Property tax relief claimant, disability qualification .....	H 208	160	243
STEM Action Center and Board created .....	H 302	272	287
STEM Action Center, appropriation .....	H 326	313	316
Teacher contracts, factfinders, repealed .....	H 169	140	203
Teacher contracts, reductions in force .....	S 1088	83/249	137/264
Unemployment benefits, overpayment penalty distribution .....	H 78	86	210
Unemployment insurance exemption, motor carrier leases .....	H 143	147	213
Vehicle labor/material liens, repeal .....	H 14	50	-
LAKE PEND OREILLE BASIN COMMISSION			
Baker, Brent: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 16) .....		17	
Committee Report .....		212	
Confirmed by Senate .....			218
Brinkmeyer, Marc: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 29) .....		35	
Committee Report .....		158	
Confirmed by Senate .....			165

	Bill Number	Intro. Page	Vote Page
LAND USE			
City annexation types, notice of intent, voter approval.....	S 1093	83	-
City annexation, when voter approval is required.....	S 1065	71	-
Eminent domain, restrictions on recreational trail use.....	S 1044	55	111
Planning and Zoning Commission vacancies, appointee requirements.....	H 142	140/172	200
LANDS			
Agriculture Department, noxious weeds, research facility.....	S 1073	81/276	114/279
Board, navigable waterways, revenues, deposit in funds.....	H 47	63	176
Conservation easements/grazing permits, tax deduction.....	H 109	106/217	242
Craters of the Moon, urge National Park status.....	SJM 102	287	-
Craters of the Moon, urge National Park status.....	SJM 103	290	292
Department, appropriation.....	H 268	216	245
Department, appropriation, Fire Suppression Deficiency Fund.....	H 26	33	48
Department, appropriation, Fire Suppression Deficiency Fund.....	S 1190	289	296
Education Board lands, property disposal processes.....	H 20	50	99
Endowment asset issues, legislative study committee.....	HCR 12	160	-
Federal lands in Idaho, working group, agreements.....	SCR 126	231	249
Federal lands, legislative study committee.....	SCR 108	90	-
Interstate Compact on Transfer of Public Lands Act.....	H 265	276	-
Land and sage-grouse management plans not public.....	H 291	258	286
Lands Department, federal lands, develop trust/lease plan.....	SCR 115	130	-
Oil/Gas Commission, drilling and permit fee schedule.....	H 49	67	161
Oil/Gas Commission, geographic spacing units, exceptions.....	H 124	124	176
Oil/Gas Commission, unit operation application, plan and order.....	H 50	71	162
Outdoor recreation, Outdoor Retailer shows invited.....	HCR 7	113	165
Public Lands Council and Public Lands Office created.....	S 1134	151	-
Public lands, multiparty exchanges authorized.....	SCR 107	90	128
LANGUAGES			
Sign language interpreters, licensing.....	H 152	151/268	276
LAW ENFORCEMENT			
City bond, allowable uses, police departments.....	S 1147	166	229
Concealed weapon permit renewal notices, mailing.....	H 66	58	-
Concealed weapons licenses, enhanced licenses.....	H 301	249	290
Concealed weapons permit law, revise.....	S 1090	83	-
Criminal record, fingerprints, later crimes, notify.....	S 1033	50/198	219
Idaho State Police POST rule rejected.....	HCR 13	155	207
Idaho State Police, extra services, reimbursement.....	H 157	129/198	219
Idaho State Police, highway closures, authority.....	H 82	86	162
Peace officer temporary disability condition, extend.....	H 55	63	138
Prisoner removal requirements, repeal.....	H 138	118	204
Public Employee Retirement System of Idaho, peace officer status, supervisory positions....	H 137	147	223
Refusing assistance to police, repeal offense.....	H 101	118	214
LAW WITHOUT SIGNATURE			
<b>S 1175</b> - Letter from Governor: April 22, 2015.....		338	
LAWYERS			
See ATTORNEYS			
LEADERSHIP, MAJORITY			
See MAJORITY LEADERSHIP			
LEADERSHIP, MINORITY			
See MINORITY LEADERSHIP			
LEASES			
Beef Council, property lease or ownership.....	S 1113	129	161
Federal lands in Idaho, develop long-term state leases.....	SCR 115	130	-
Leases to motor carriers, unemployment insurance exempt.....	H 143	147	213
Rental car fleet registration, special cards/stickers.....	H 147	140	175
LEGISLATIVE COUNCIL			
Legislative Services Office, appropriation.....	S 1142	159	195
Legislative Services Office, appropriation, OPE.....	S 1179	278	-
LEGISLATIVE SERVICES			
See LEGISLATIVE COUNCIL			

	<b>Bill Number</b>	<b>Intro. Page</b>	<b>Vote Page</b>
<b>LEGISLATURE</b>			
Administrative hearing officers, legislative study committee.....	SCR 124	191	207
Endowment asset issues, legislative study committee.....	HCR 12	160	-
Federal lands, legislative study committee.....	SCR 108	90	-
Idaho Session Laws, printing contract.....	SCR 130	313	317
Joint legislative publishing committee, session laws.....	S 1181	282	286
Joint legislative publishing committee, session laws.....	H 328	313	316
Joint session, message from the Governor.....	HCR 1	5	6
Natural resources legislative study committee.....	HCR 8	118	284
Public Employee Retirement System of Idaho retirement calculations, Idaho legislators.....	H 100	141	-
Public defense reform, legislative study committee.....	SCR 103	73	87
Redistricting plan, court challenges, when.....	S 1091	83	133
State broadband services, legislative study committee.....	SCR 131	314	317
State broadband services, legislative study committee.....	HCR 26	320	321
Student data collection, legislative study committee.....	HCR 3	86	135
Urban renewal laws, legislative study committee.....	HCR 17	208	276
<b>LIABILITY</b>			
Autocycles, plates, registration, insurance, licensing.....	H 17	86/171	200
Property trespass, water rights penalty exception.....	H 94	113/241	252
Transportation network companies/drivers, insurance.....	H 316	276	293
Vehicle liability insurance violations, increase fine.....	S 1032	50	-
<b>LIBRARIES AND LIBRARIANS</b>			
Commission, appropriation.....	H 250	194	220
Public library district meetings, trustee oaths.....	H 213	170	280
<b>LICENSE PLATES</b>			
Special, America the Beautiful, Live Laugh Love Give.....	S 1022	36	-
Special, America the Beautiful, Live Laugh Love Give.....	S 1083	82	-
Special, Friends of National Rifle Association.....	H 16	50	67
Special, Rocky Mountain Elk Foundation.....	H 44	58	119
Special, Support Our Troops, military families.....	S 1084	82	114
<b>LICENSES</b>			
Autocycles, plates, registration, insurance, licensing.....	H 17	86/171	200
Certified shorthand reporters, temporary permits, exam.....	H 30	110	210
Concealed weapon permit renewal notices, mailing.....	H 66	58	-
Concealed weapons licenses, enhanced licenses.....	H 301	249	290
Concealed weapons permit law, revise.....	S 1090	83	-
Cosmetologist licensing, minimum education hours.....	S 1064	71	-
Dental license non-renewal, cancellation, reinstatement.....	S 1037	50	95
Dental licensee, notice of felony conviction to Board.....	S 1036	50	78
Drunk driver, restricted driving privileges.....	S 1026	47	99
Engineers/surveyors, intern/plat/survey requirements.....	S 1079	82	107
Fish and Game set-aside acct, class 7 licenses exempt.....	S 1020	35	95
Genetic Counselors Licensing Act.....	S 1080	82/141	156
Geologist registration, professional examination, rules.....	H 81	113	210
Hunting/fishing licenses, senior resident defined.....	S 1031	50	95
Interstate Medical Licensure Compact.....	H 150	140	203
Liquor, conference/event center, requirements.....	H 318	291	312
Massage therapy, licensure, short-term, athletic events.....	H 23	77	120
Medical foster home for veterans, licensing exemption.....	S 1043	55	96
Mobile/temporary food court, beer/wine license.....	S 1089	83	-
Motor fuels distributor, licensing, violations.....	H 43	58	138
Naturopathic Medical Physicians Licensing Act.....	H 181	166/233/258	277
Naturopathic Physicians Licensing Act repealed.....	S 1177	241	277
Occupational Licenses Bureau, service fees authorized.....	H 116	136	223
Occupational licenses renewal/reinstatements.....	H 117	136	223
Occupational therapy, continuing education rules.....	H 24	71	121
Pharmacy Board rules, registration, researchers, fines.....	H 4	71	120
Pharmacy license applicants, criminal history check.....	H 5	67	120
Physical therapy license exemptions, athletic events.....	H 25	71	121
Plumbing/specialty contractor, license status types.....	H 59	84	213



	Bill Number	Intro. Page	Vote Page
LICENSES (Continued)			
Professional engineers/surveyors, board members, licensing.....	S 1046	57	137
Psychologists, certificate of prescriptive authority .....	S 1060	67	125
Real estate education certification term and renewal.....	S 1009	25	115
Real estate license denial, insufficient fee payment .....	S 1007	25	115
Real estate licensing, challenge exam, records.....	S 1006	24	115
Residential care lease, relicensing not required.....	S 1042	55	96
Salmon/steelhead, unlawful killing, delete flagrant .....	H 31	53	202
Sign language interpreters, licensing.....	H 152	151/268	276
Small brewer's license, brewery's produced beer.....	H 184	159	246
Teacher renewable contracts if career ladder unfunded.....	H 323	305	315
Teaching certificate records/fees, use of .....	S 1018	33	58
Vehicle licensees, commercial learner permits, citizens.....	S 1016	32	58
Veterinarian/technician licensing/certification renewal.....	H 72	118/155	175
Veterinary application/licensing fees, nonrefundable .....	H 73	140	-
Wholesale vehicle dealer, license bond, fund exemption .....	S 1015	32/100	114
LIENS			
Claim of lien, excludes deeds of trust.....	S 1135	155/217	238
Crime victim restitution, judgment lien, execution .....	H 62	95	200
Judgments, liens, duration extended by five years.....	S 1069	77/155/181/276	199/279
Vehicle labor/material liens, repeal .....	H 14	50	-
Vehicle ownership dispute, stop title process.....	H 15	48/100/171	200
LIEUTENANT GOVERNOR			
Appropriation.....	S 1131	147	168
LINCOLN DAY			
Committee: Senators Souza and Lee, Co-chairmen.....		78	
Lincoln Day Service: February 12, 2015.....		78	
Senator Souza, Opening Remarks .....		78	
Senator Winder, Prayer.....		78	
Ashley Smith and Whitney Payne, "America the Beautiful" .....		78	
Senate Pages, Lincoln Quotes .....		78	
Senator Lee, Concluding Remarks.....		78	
LIQUOR			
License, conference/event center, requirements.....	H 318	291	312
Mobile/temporary food court, beer/wine license .....	S 1089	83	-
Small brewer's license, brewery's produced beer.....	H 184	159	246
State Liquor Division, appropriation.....	S 1127	146	167
Substance abuse, repeal advisory committee, treatment record .....	H 33	86	161
LITIGATION			
Judgments, enforcement period increased to ten years.....	S 1068	77	-
Judgments, liens, duration extended by five years.....	S 1069	77/155/181/276	199/279
Parental fundamental rights over children affirmed.....	H 113	124/216	239
Property trespass, water rights penalty exception.....	H 94	113/241	252
Redistricting plan, court challenges, when .....	S 1091	83	133
LIVELY, WENDY			
Appointment, Member: Bingo-Raffle Advisory Board			
Appointed by Governor/to State Affairs (Feb. 10).....		66	
Committee Report.....		127	
Confirmed by Senate.....			142
LIVESTOCK			
Agriculture Department livestock rule rejected .....	SCR 113	126	135
Farm/ranching income, capital gains tax deduction.....	H 133	106	162
LOANS			
Banks, regulation of, loan production offices .....	H 99	147	243
Rural physician incentive fund, appropriate balance.....	H 178	147	210
LOBBYING AND LOBBYISTS			
Executive officials, communications, no contingent fees .....	H 214	180	281
LOGGING AND LUMBER			
Building Safety Division, industrial safety training .....	S 1001	20	137

	Bill Number	Intro. Page	Vote Page
LOTTERY, STATE			
Appropriation.....	S 1130	147	168
- M -			
MAGISTRATES			
See JUDGES			
MAJORITY LEADERSHIP			
Roster, December 4, 2014 .....		2	
S 1011 Correspondence, April 6, 2015 .....		301	
MARRIAGE			
See DOMESTIC RELATIONS			
MASSAGE			
Massage therapy, licensure, short-term, athletic events.....	H 23	77	120
MCCREEDY, JOHN			
Appointment, Member: Board of Environmental Quality			
Appointed by Governor/to Health and Welfare (Jan. 27).....		29	
Committee Report.....		122	
Confirmed by Senate.....			131
MEDALS			
See HONORS AND AWARDS			
MEDIATION AND ARBITRATION			
Teacher contracts, factfinders, repealed.....	H 169	140	203
MEDICAL			
Abortion providers, must have hospital privileges .....	S 1094	84	-
Abortion providers, must have hospital privileges .....	S 1102	93	-
American Diabetes Month, support goals .....	HCR 5	118	132
Cannabidiol oil, use for seizures, penalty exception .....	S 1146	166/218	242
Chemical abortions, requirements, court proceedings.....	H 154	136/217	239
College health care plans, self-funded, minimum surplus.....	S 1081	82	107
Community health emergency medical services, ambulance .....	H 153	147	212
Community primary care pilot program, counties.....	S 1193	304	-
County medical assistance, procedures and requirements.....	S 1123	146	230
County medical indigence program, income eligibility.....	S 1153	193	-
Direct Primary Care Act, contracts, not insurance .....	S 1062	71/172/188	199
Education Board/University of Idaho, appropriation, health education.....	H 287	241	254
Emergency Medical Services Bureau, draft legislation.....	HCR 19	258	-
Genetic Counselors Licensing Act.....	S 1080	82/141	156
Health care sharing ministries, request choice.....	SCR 125	226	265
Hearing aids/eyeglass parts, sales tax exemption .....	H 75	98	176
Hemp extract, registered use for epilepsy treatment.....	S 1167	208	-
Idaho Caregiver Alliance task force, family caregiving.....	SCR 111	91	-
Idaho Caregiver Alliance task force, family caregiving.....	SCR 123	190	207
Idaho Caregiver Alliance task force, family caregiving.....	HCR 24	272	285
Immunization Assessments Board act, extend to 2017 .....	H 107	118	212
Immunization registry, release of information, when .....	S 1121	136	161
Insurance guaranty association, no consumer-operated plans .....	H 182	208	277
Interstate Medical Licensure Compact, add.....	H 150	140	203
Investigational drugs, expanded access programs .....	S 1156	197	242
Medicaid reimbursement rate, adolescent mental health.....	H 298	258	287
Medical boards, appropriation.....	H 224	160	204
Medical foster home for veterans, licensing exemption.....	S 1043	55	96
Medical indigents defined by federal poverty level.....	S 1101	93	-
Minors, restrictions on use of tanning devices .....	H 177	140	175
Music therapy, important health care service.....	SCR 109	91	132
Naturopathic Medical Physicians Licensing Act.....	H 181	166/233/258	277
Naturopathic Physicians Licensing Act repealed.....	S 1177	241	277
Psychologists, certificate of prescriptive authority .....	S 1060	67	125

	Bill Number	Intro. Page	Vote Page
MEDICAL (Continued)			
Stand-alone dental plan defined .....	H 46	84	210
Substance abuse, repeal advisory committee, treatment record .....	H 33	86	161
Telehealth health care services, scope of practice .....	H 189	140	203
Uniform Recognition of Substitute Decision-Making .....	S 1054	62	137
MEDICAL ASSISTANCE			
See PUBLIC ASSISTANCE			
MEETINGS, PUBLIC			
Irrigation district meetings, suitable locations .....	S 1057	63	124
Labor negotiations, open meeting, exceptions .....	H 167	140/218	243
Open meeting violations, increase fines .....	H 155	159/265	285
Open meeting violations, increase fines .....	H 324	305	316
Public meeting laws, correct code citations .....	H 91	129	211
Transparent and Ethical Government, new title 74 .....	H 90	129	211
MEMORIAL SERVICE			
Committee: Senators Lee and Souza, Co-Chairmen .....		87	
Memorial Service: February 16, 2015			
Memorializing:			
Senator F. Edward Osborne .....		87	88
Senator and Governor John V. Evans .....		88	88
Senator Ralph "Moon" Wheeler .....		88	88
Senator Melvin M. Richardson .....		88	88
Musical Selections performed by Trey Nattress, Dylan Lloyd and Ben Hinatsu .....		87	
Invocation: Senator Nuxoll .....		87	
Benediction: Senator Mortimer .....		88	
Jan Snell, Coordinator .....		87	
MEMORIALS			
Aquatic invasive species, expedite federal funding .....	SJM 101	85	98
Boulder-White Clouds, national monument status .....	HJM 5	151	180
Caldera, Island Park, oppose monument designation .....	HJM 2	84	128
Columbia Snake River system, state sovereignty .....	HJM 11	291	304
Craters of the Moon, urge National Park status .....	SJM 102	287	-
Craters of the Moon, urge National Park status .....	SJM 103	290	292
Deer Flat National Wildlife Refuge, oppose conservation .....	HJM 10	249	285
Federal interstates in Idaho, truck weights, Congress .....	HJM 8	151	173
Food labeling, genetically engineered, FDA standards .....	HJM 6	151	180
Government of Turkey, urge Christian Church rights .....	HJM 3	151	-
Government of Turkey, urge Christian Church rights .....	HJM 12	299	310
Idaho National Lab, geothermal system production .....	HJM 7	151	180
Regulation Freedom Amendment, U.S. Constitution .....	HJM 1	84	-
Sage-grouse, long-term management, state primacy .....	HJM 9	258	285
U.S. activist judges, Congress should impeach .....	HJM 4	233	-
MENTAL HEALTH			
Medicaid reimbursement rate, adolescent mental health .....	H 298	258	287
MENTALLY RETARDED			
See DISABLED			
MICHAEL, GARY			
Appointment, Member: Treasurer's Investment Advisory Board			
Appointed by Governor/to State Affairs (Jan. 27) .....		29	
Committee Report .....		108	
Confirmed by Senate .....			113
MILITARY AND MILITIA			
Division, appropriation .....	H 229	160	209
Idaho Code of Military Justice (model code) added .....	H 53	147	263
License plates, special, America the Beautiful, charity .....	S 1083	82	-
License plates, special, Support Our Troops .....	S 1084	82	114
U.S. flag, half-staff, governor's directive .....	S 1155	197	264
Veterans Home in northern Idaho authorized .....	S 1104	106/276	148/279
Youth Challenge program, extend indefinitely .....	H 52	86	121

	Bill Number	Intro. Page	Vote Page
<b>MINERALS AND MINING</b>			
Allowable ground water degradation, mine operators .....	H 197	160	244
Gas definition, includes condensate .....	H 125	124	176
Hand tools, sales tax production exemption .....	H 39	98	176
Land Board, navigable waterways, revenues, fund deposits .....	H 47	63	176
Oil/Gas Commission, geographic spacing units, exceptions .....	H 124	124	176
Oil/Gas Commission, unit operation application, plan and order .....	H 50	71	162
Oil/gas production records, confidentiality, exception .....	H 48	67	161
<b>MINORITY LEADERSHIP</b>			
Roster, December 4, 2014 .....		2	
Revised Roster, effective February 18, 2015 .....		98	
<b>S 1011</b> Correspondence, April 6, 2015 .....		301	
<b>MODEL LAWS</b>			
See UNIFORM AND MODEL LAWS			
<b>MONEY</b>			
Financial transaction card number acquisition, defraud .....	S 1029	47	99
Irrigation district, acceptable forms of payment, fees .....	S 1058	63	124
<b>MORTGAGES</b>			
Mortgage insurance coverage limits repealed .....	S 1078	81	138
<b>MOSQUITO ABATEMENT</b>			
See PESTS AND PESTICIDES			
<b>MOTOR CARRIERS</b>			
Federal interstates in Idaho, truck weights, Congress .....	HJM 8	151	173
Highway transportation, agricultural/forestry products .....	H 194	140/181	209
Leases to motor carriers, unemployment insurance exempt .....	H 143	147	213
Maximum load for inch width of tire on highways .....	H 70	98	151
Vehicle licensees, commercial learner permits, citizens .....	S 1016	32	58
<b>MOTOR FUELS</b>			
See FUELS			
<b>MOTOR VEHICLES</b>			
Autocycles, plates, registration, insurance, licensing .....	H 17	86/171	200
Autonomous driven vehicles, testing requirements .....	S 1108	118/155	174
Driver's training fees, Occupational Licenses Bureau .....	S 1120	136	167
Drunk driver, restricted driving privileges .....	S 1026	47	99
Gaseous special fuels measurement, taxation .....	H 132	140	222
License applications, U.S. citizen, commercial learners .....	S 1016	32	58
License plates, special, America the Beautiful, charity .....	S 1022	36	-
License plates, special, America the Beautiful, charity .....	S 1083	82	-
License plates, special, Friends of National Rifle Association .....	H 16	50	67
License plates, special, Rocky Mountain Elk Foundation .....	H 44	58	119
License plates, special, Support Our Troops .....	S 1084	82	114
Off-road vehicles, when permitted on highways .....	H 129	147	222
Recreational "park model" vehicles, assessment standard .....	H 257	228/263	-
Rental car fleet registration, special cards/stickers .....	H 147	140	175
Tampering with vehicle, repeal offense .....	H 101	118	214
Transportation Network Company Services, requirements .....	H 262	208	256
Transportation funding, fee increases, hybrid vehicles .....	H 312	282/306/323	309/334
Transportation network companies/drivers, insurance .....	H 316	276	293
Utility/specialty off-highway vehicle, sales tax exempt .....	H 12	48	100
Vehicle dealer's business place, phone number posted .....	H 131	118	-
Vehicle labor/material liens, repeal .....	H 14	50	-
Vehicle liability insurance violations, increase fine .....	S 1032	50	-
Vehicle ownership dispute, stop title process .....	H 15	48/100/171	200
Vehicle sales tax treatment of nonresident purchasers .....	H 252	233	-
Wholesale vehicle dealer, license bond, fund exemption .....	S 1015	32/100	114
<b>MOTORBIKES AND MOTORCYCLES</b>			
Autocycles, plates, registration, insurance, licensing .....	H 17	86/171	200
Off-road vehicles, when permitted on highways .....	H 129	147	222
Vehicle sales tax treatment of nonresident purchasers .....	H 252	233	-

SENATE INDEX

399

	Bill Number	Intro. Page	Vote Page
MULTISTATE COMPACTS AND AGREEMENTS			
Interstate Compact on Transfer of Public Lands Act .....	H 265	276	-
Interstate Medical Licensure Compact.....	H 150	140	203
MURRAY, KERRIE			
Appointment, Member: Treasurer's Investment Advisory Board			
Appointed by Governor/to State Affairs (Jan. 27).....		29	
Committee Report.....		106	
Confirmed by Senate.....			110
MURRAY, ROLAND JAMES			
Appointment, Member: Idaho Health Insurance Exchange Board			
Appointed by Governor/to Commerce and Human Resources (Jan. 22).....		22	
MUSIC			
Digital media, permanent right to use, sales tax.....	H 209	160	214
Music therapy, important health care service.....	SCR 109	91	132

- N -

NAMES

See IDENTITY AND NAMES

NATIONAL GUARD

See MILITARY AND MILITIA

NATURAL RESOURCES

See also ENVIRONMENT

Allowable ground water degradation, mine operators.....	H 197	160	244
Boulder-White Clouds, national monument status .....	HJM 5	151	180
Caldera, Island Park, oppose monument designation .....	HJM 2	84	128
Columbia Snake River system, state sovereignty .....	HJM 11	291	304
Federal lands in Idaho, develop long-term state leases .....	SCR 115	130	-
Land and sage-grouse management plans not public .....	H 291	258	286
Natural resources legislative study committee.....	HCR 8	118	284
Outdoor recreation, Outdoor Retailer shows invited .....	HCR 7	113	165

NATUROPATHS

Naturopathic Medical Physicians Licensing Act .....	H 181	166/233/258	277
Naturopathic Physicians Licensing Act repealed.....	S 1177	241	277

NORTHWEST POWER AND CONSERVATION COUNCIL

Yost, Jim: Appointment, Member

Appointed by Governor/to Resources and Environment (Feb. 3).....		49	
Committee Report.....		153	
Confirmed by Senate.....			165

NURSING AND NURSES

Nursing education changes, repeal Education Board approval .....	H 21	50	77
--	------	----	----

NURSING HOMES

See ASSISTED LIVING AND NURSING HOMES

- O -

OATH OF OFFICE

See also ACTING SENATORS

Administered:

Acting Senator: Melinda Smyser.....		19	
Acting Senator: Kimberly Johnson .....		24	
Appointed Senator: Maryanne Jordan .....	154		
President Pro Tempore: Brent Hill.....		1	1
Secretary of the Senate: Jennifer Novak.....		1	2
Attaches and First Group Pages .....		14	14
Attaches and Second Group Pages.....		109	109

	Bill Number	Intro. Page	Vote Page
OCCUPATIONAL LICENSES BUREAU			
Administrative and investigative service fees authorized.....	H 116	136	223
Driver's training, private program fees, calculation.....	S 1120	136	167
License/registration renewals, reinstatements.....	H 117	136	223
OCCUPATIONAL THERAPY			
Occupational therapy, continuing education rules.....	H 24	71	121
OIL			
Gas definition, includes condensate.....	H 125	124	176
Oil tax based on gross income, determination.....	H 269	228	264
Oil/Gas Commission, contested case hearings, when.....	H 123	124	203
Oil/Gas Commission, drilling and permit fee schedule.....	H 49	67	161
Oil/Gas Commission, geographic spacing units, exceptions.....	H 124	124	176
Oil/Gas Commission, unit operation application, plan and order.....	H 50	71	162
Oil/gas production records, confidentiality, exception.....	H 48	67	161
OIL AND GAS COMMISSION			
Cellan, Sid: Appointment, Member			
Appointed by Governor/to Resources and Environment (Feb. 12).....		74	
Committee Report.....		145	
Confirmed by Senate.....			151
OLSEN, SHEILA			
Appointment, Member: Idaho Commission on Human Rights			
Appointed by Governor/to State Affairs (Jan. 22).....		22	
Committee Report.....		52	
Confirmed by Senate.....			57
OLYMPICS			
See ATHLETICS			
OPEN MEETING LAW			
See MEETINGS, PUBLIC			
OPTOMETRY AND OPTOMETRISTS			
Contact lens manufacturers, unlawful practices.....	H 149	140	-
ORGANIZATIONAL SESSION			
Thursday, December 4, 2015			
Convened: 9 a.m., December 4, 2014.....		1	
Sine Die: 3:45 p.m., December 4, 2014.....		3	
OUTFITTERS AND GUIDES			
Outdoor recreation, Outdoor Retailer shows invited.....	HCR 7	113	165
- P -			
PAGES OF THE SENATE			
See ATTACHES; INDEX SECTION III			
Sworn in, First Group: January 14, 2015.....		14	14
Sworn in, Second Group: February 23, 2015.....		109	109
PARDONS AND PAROLE			
Commission, appropriation.....	S 1157	197	223
Parole violations, powers of hearing officer.....	S 1136	155	208
Sex Offender Management Board member terms, experience.....	S 1041	55/170	195
Sex offender, risk-based registration levels, expunge.....	S 1095	86/171	199
PARENTS			
Crimes leading to termination of parental rights.....	S 1095	86/171	199
Parental fundamental rights over children affirmed.....	H 113	124/216	239
Parental rights in education, promote involvement.....	S 1096	92/171	195
Public assistance recipient, no forgiveness of child support.....	S 1038	50	-
Uniform Interstate Family Support Act, foreign country.....	S 1067	75	229
PARK AND RECREATION BOARD			
Doman, Randy K.: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 27).....		30	
Committee Report.....		112	
Confirmed by Senate.....			117

	<b>Bill Number</b>	<b>Intro. Page</b>	<b>Vote Page</b>
<b>PARKS AND RECREATION</b>			
Caldera, Island Park, oppose monument designation .....	HJM 2	84	128
Craters of the Moon, urge National Park status.....	SJM 102	287	-
Craters of the Moon, urge National Park status.....	SJM 103	290	292
Department, appropriation .....	S 1158	197	223
Department, fundraising agreement, sponsorships, marketing .....	S 1098	93/298	124/304
Lava Hot Springs, appropriation .....	H 225	160	204
<b>PARTNERSHIPS</b>			
Idaho Uniform Business Organizations Code, add .....	S 1025	41	148
Idaho Uniform Business Organizations Code, trailer bill.....	S 1109	124	148
Idaho Uniform Business Organizations Code, trailer bill.....	S 1182	282	286
Property holding period, capital gains tax deduction .....	H 85	86	133
<b>PAYMENT METHODS</b>			
Financial transaction card number acquisition, defraud .....	S 1029	47	99
Irrigation district, acceptable forms of payment, fees .....	S 1058	63	124
<b>PERFORMANCE EVALUATIONS</b>			
Emergency Medical Services Bureau, draft legislation .....	HCR 19	258	-
Local Highway Technical Assistance Council, evaluation .....	SCR 102	69	154
<b>PERMITS</b>			
See LICENSES			
<b>PERSI</b>			
See RETIREMENT			
<b>PESTS AND PESTICIDES</b>			
Aquatic invasive species, expedite federal funding .....	SJM 101	85	98
Pest Control Deficiency Fund, appropriation.....	H 26	33	48
<b>PHARMACIES AND PHARMACISTS</b>			
Controlled substances schedules III and IV amended .....	H 9	67	120
Death penalty, persons/pharmacies are confidential .....	S 1005	23	-
Drug overdose, prescribe opioid antagonists .....	H 108	118	175
License applicants, criminal history check .....	H 5	67	120
Pharmacy Board rules, registration, researchers, fines .....	H 4	71	120
Pharmacy laws, miscellaneous amendments, restrictions.....	H 8	71	120
Prescription drug orders, validity, transmission method.....	H 6	71	120
Prescriptions database, monitoring records, court order.....	H 7	67	120
<b>PHYSICAL THERAPISTS</b>			
Physical therapy license exemptions, athletic events.....	H 25	71	121
<b>PHYSICIANS AND SURGEONS</b>			
Abortion providers, must have hospital privileges .....	S 1094	84	-
Abortion providers, must have hospital privileges .....	S 1102	93	-
Direct Primary Care Act, contracts, not insurance .....	S 1062	71/172/188	199
Interstate Medical Licensure Compact, add.....	H 150	140	203
Naturopathic Medical Physicians Licensing Act.....	H 181	166/233/258	277
Naturopathic Physicians Licensing Act repealed.....	S 1177	241	277
Rural physician incentive fund, appropriate balance.....	H 178	147	210
<b>PLANNING AND ZONING</b>			
City annexation types, notice of intent, voter approval .....	S 1093	83	-
City annexation, when voter approval is required .....	S 1065	71	-
Commission, vacancy, area of impact, appointment.....	H 142	140/172	200
<b>PLUMBING AND PLUMBERS</b>			
Plumbing/specialty contractor, license status types .....	H 59	84	213
<b>POLICE, IDAHO STATE</b>			
See also LAW ENFORCEMENT			
Appropriation .....	H 247	194	219
City bond, allowable uses, police departments .....	S 1147	166	229
Criminal record, fingerprints, later crimes, notify .....	S 1033	50/198	219
Highway duties, close/restrict highway, public safety.....	H 82	86	162
Idaho State Police POST rule rejected.....	HCR 13	155	207
Peace officer temporary disability condition, extend.....	H 55	63	138
Public Employee Retirement System of Idaho, peace officer status, supervisory positions....	H 137	147	223
Refusing assistance to police, repeal offense.....	H 101	118	214
Reimbursement authorization, provision of extra service .....	H 157	129/198	219

	Bill Number	Intro. Page	Vote Page
POLITICAL PARTIES			
Campaign contribution disclosures, political committees .....	H 112	124	252
POLLUTION			
Allowable ground water degradation, mine operators .....	H 197	160	244
PORT DISTRICTS			
See DISTRICTS			
POWELL, RALPH			
Appointment: Director of the Idaho State Police			
Appointed by Governor/to Judiciary and Rules (Mar. 19) .....		221	
Committee Report .....		257	
Confirmed by Senate .....			272
POWER			
See ENERGY			
PRESCRIPTIONS			
Controlled substances schedules III and IV amended .....	H 9	67	120
Death penalty, persons/pharmacies are confidential .....	S 1005	23	-
Drug overdose, prescribe opioid antagonists .....	H 108	118	175
Hearing aids/eyeglass parts, sales tax exemption .....	H 75	98	176
Hemp extract, registered use for epilepsy treatment .....	S 1167	208	-
Investigational drugs, expanded access programs .....	S 1156	197	242
Pharmacy Board rules, registration, researchers, fines .....	H 4	71	120
Pharmacy laws, miscellaneous amendments, restrictions .....	H 8	71	120
Prescription drug orders, validity, transmission method .....	H 6	71	120
Prescriptions database, monitoring records, court order .....	H 7	67	120
Psychologists, certificate of prescriptive authority .....	S 1060	67	125
PRESIDENT PRO TEMPORE			
Senator Brent Hill, Elected December 4, 2014 .....		1	1
S 1011, Correspondence .....		301	
PRINTING			
Government printing work, exceptions apply to counties .....	H 68	98	161
Idaho Session Laws, printing contract .....	SCR 130	313	317
Tax Commission, acts and rules, electronic publication .....	H 10	48	99
PRISONS AND PRISONERS			
Criminal record, fingerprints, later crimes, notify .....	S 1033	50/198	219
Escape from custody, age at time of escape .....	S 1034	50	119
Inmate incentive pay, work, compensation, effect .....	S 1004	23	136
Parole violations, powers of hearing officer .....	S 1136	155	208
Parolees/probationers in county jails, state payments .....	H 136	129	204
Prisoner removal requirements, repeal .....	H 138	118	204
Prisoner, computation of time served, credits .....	H 64	95	201
Prisoners, private farm employers, no benefits .....	S 1075	81	152
Probation and parole provisions, delay effective date .....	H 163	136	222
Sex offender, risk-based registration levels, expunge .....	S 1095	86/171	199
PRIVACY			
Immunization registry, release of information, when .....	S 1121	136	161
Prescriptions database, monitoring records, court order .....	H 7	67	120
PROBATE			
See also ESTATES			
Informal probate unavailable for multiple codicils .....	S 1051	62	114
PROFESSIONAL TECHNICAL EDUCATION			
Division, appropriation .....	S 1151	193	219
Education credits, transferability to Idaho colleges .....	S 1086	82	132
PROFESSIONS			
Authoritative land surveying services defined .....	S 1063	71	137
Certified shorthand reporters, temporary permits, exam .....	H 30	110	210
Cosmetologist licensing, minimum education hours .....	S 1064	71	-
Dental license non-renewal, cancellation, reinstatement .....	S 1037	50	95
Dental licensee, notice of felony conviction to Board .....	S 1036	50	78
Engineers/surveyors, intern/plat/survey requirements .....	S 1079	82	107
Genetic Counselors Licensing Act .....	S 1080	82/141	156



	<b>Bill Number</b>	<b>Intro. Page</b>	<b>Vote Page</b>
<b>PROFESSIONS (Continued)</b>			
Geologist registration, professional examination, rules .....	H 81	113	210
Interstate Medical Licensure Compact.....	H 150	140	203
Judges/justices, qualifications revised .....	S 1170	212	250
Massage therapy, licensure, short-term, athletic events.....	H 23	77	120
Motor fuels distributor, licensing, violations .....	H 43	58	138
Music therapy, important health care service.....	SCR 109	91	132
Naturopathic Medical Physicians Licensing Act.....	H 181	166/233/258	277
Naturopathic Physicians Licensing Act repealed.....	S 1177	241	277
Nursing education changes, repeal Education Board approval .....	H 21	50	77
Occupational Licenses Bureau, service fees authorized.....	H 116	136	223
Occupational licenses renewal/reinstatements .....	H 117	136	223
Occupational therapy, continuing education rules .....	H 24	71	121
Physical therapy license exemptions, athletic events.....	H 25	71	121
Plumbing/specialty contractor, license status types.....	H 59	84	213
Professional engineers/surveyors, board members, licensing.....	S 1046	57	137
Psychologists, certificate of prescriptive authority .....	S 1060	67	125
Real Estate Commission, errors insurance fee repealed.....	S 1008	25	115
Real estate education certification term and renewal.....	S 1009	25	115
Real estate fee splitting, payments .....	S 1010	25	119
Real estate license denial, insufficient fee payment .....	S 1007	25	115
Real estate licensing, challenge exam, records.....	S 1006	24	115
School administrator salary funding calculation amended.....	S 1183	288	294
School counselors, college/career advisors .....	H 313	282	294
School salary funding calculation amended.....	S 1185	288	295
School teacher salary funding calculation amended.....	S 1184	288	295
Sign language interpreters, licensing.....	H 152	151/268	276
Social Work Recognition Month declared .....	HCR 9	118	180
Teacher career ladder, salary, funding calculation .....	H 296	241	268
Teacher renewable contracts if career ladder unfunded.....	H 323	305	315
Telehealth health care services, scope of practice .....	H 189	140	203
Vehicle dealer's business place, phone number posted.....	H 131	118	-
Veterinarian/technician licensing/certification renewal.....	H 72	118/155	175
Veterinary application/licensing fees, nonrefundable .....	H 73	140	-
<b>PROPERTY</b>			
See also REAL ESTATE			
Authoritative land surveying services defined.....	S 1063	71	137
Beef Council, property lease or ownership.....	S 1113	129	161
City annexation types, notice of intent, voter approval.....	S 1093	83	-
City annexation, when voter approval is required .....	S 1065	71	-
Claim of lien, excludes deeds of trust.....	S 1135	155/217	238
Community property, right of survivorship, terminate .....	S 1056	63/141	157
Conservation easements/grazing permits, tax deduction .....	H 109	106/217	242
Craters of the Moon, urge National Park status.....	SJM 102	287	-
Craters of the Moon, urge National Park status.....	SJM 103	290	292
Crime victim restitution, judgment lien, execution .....	H 62	95	200
Dilapidated property, expert assessment, cure period.....	H 303	272	-
Education Board lands, property disposal processes .....	H 20	50	99
Electric utility property sale, findings required.....	S 1137	159	-
Eminent domain property valuation, factors in assessing.....	S 1039	53	-
Eminent domain, restrictions on recreational trail use .....	S 1044	55	111
Federal lands in Idaho, develop long-term state leases .....	SCR 115	130	-
Federal lands in Idaho, working group, agreements.....	SCR 126	231	249
Fire protection district, property auction.....	H 202	170/218	242
Interstate Compact on Transfer of Public Lands Act .....	H 265	276	-
Judgments, enforcement period increased to ten years.....	S 1068	77	-
Judgments, liens, duration extended by five years.....	S 1069	77/155/181/276	199/279
Land Board, navigable waterways, revenues, fund deposits .....	H 47	63	176
Land and sage-grouse management plans not public .....	H 291	258	286
Life insurance contracts, debtor collection exemption .....	S 1014	30	114

	<b>Bill Number</b>	<b>Intro. Page</b>	<b>Vote Page</b>
<b>PROPERTY (Continued)</b>			
New plant investments, property tax exemption criteria.....	H 286	258	-
Oil/Gas Commission, drilling and permit fee schedule.....	H 49	67	161
Oil/Gas Commission, geographic spacing units, exceptions.....	H 124	124	176
Oil/Gas Commission, unit operation application, plan and order.....	H 50	71	162
Personal/operating property tax exemption, apportion.....	H 29	37/141	161
Planning and Zoning Commission vacancies, appointee requirements.....	H 142	140/172	200
Property holding period, capital gains tax deduction.....	H 85	86	133
Property tax relief claimant, disability qualification.....	H 208	160	243
Property trespass, water rights penalty exception.....	H 94	113/241	252
Public lands, multiparty exchanges authorized.....	SCR 107	90	128
Tax sale of property, purchase by county, best interest.....	H 156	147	210
Title insurance, closing or settlement protection.....	H 277	241	273
Uniform Fiduciary Access to Digital Assets Act.....	S 1055	62	-
Uniform Voidable Transactions Act, property transfers.....	H 92	228/268	277
Vehicle ownership dispute, stop title process.....	H 15	48/100/171	200
<b>PROPERTY TAX</b>			
See TAX AND TAXATION, PROPERTY			
<b>PROSECUTING ATTORNEYS</b>			
See ATTORNEYS			
<b>PSYCHOLOGY AND PSYCHOLOGISTS</b>			
Psychologists, certificate of prescriptive authority.....	S 1060	67	125
<b>PUBLIC ASSISTANCE</b>			
Charity meals, school/church/senior citizen, tax exempt.....	H 11	48	100
Community primary care pilot program, counties.....	S 1193	304	-
County medical assistance, procedures and requirements.....	S 1123	146	230
County medical indigence program, income eligibility.....	S 1153	193	-
Food stamp recipients, food tax credit, Tax Commission.....	H 236	198	246
Investigational drugs, expanded access programs.....	S 1156	197	242
Medicaid reimbursement rate, adolescent mental health.....	H 298	258	287
Medical indigents defined by federal poverty level.....	S 1101	93	-
National Diaper Need Awareness Week.....	SCR 110	91	132
Property tax relief claimant, disability qualification.....	H 208	160	243
Recipients, no power to forgive child support debt.....	S 1038	50	-
<b>PUBLIC BROADCASTING</b>			
Idaho Public Television, appropriation.....	S 1149	170	208
Idaho Public Television, appropriation, add'l.....	S 1002	23	33
<b>PUBLIC EMPLOYEE RETIREMENT SYSTEM</b>			
See RETIREMENT			
<b>PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO BOARD</b>			
Fisher, Joy: Appointment, Member			
Appointed by Governor/to Commerce and Human Resources (Feb. 9).....		61	
Committee Report.....		139	
Confirmed by Senate.....			145
Gould, Celia: Appointment, Member			
Appointed by Governor/to Commerce and Human Resources (Mar. 16).....		192	
Committee Report.....		221	
Confirmed by Senate.....			242
<b>PUBLIC OFFICERS</b>			
Ethical Government, correct code citations.....	H 91	129	211
Executive officials, communications, no contingent fees.....	H 214	180	281
Highway district commissioners, 3-year terms.....	S 1061	71/107	119
Open meeting violations, increase fines.....	H 324	305	316
School trustee term changes, repeal transition law.....	H 22	50	78
State office vacancies, failed appointments, documents.....	S 1112	129	194
Transparent and Ethical Government, new title 74.....	H 90	129	211
<b>PUBLIC RECORDS</b>			
See RECORDS			
<b>PUBLIC UTILITIES</b>			
See UTILITIES			

SENATE INDEX

405

	Bill Number	Intro. Page	Vote Page
PUBLIC UTILITIES COMMISSION			
Sasser, Kristine: Appointment, Member			
Appointed by Governor/to State Affairs (Feb. 19).....		103	
Committee Report.....		134	
Confirmed by Senate.....			142
PUBLIC WORKS			
Division, appropriation.....	S 1172	228	251
Public construction replacement work.....	H 256	228	272
PUBLICATIONS			
Government printing work, exceptions apply to counties.....	H 68	98	161
Idaho Session Laws, printing contract.....	SCR 130	313	317
Joint legislative publishing committee, session laws.....	S 1181	282	286
Joint legislative publishing committee, session laws.....	H 328	313	316
Levy/bond indebtedness, disclosures before ballot.....	H 219	228	280
Tax Commission, acts and rules, electronic publication.....	H 10	48	99
PURCHASING			
Administration Department Purchasing Division rules rejected.....	SCR 129	275	285
Beef Council, property lease or ownership.....	S 1113	129	161
Definitions, alphabetize.....	S 1047	57	137
Government printing work, exceptions apply to counties.....	H 68	98	161
State government purchasing laws, legislative study commission.....	HCR 23	272	310
- R -			
RACING			
Gary Stevens, Idaho jockey, honor accomplishments.....	SCR 101	34	62
Historical horse race wagering, certain premises only.....	S 1048	57	-
Historical horse races, betting repealed.....	S 1011	25	302
RADFORD, DAVE			
Appointment, Member: State Soil and Water Conservation Commission			
Appointed by Governor/to Agricultural Affairs (Feb. 2).....		41	
Committee Report.....		106	
Confirmed by Senate.....			109
RADIO			
See TELECOMMUNICATIONS			
RAILROADS			
Personal/operating property tax exemption, apportion.....	H 29	37/141	161
RAYBOULD, JEFFERY			
Appointment, Member: Idaho Water Resource Board			
Appointed by Governor/to Resources and Environment (Jan. 28).....		31	
Committee Report.....		60	
Confirmed by Senate.....			67
REAL ESTATE			
See also PROPERTY			
Commission, errors/omissions insurance fee repealed.....	S 1008	25	115
Real estate education certification term and renewal.....	S 1009	25	115
Real estate fee splitting, payments.....	S 1010	25	119
Real estate license denial, insufficient fee payment.....	S 1007	25	115
Real estate licensing, challenge exam, records.....	S 1006	24	115
Title insurance, closing or settlement protection.....	H 277	241	273
REAPPORTIONMENT AND REDISTRICTING			
Fire commissioner terms, subdistricts, reapportion.....	H 204	194	-
Redistricting plan, court challenges, when.....	S 1091	83	133
RECOGNITION			
See HONORS AND AWARDS			
RECORDS			
Campaign contribution disclosures, political committees.....	H 112	124	252
Chemical abortions, requirements, court proceedings.....	H 154	136/217	239

	Bill Number	Intro. Page	Vote Page
<b>RECORDS (Continued)</b>			
Concealed weapon permit renewal notices, mailing.....	H 66	58	-
County medical assistance, procedures and requirements.....	S 1123	146	230
Criminal record, fingerprints, later crimes, notify.....	S 1033	50/198	219
Death certificates, funeral designees or family.....	S 1077	81	152
Death penalty, persons/pharmacies are confidential.....	S 1005	23	-
Expenditure, nonbusiness, nonpolitical entities.....	H 214	180	281
Food tax credit information, inmates and indigents.....	H 236	198	246
Highway district records, nonpaper archival copies.....	S 1082	82	114
Human trafficking victim, expunge criminal record, when.....	S 1103	104	-
Human trafficking victims, expunge criminal records.....	S 1154	193/218	239
Immunization registry, release of information, when.....	S 1121	136	161
Juvenile offenses, when court records may be sealed.....	S 1124	146	-
Land and sage-grouse management plans not public.....	H 291	258	286
Oil/gas production records, confidentiality, exception.....	H 48	67	161
Port district annual audited financial statement.....	S 1045	55	99
Prescriptions database, monitoring records, court order.....	H 7	67	120
Public records laws, correct code citations.....	H 91	129	211
Substance abuse, repeal advisory committee, treatment record.....	H 33	86	161
Tax Commission, acts and rules, electronic publication.....	H 10	48	99
Teaching certificate records/fees, use of.....	S 1018	33	58
Transparent and Ethical Government, new title 74.....	H 90	129	211
Uniform Recognition of Substitute Decision-Making.....	S 1054	62	137
Vehicle ownership dispute, stop title process.....	H 15	48/100/171	200
<b>RECREATION</b>			
Boulder-White Clouds, national monument status.....	HJM 5	151	180
Deer Flat National Wildlife Refuge, oppose conservation.....	HJM 10	249	285
Districts, first year restrictions.....	H 27	35	64
Eminent domain, restrictions on recreational trail use.....	S 1044	55	111
Outdoor recreation, Outdoor Retailer shows invited.....	HCR 7	113	165
Parks and Recreation Department, long-term funding/sponsorship agreements.....	S 1098	93/298	124/304
Recreational "park model" vehicles, assessment standard.....	H 257	228/263	-
Utility/specialty off-highway vehicle, sales tax exempt.....	H 12	48	100
<b>REFERENDUMS</b>			
See INITIATIVES AND REFERENDUMS			
<b>REGULATORY TAKINGS</b>			
See EMINENT DOMAIN			
<b>RELIGION AND CHURCHES</b>			
Charity meals, school/church/senior citizen, tax exempt.....	H 11	48	100
Government of Turkey, urge Christian Church rights.....	HJM 3	151	-
Government of Turkey, urge Christian Church rights.....	HJM 12	299	310
Health care sharing ministries, request choice.....	SCR 125	226	265
<b>REPORTS</b>			
Joint legislative publishing committee, session laws.....	S 1181	282	286
Joint legislative publishing committee, session laws.....	H 328	313	316
<b>RESEARCH</b>			
Agriculture Department, noxious weeds, research facility.....	S 1073	81/276	114/279
Idaho National Lab, geothermal system production.....	HJM 7	151	180
<b>RESOLUTIONS, CONCURRENT</b>			
125 years of Idaho statehood, celebrate.....	HCR 15	147	265
Administration Department Purchasing Division rules rejected.....	SCR 129	275	285
Administrative hearing officers, legislative study committee.....	SCR 124	191	207
Agency fee rules approved, except Insurance Department.....	SCR 128	274	285
Agency temporary rules approved and extended.....	SCR 127	274	284
Agriculture Department animal importation rule rejected.....	SCR 116	149	165
Agriculture Department livestock rule rejected.....	SCR 113	126	135
American Diabetes Month, support goals.....	HCR 5	118	132
Benewah County, honor centennial anniversary.....	HCR 16	155	249
Blind Commission rule rejected.....	HCR 11	129	193
Boundary County, celebrate 100 year anniversary.....	SCR 112	105	132

	<b>Bill Number</b>	<b>Intro. Page</b>	<b>Vote Page</b>
<b>RESOLUTIONS, CONCURRENT (Continued)</b>			
Eagle Rock Bridge/Idaho Falls, 150 years.....	HCR 2	58	103
Education Board/Department Rule Docket 08-0202-1402 rejected.....	HCR 22	249	272
Education Board/Department Rule Docket 08-0203-1406 rejected.....	HCR 21	249	271
Education Department thoroughness rules rejected.....	SCR 121	178	207
Education Department thoroughness rules rejected.....	SCR 122	178	207
Education Department uniformity rules rejected.....	SCR 119	178	207
Education Department uniformity rules rejected.....	SCR 120	178	207
Emergency Medical Services Bureau, draft legislation.....	HCR 19	258	-
Endowment Asset Issues, legislative study committee.....	HCR 12	160	-
Federal lands in Idaho, develop long-term state leases.....	SCR 115	130	-
Federal lands in Idaho, working group, agreements.....	SCR 126	231	249
Federal lands, legislative study committee.....	SCR 108	90	-
Gary Stevens, Idaho jockey, honor accomplishments.....	SCR 101	34	62
Health care sharing ministries, request choice.....	SCR 125	226	265
Idaho Caregiver Alliance task force, family caregiving.....	SCR 111	91	-
Idaho Caregiver Alliance task force, family caregiving.....	SCR 123	190	207
Idaho Caregiver Alliance task force, family caregiving.....	HCR 24	272	285
Idaho Farm Bureau Federation Day, 75 years.....	HCR 14	151	180
Idaho Session Laws, printing contract.....	SCR 130	313	317
Idaho State Police POST rule rejected.....	HCR 13	155	207
John Grossenbacher, INL Director, honor service.....	SCR 117	149	165
Joint session, message from the Governor.....	HCR 1	5	6
Local Highway Technical Assistance Council, evaluation.....	SCR 102	69	154
Math/English language standards, customize for Idaho.....	SCR 105	88	-
Music therapy, important health care service.....	SCR 109	91	132
National Diaper Need Awareness Week.....	SCR 110	91	132
Natural resources legislative study committee.....	HCR 8	118	284
Outdoor recreation, Outdoor Retailer shows invited.....	HCR 7	113	165
Public Employee Retirement System of Idaho contribution rule rejected.....	HCR 6	113	180
Public defense reform, legislative study committee.....	SCR 103	73	87
Public lands, multiparty exchanges authorized.....	SCR 107	90	128
Social Work Recognition Month declared.....	HCR 9	118	180
State broadband services, legislative study committee.....	SCR 131	314	317
State broadband services, legislative study committee.....	HCR 26	320	321
State government purchasing laws, legislative study commission.....	HCR 23	272	310
Student data collection, legislative study committee.....	HCR 3	86	135
Student/teacher assessment standards, SBAC alternatives.....	SCR 106	89	124
Suicide prevention program, implementation plan.....	SCR 104	79	95
Tax Commission sales tax rule rejected.....	HCR 4	71	128
Transportation Department vehicle dealer rule rejected.....	HCR 25	304	-
Urban renewal laws, legislative study committee.....	HCR 17	208	276
Veterinary Medicine Board rule rejected.....	SCR 114	126	135
Water Resources Department conjunctive management rule reject.....	HCR 10	118	165
YMCA Day, March 20th, recognize community contributions.....	SCR 118	163	180
<b>RESTAURANTS</b>			
See also FOOD			
Food retailers giving food to employees, no tax.....	H 237	198	246
Mobile/temporary food court, beer/wine license.....	S 1089	83	-
<b>RETIREMENT</b>			
Property tax relief claimant, disability qualification.....	H 208	160	243
Public Employee Retirement System of Idaho contribution rule rejected.....	HCR 6	113	180
Public Employee Retirement System of Idaho retirement calculations, Idaho legislators.....	H 100	141	-
Public Employee Retirement System of Idaho, appropriation.....	S 1117	135	160
Public Employee Retirement System of Idaho, peace officer status, supervisory positions.....	H 137	147	223
Senior judges, qualifications.....	S 1027	47	99
U.S. employment retirement benefits, tax deductibility.....	H 36	48	119
Veterans Home in northern Idaho authorized.....	S 1104	106/276	148/279
<b>REVENUE AND TAXATION</b>			
See TAX AND TAXATION			

	Bill Number	Intro. Page	Vote Page
RICKS, KIMBER			
Appointment, Member: State Public Defense Commission			
Appointed by Governor/to Judiciary and Rules (Feb. 19).....		102	
Committee Report.....		144	
Confirmed by Senate.....			150
RISCH, JAMES E.			
US Senator Address, February 17, 2015.....		95	
RIVERS			
Columbia Snake River system, state sovereignty.....	HJM 11	291	304
Eagle Rock Bridge/Idaho Falls, 150 years.....	HCR 2	58	103
Land Board, navigable waterways, revenues, fund deposits.....	H 47	63	176
ROADS			
See HIGHWAYS			
ROBERGE, RICHARD			
Appointment, Member: State Board of Health and Welfare			
Appointed by Governor/to Health and Welfare (Feb. 13).....		80	
Committee Report.....		116	
Confirmed by Senate.....			123
RULES			
Administration Department Purchasing Division rules rejected.....	SCR 129	275	285
Agency fee rules approved, Insurance Department exception.....	SCR 128	274	285
Agency rules, continue in force and effect.....	H 319	302	308
Agency temporary rules approved and extended.....	SCR 127	274	284
Agriculture Department animal importation rule rejected.....	SCR 116	149	165
Agriculture Department livestock rule rejected.....	SCR 113	126	135
Blind Commission rule rejected.....	HCR 11	129	193
Cherry Commission, creation of districts by rule.....	H 148	147	213
Education Board/Department Rule Docket 08-0202-1402 rejected.....	HCR 22	249	272
Education Board/Department Rule Docket 08-0203-1406 rejected.....	HCR 21	249	271
Education Board, ESEA flexibility document, ELA standard.....	H 314	282	294
Education Department thoroughness rules rejected.....	SCR 121	178	207
Education Department thoroughness rules rejected.....	SCR 122	178	207
Education Department uniformity rules rejected.....	SCR 119	178	207
Education Department uniformity rules rejected.....	SCR 120	178	207
Geologist registration, professional examination, rules.....	H 81	113	210
Idaho State Police POST rule rejected.....	HCR 13	155	207
Occupational therapy, continuing education rules.....	H 24	71	121
Public Employee Retirement System of Idaho contribution rule rejected.....	HCR 6	113	180
Regulation Freedom Amendment, U.S. Constitution.....	HJM 1	84	-
Tax Commission sales tax rule rejected.....	HCR 4	71	128
Tax Commission, acts and rules, electronic publication.....	H 10	48	99
Tax Commission, rulemaking, fiscal impact, continue in effect.....	H 34	48	119
Transportation Department vehicle dealer rule rejected.....	HCR 25	304	-
Veterinary Medicine Board rule rejected.....	SCR 114	126	135
Water Resources Department conjunctive management rule reject.....	HCR 10	118	165
Water quality rule approval, mixing zone, permit.....	H 58	136	203
RULES, SENATE AND JOINT RULES SENATE/HOUSE			
Adopted December 4th, 2014.....		2	
- S -			
SAFETY			
Building Safety Division, industrial safety training.....	S 1001	20	137
Industrial equipment, when certification unnecessary.....	H 238	198	250
Speed limits, engineering safety exceptions.....	S 1028	47	67
SALARIES			
See WAGES			

	Bill Number	Intro. Page	Vote Page
<b>SALES</b>			
Contact lens manufacturers, unlawful practices.....	H 149	140	-
Digital media, permanent right to use, sales tax.....	H 209	160	214
Education Board lands, property disposal processes.....	H 20	50	99
Electric utility property sale, findings required.....	S 1137	159	-
Fire protection district, property auction.....	H 202	170/218	242
Knives, no city/county regulation.....	S 1092	83	194
Tax sale of property, purchase by county, best interest.....	H 156	147	210
Title insurance, closing or settlement protection.....	H 277	241	273
Utility/specialty off-highway vehicle, sales tax exempt.....	H 12	48	100
Vehicle sales tax treatment of nonresident purchasers.....	H 252	233	-
Wholesale vehicle dealer, license bond, fund exemption.....	S 1015	32/100	114
<b>SASSER, KRISTINE</b>			
Appointment, Member: Public Utilities Commission			
Appointed by Governor/to State Affairs (Feb. 19).....		103	
Committee Report.....		134	
Confirmed by Senate.....			142
<b>SAYER, JEFFERY</b>			
Appointment: Director of the Department of Commerce			
Appointed by Governor/to Commerce and Human Resources (Feb. 9).....		61	
Committee Report.....		122	
Confirmed by Senate.....			128
<b>SAYLER, GARY</b>			
Appointment: Adjutant General of the Idaho Military Division			
Appointed by Governor/to State Affairs (Feb. 10).....		65	
Committee Report.....		109	
Confirmed by Senate.....			117
<b>SCHEIHING, GARY</b>			
Appointment, Member: Commission on Pardons and Parole			
Appointed by Governor/to Judiciary and Rules (Jan. 22).....		23	
Committee Report.....		36	
Confirmed by Senate.....			41
<b>SCHOLARSHIPS</b>			
Postsecondary credit scholarship, requirements.....	S 1050	58	114
<b>SCHOOLS AND SCHOOL DISTRICTS</b>			
Alternative school support units, grades 6-12.....	H 300	272	286
Building Safety Division, industrial safety training.....	S 1001	20	137
Bullying of students, school professional development.....	H 246	241	278
Charitable contributions, tax credit, identify schools.....	H 220	160	243
Charity meals, school/church/senior citizen, tax exempt.....	H 11	48	100
Charter school admission preferences, reciprocity.....	S 1087	82	133
Charter school fee, authorizers fund, date.....	S 1021	35	63
Charter schools, staff allowance reduction inapplicable.....	H 308	272	287
Civics test or school alternative, student completion.....	S 1071	77/141	157
College classes, foreign exchange high school students.....	H 245	228	277
Driver's training fees, Occupational Licenses Bureau.....	S 1120	136	167
Education Board, ESEA flexibility document, ELA standard.....	H 314	282	294
Education Department, contracts for approved services.....	H 170	129/238	250
Graduation requirement, standardized test alternative.....	S 1070	77/142	157
Land Board, navigable waterways, revenues, fund deposits.....	H 47	63	176
Mastery-based education, planning and development.....	H 110	110	161
Math/English language standards, customize for Idaho.....	SCR 105	88	-
Parental rights in education, promote involvement.....	S 1096	92/171	195
Postsecondary credit scholarship, requirements.....	S 1050	58	114
Professional-technical education credit transferability.....	S 1086	82	132
Public charter school debt reserve, facilities funding.....	H 309	276/304	307
Public schools, children's programs, appropriation.....	S 1116	135	160
STEM Action Center and Board created.....	H 302	272	287
STEM Action Center, appropriation.....	H 326	313	316
School administrator salary funding calculation amended.....	S 1183	288	294

	Bill Number	Intro. Page	Vote Page
<b>SCHOOLS AND SCHOOL DISTRICTS (Continued)</b>			
School board candidates, campaign finance reporting.....	S 1072	77/156	174
School broadband services, appropriation.....	H 168	104	111
School broadband services, appropriation, trailer bill.....	H 263	208	244
School continuous improvement plans, annual reports.....	H 122	110	162
School counselors, college/career advisors.....	H 313	282	294
School emergency fund levy, effect on tax rate.....	H 76	86	133
School employees, cost of background checks.....	S 1019	33	58
School employees, cost of background checks.....	H 190	151	213
School salary funding calculation amended.....	S 1185	288	295
School staff allowance support unit calculation.....	H 126	136	213
School teacher salary funding calculation amended.....	S 1184	288	295
School transportation, repeal Education Department audits of.....	S 1097	93	136
School trustee term changes, repeal transition law.....	H 22	50	78
Smarter Balanced Assessment Consortium, remove Idaho.....	S 1085	82	-
State broadband services, legislative study committee.....	SCR 131	314	317
State broadband services, legislative study committee.....	HCR 26	320	321
Student data collection, legislative study committee.....	HCR 3	86	135
Student/teacher assessment standards, SBAC alternatives.....	SCR 106	89	124
Teacher career ladder, salary, funding calculation.....	H 296	241	268
Teacher contracts, factfinders, repealed.....	H 169	140	203
Teacher contracts, reductions in force.....	S 1088	83/249	137/264
Teacher renewable contracts if career ladder unfunded.....	H 323	305	315
Youth Challenge program, extend indefinitely.....	H 52	86	121
<b>SCIENCE AND TECHNOLOGY</b>			
Agriculture Department, noxious weeds, research facility.....	S 1073	81/276	114/279
Autonomous driven vehicles, testing requirements.....	S 1108	118/155	174
Criminal record, fingerprints, later crimes, notify.....	S 1033	50/198	219
Food labeling, genetically engineered, FDA standards.....	HJM 6	151	180
Geologist registration, professional examination, rules.....	H 81	113	210
Idaho National Lab, geothermal system production.....	HJM 7	151	180
Pharmacy Board rules, registration, researchers, fines.....	H 4	71	120
STEM Action Center and Board created.....	H 302	272	287
STEM Action Center, appropriation.....	H 326	313	316
<b>SEAT ASSIGNMENTS</b>			
Organizational Session: December 4, 2014.....		2	
Revised: February 18, 2015.....		98	
<b>SECRETARY OF STATE</b>			
Appropriation.....	S 1125	146	167
Appropriation, presidential primary.....	S 1178	278	292
Campaign contribution disclosures, political committees.....	H 112	124	252
Election automatic recounts, filing requests.....	H 242	198	281
<b>SECRETARY OF THE SENATE</b>			
Jennifer Novak, Elected December 4, 2014.....		1	2
<b>S 1011</b> , Correspondence.....		301	
<b>SEEDS</b>			
Pure Seed Act, add cultivation, production, and processing.....	H 114	129	200
<b>SELF-GOVERNING AGENCIES</b>			
Department, appropriation, Building Safety Division.....	S 1141	159	194
Department, appropriation, Public Defense Commission.....	S 1145	166	199
Department, appropriation, Veterans Services Division.....	H 227	160	209
Department, appropriation, medical boards.....	H 224	160	204
Department, appropriation, regulatory boards.....	S 1132	147	168
Idaho State Lottery, appropriation.....	S 1130	147	168
<b>SENATE</b>			
See also LEGISLATURE			
Joint legislative publishing committee, session laws.....	S 1181	282	286
Joint legislative publishing committee, session laws.....	H 328	313	316
Joint session, message from the Governor.....	HCR 1	5	6
Public Employee Retirement System of Idaho retirement calculations, Idaho legislators.....	H 100	141	-



SENATE INDEX

	Bill Number	Intro. Page	Vote Page
SENATE (Continued)			
Redistricting plan, court challenges, when .....	S 1091	83	133
State legislator qualifications, registered elector.....	H 3	20	-
State office vacancies, failed appointments, documents.....	S 1112	129	194
SENATORS			
Acting:			
Melinda Smyser, January 19, 2015 .....		19	
Kimberly Johnson, January 23, 2015 .....		24	
Appointed:			
Maryanne Jordan, March 9, 2015.....		154	
Memorialized:			
F. Edward Osborne, February 16, 2015 .....		87	88
John V. Evans, February 16, 2015.....		88	88
Ralph "Moon" Wheeler, February 16, 2015.....		88	88
Melvin M. Richardson, February 16, 2015 .....		88	88
Resigned:			
Elliot Werk, February 18, 2015 .....		97	
SENIOR CITIZENS			
Charity meals, school/church/senior citizen, tax exempt.....	H 11	48	100
Hunting/fishing licenses, senior resident defined.....	S 1031	50	95
Idaho Caregiver Alliance task force, family caregiving.....	SCR 111	91	-
Idaho Caregiver Alliance task force, family caregiving.....	SCR 123	190	207
Idaho Caregiver Alliance task force, family caregiving.....	HCR 24	272	285
Medical foster home for veterans, licensing exemption.....	S 1043	55	96
Residential care lease, relicensing not required.....	S 1042	55	96
SENTENCING			
Crime victim restitution, judgment lien, execution .....	H 62	95	200
Death penalty, persons/pharmacies are confidential .....	S 1005	23	-
Drunk driver, restricted driving privileges .....	S 1026	47	99
Fireworks, altering/selling/using, infraction offense.....	H 195	160	244
Infractions, fine amounts, recalcitrant smokers.....	H 121	118	214
Juvenile convicts, blended sentence, dual custody .....	S 1035	50	132
Juvenile offender, probation period, review hearing.....	H 61	95	176
Littering on highways/property, revise penalties .....	H 104	129	221
Prisoner, computation of time served, credits.....	H 64	95	201
SEX OFFENSES AND OFFENDERS			
Crimes leading to termination of parental rights .....	S 1095	86/171	199
Human trafficking victims, expunge criminal records.....	S 1154	193/218	239
Sex Offender Management Board member terms, experience .....	S 1041	55/170	195
Sex offender, risk-based registration levels, expunge.....	S 1095	86/171	199
SEXUAL OFFENDER MANAGEMENT BOARD			
Burnham, John: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Jan. 26) .....		26	
Committee Report.....		94	
Confirmed by Senate.....			98
Evans, Shane: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Jan. 26) .....		26	
Committee Report.....		94	
Confirmed by Senate.....			103
Fisher, Jean: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Jan. 26) .....		26	
Committee Report.....		94	
Confirmed by Senate.....			98
SHERIFFS			
Concealed weapon permit renewal notices, mailing.....	H 66	58	-
Concealed weapons licenses, enhanced licenses .....	H 301	249	290
Concealed weapons permit law, revise .....	S 1090	83	-
Prisoner removal requirements, repeal.....	H 138	118	204
Public Employee Retirement System of Idaho, peace officer status, supervisory positions....	H 137	147	223

	Bill Number	Intro. Page	Vote Page
SIGNS			
Anti-human trafficking signs authorized, road rest area.....	H 183	160	245
SINE DIE ADJOURNMENT			
Organizational Session, December 4, 2014 at 3:45 p.m.....		3	
First Regular Session, April 11, 2015 at 1:33 a.m.....		336	
SMOKING			
Infractions, fine amounts, recalcitrant smokers.....	H 121	118	214
SNOWMOBILES			
Vehicle sales tax treatment of nonresident purchasers.....	H 252	233	-
SOCIAL WORK			
Social Work Recognition Month declared.....	HCR 9	118	180
SOIL			
Conservation district, management agreements, not public.....	H 291	258	286
Soil and Water Conservation Commission, appropriation.....	S 1162	202	224
SOLID WASTES			
See WASTES			
SORENSEN, RODGER LEE			
Appointment, Member: Aeronautics Advisory Board			
Appointed by Governor/to Transportation (Feb. 2).....		40	
Committee Report.....		116	
Confirmed by Senate.....			123
SPACKMAN, GARY			
Appointment: Director of the Idaho Department of Water Resources			
Appointed by Governor/to Resources and Environment (Jan. 28).....		31	
Committee Report.....		74	
Confirmed by Senate.....			87
SPECIAL COMMITTEES			
Lincoln Day: Senators Souza and Lee, Co-chairmen.....		78	
Memorial Service: Senators Lee and Souza, Co-chairmen.....		87	
Idaho Day: Senator Burgoyne, Chairman.....		143	
SPEED LIMITS			
Off-road vehicles, when permitted on highways.....	H 129	147	222
Speed limits, engineering safety exceptions.....	S 1028	47	67
SPORTS			
See ATHLETICS			
STANDING COMMITTEE, ASSIGNMENTS			
See COMMITTEES, STANDING			
STATE AGENCIES			
See GOVERNMENT			
STATE APPELLATE PUBLIC DEFENDER			
Thomas, Sara B.: Appointment, State Appellate Public Defender			
Appointed by Governor/to Judiciary and Rules (Jan. 22).....		22	
Committee Report.....		36	
Confirmed by Senate.....			41
Appropriation.....	H 271	216	245
Appropriation, add'l.....	S 1110	128	148
STATE BOARD OF CORRECTION			
Field, Debra: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Feb. 10).....		66	
Committee Report.....		94	
Confirmed by Senate.....			103
STATE BOARD OF EDUCATION			
Critchfield, Deborah: Appointment, Member			
Appointed by Governor/to Education (Jan. 27).....		29	
Committee Report.....		49	
Confirmed by Senate.....			52
Hill, Dr. David: Appointment, Member			
Appointed by Governor/to Education (Jan. 27).....		29	
Committee Report.....		127	
Confirmed by Senate.....			135

SENATE INDEX

	Bill Number	Intro. Page	Vote Page
STATE BOARD OF HEALTH AND WELFARE			
Giuffre, Jim V.: Appointment, Member			
Appointed by Governor/to Health and Welfare (Feb. 13).....		80	
Committee Report.....		134	
Confirmed by Senate.....			142
Kerby, Darrell: Appointment, Member			
Appointed by Governor/to Health and Welfare (Feb. 13).....		80	
Committee Report.....		116	
Confirmed by Senate.....			128
Roberge, Richard: Appointment, Member			
Appointed by Governor/to Health and Welfare (Feb. 13).....		80	
Committee Report.....		116	
Confirmed by Senate.....			123
Weeg, Stephen: Appointment, Member			
Appointed by Governor/to Health and Welfare (Feb. 13).....		80	
Committee Report.....		116	
Confirmed by Senate.....			123
STATE HISTORIC PRESERVATION OFFICER			
Gallimore, Janet: Appointment, State Historic Preservation Officer			
Appointed by Governor/to State Affairs (Feb. 9).....		61	
Committee Report.....		134	
Confirmed by Senate.....			142
STATE INSURANCE FUND BOARD			
Black, Max: Appointment, Member			
Appointed by Governor/to Commerce and Human Resources (Mar. 16).....		192	
Committee Report.....		221	
Confirmed by Senate.....			228
Higgins, Rod: Appointment, Member			
Appointed by Governor/to Commerce and Human Resources (Mar. 16).....		192	
Committee Report.....		221	
Confirmed by Senate.....			228
STATE OF THE JUDICIARY MESSAGE			
Chief Justice Roger S. Burdick, February 2, 2015.....		38	
STATE OF THE STATE AND BUDGET ADDRESS			
Governor C. L. "Butch" Otter, January 12, 2015.....		6	6
STATE PUBLIC DEFENSE COMMISSION			
Bolz, Darrell: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Feb. 18).....		97	
Committee Report.....		153	
Confirmed by Senate.....			165
Ricks, Kimber: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Feb. 19).....		102	
Committee Report.....		144	
Confirmed by Senate.....			150
Thomas, Sara: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Feb. 18).....		98	
Committee Report.....		135	
Confirmed by Senate.....			142
Wellman, William: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Feb. 12).....		74	
Committee Report.....		112	
Confirmed by Senate.....			118
Appropriation.....	S 1145	166	199
STATE SOIL AND WATER CONSERVATION COMMISSION			
Radford, Dave: Appointment, Member			
Appointed by Governor/to Agricultural Affairs (Feb. 2).....		41	
Committee Report.....		106	
Confirmed by Senate.....			109
STATE SYMBOLS			
State amphibian is Idaho Giant Salamander.....	H 1	241	265

	Bill Number	Intro. Page	Vote Page
STATE TAX COMMISSION			
Werk, Elliot: Appointment, Member			
Appointed by Governor/to Local Government and Taxation (Feb. 19) .....		103	
Committee Reports .....		140	
Confirmed by Senate.....			146
STATEHOUSE			
See CAPITOL			
STATUTES			
See CODES			
STUDENTS			
Bullying of students, school professional development.....	H 246	241	278
Charity meals, school/church/senior citizen, tax exempt.....	H 11	48	100
Charter school admission preferences, reciprocity .....	S 1087	82	133
Civics test or school alternative, student completion .....	S 1071	77/141	157
College classes, foreign exchange high school students.....	H 245	228	277
Driver's training fees, Occupational Licenses Bureau.....	S 1120	136	167
Engineers/surveyors, intern/plat/survey requirements .....	S 1079	82	107
Graduation requirement, standardized test alternative.....	S 1070	77/142	157
Immunization registry, release of information, when .....	S 1121	136	161
Math/English language standards, customize for Idaho .....	SCR 105	88	-
Postsecondary credit scholarship, requirements.....	S 1050	58	114
Rural physician incentive fund, appropriate balance.....	H 178	147	210
STEM Action Center and Board created .....	H 302	272	287
STEM Action Center, appropriation .....	H 326	313	316
School counselors, college/career advisors .....	H 313	282	294
Student data collection, legislative study committee.....	HCR 3	86	135
Student/teacher assessment standards, SBAC alternatives .....	SCR 106	89	124
STUDIES			
Administrative hearing officers, legislative study committee.....	SCR 124	191	207
Endowment asset issues, legislative study committee.....	HCR 12	160	-
Federal lands in Idaho, working group, agreements .....	SCR 126	231	249
Federal lands, legislative study committee .....	SCR 108	90	-
Idaho Caregiver Alliance task force, family caregiving.....	SCR 111	91	-
Idaho Caregiver Alliance task force, family caregiving.....	SCR 123	190	207
Idaho Caregiver Alliance task force, family caregiving.....	HCR 24	272	285
Natural resources legislative study committee.....	HCR 8	118	284
Public defense reform, legislative study committee .....	SCR 103	73	87
State broadband services, legislative study committee.....	SCR 131	314	317
State broadband services, legislative study committee.....	HCR 26	320	321
State government purchasing laws, legislative study commission.....	HCR 23	272	310
Student data collection, legislative study committee.....	HCR 3	86	135
Urban renewal laws, legislative study committee.....	HCR 17	208	276
SUBSTANCE ABUSE			
Drug overdose, prescribe opioid antagonists .....	H 108	118	175
Regional advisory committees, treatment records, repeal .....	H 33	86	161
Tobacco/drug programs, appropriation, Millennium Income Fund.....	S 1144	166	199
SUBSTITUTE SENATORS			
See ACTING SENATORS			
SUICIDE			
Suicide prevention program, implementation plan .....	SCR 104	79	95
SUPERINTENDENT OF PUBLIC INSTRUCTION			
See also EDUCATION			
Appropriation .....	S 1171	216	247
Appropriation.....	H 289	241	254
Appropriation, add'l. ....	H 321	302	312
Appropriation, broadband services to schools .....	H 168	104	111
Appropriation, broadband services to schools, trailer bill.....	H 263	208	244
Smarter Balanced Assessment Consortium, remove Idaho .....	S 1085	82	-

	Bill Number	Intro. Page	Vote Page
SUPREME COURT			
See COURTS			
See also COURTS, JUDICIARY			
		38	
SWEIGART, CANDACE			
Appointment, Member: Idaho Health Insurance Exchange Board			
		109	
		164	
			173
- T -			
TAX AND TAXATION			
	H 236	198	246
	H 34	48	119
	H 10	48	99
	H 77	71	87
	H 311	282	-
	H 42	63	120
	H 132	140	222
	S 1168	208	263
	S 1059	63/141	156
	H 43	58	138
	H 269	228	264
	S 1119	135	160
	S 1164	202	229
	HCR 4	71	128
	S 1165	202	230
TAX AND TAXATION, INCOME			
	H 172	136	214
	H 220	160	243
	H 13	48	104
	H 330	320	-
	H 109	106/217	242
	H 85	86	133
	H 37	48	100
	H 133	106	162
	H 77	71	87
	H 36	48	119
	H 236	198	246
	H 42	63	120
	H 311	282	-
	H 311	282	-
	S 1107	118	152
TAX AND TAXATION, PROPERTY			
	H 212	170	280
	H 286	258	-
	H 29	37/141	161
	H 219	228	280
	H 208	160	243
	H 28	37	64
	H 27	35	64
	H 257	228/263	-
	H 76	86	133
	H 156	147	210
TAX AND TAXATION, SALES AND USE			
	H 209	160	214
	H 237	198	246
	H 95	106/311	312

	Bill Number	Intro. Page	Vote Page
<b>TAX AND TAXATION, SALES AND USE (Continued)</b>			
Exemption, prescriptions, hearing aid/eyeglass parts .....	H 75	98	176
Exemption, school/church/senior citizen meals .....	H 11	48	100
Exemption, some utility/specialty off-highway vehicles .....	H 12	48	100
Grocery tax credit repealed, food sales tax exemption.....	H 311	282	-
Production exemption, hand tools under \$100.....	H 39	98	176
Production exemption, hunting/fishing business.....	H 221	180	246
Sales tax distribution revised, transportation funding.....	H 311	282	-
Tax Commission sales tax rule rejected.....	HCR 4	71	128
Vehicle sales tax treatment of nonresident purchasers.....	H 252	233	-
<b>TEACHING AND TEACHERS</b>			
Bullying of students, school professional development.....	H 246	241	278
Charter schools, staff allowance reduction inapplicable.....	H 308	272	287
Civics test or school alternative, student completion .....	S 1071	77/141	157
Education Board, ESEA flexibility document, ELA standard.....	H 314	282	294
Labor negotiations, open meeting, exceptions.....	H 167	140/218	243
Math/English language standards, customize for Idaho .....	SCR 105	88	-
School employees, cost of background checks.....	S 1019	33	58
School employees, cost of background checks.....	H 190	151	213
School salary funding calculation amended.....	S 1185	288	295
School staff allowance support unit calculation .....	H 126	136	213
School teacher salary funding calculation amended.....	S 1184	288	295
Smarter Balanced Assessment Consortium, remove Idaho .....	S 1085	82	-
Student/teacher assessment standards, SBAC alternatives .....	SCR 106	89	124
Teacher career ladder, salary, funding calculation .....	H 296	241	268
Teacher contracts, factfinders, repealed.....	H 169	140	203
Teacher contracts, reductions in force.....	S 1088	83/249	137/264
Teacher renewable contracts if career ladder unfunded.....	H 323	305	315
Teaching certificate records/fees, use of .....	S 1018	33	58
<b>TELECOMMUNICATIONS</b>			
Facilities relocation cost allocation .....	S 1017	33	-
State broadband services, legislative study committee.....	SCR 131	314	317
State broadband services, legislative study committee.....	HCR 26	320	321
Telehealth health care services, scope of practice .....	H 189	140	203
VOIP/IP-enabled services, regulation restricted .....	S 1105	118	-
Vehicle dealer's business place, phone number posted.....	H 131	118	-
<b>TELEVISION</b>			
Idaho Public Television, appropriation.....	S 1149	170	208
Idaho Public Television, appropriation, add'l.....	S 1002	23	33
<b>THOMAS, SARA</b>			
Appointment, Member: State Public Defense Commission			
Appointed by Governor/to Judiciary and Rules (Feb. 18).....		98	
Committee Report .....		135	
Confirmed by Senate.....			142
<b>THOMAS, SARA B.</b>			
Appointment: State Appellate Public Defender			
Appointed by Governor/to Judiciary and Rules (Jan. 22) .....		22	
Committee Report.....		36	
Confirmed by Senate.....			41
<b>TOBACCO</b>			
Infractions, fine amounts, recalcitrant smokers.....	H 121	118	214
Tobacco use by minors, first offense an infraction.....	H 159	140	214
Tobacco/drug programs, appropriation, Millennium Income Fund.....	S 1144	166	199
<b>TRANSPORTATION</b>			
Anti-human trafficking signs authorized, road rest area.....	H 183	160	245
Authority to close highways, Idaho State Police.....	H 82	86	162
Autonomous driven vehicles, testing requirements .....	S 1108	118/155	174
Columbia Snake River system, state sovereignty .....	HJM 11	291	304
Department, appropriation.....	S 1174	228	311
Driver's training fees, Occupational Licenses Bureau .....	S 1120	136	167

	<b>Bill Number</b>	<b>Intro. Page</b>	<b>Vote Page</b>
TRANSPORTATION (Continued)			
Drunk driver, restricted driving privileges.....	S 1026	47	99
Federal REAL ID law, compliance extension.....	H 96	110	138
Federal interstates in Idaho, truck weights, Congress.....	HJM 8	151	173
Highway transportation, agricultural/forestry products.....	H 194	140/181	209
License plates, special, America the Beautiful, charity.....	S 1022	36	-
License plates, special, America the Beautiful, charity.....	S 1083	82	-
License plates, special, Friends of National Rifle Association.....	H 16	50	67
License plates, special, Rocky Mountain Elk Foundation.....	H 44	58	119
License plates, special, Support Our Troops.....	S 1084	82	114
Littering, hazardous conditions, misdemeanor, fine.....	H 160	136	222
Maximum load for inch width of tire on highways.....	H 70	98	151
Off-road vehicles, when permitted on highways.....	H 129	147	222
Public roads, materials, sales tax exemption.....	H 95	106/311	312
Rental car fleet registration, special cards/stickers.....	H 147	140	175
School transportation, repeal Education Department audits of.....	S 1097	93	136
Speed limits, engineering safety exceptions.....	S 1028	47	67
Tampering with vehicle, repeal offense.....	H 101	118	214
Telecommunications facilities relocation cost allocated.....	S 1017	33	-
Throwing debris on highways, revise penalties.....	H 104	129	221
Transportation Department vehicle dealer rule rejected.....	HCR 25	304	-
Transportation Network Company Services, requirements.....	H 262	208	256
Transportation funding, fee increases, hybrid vehicles.....	H 312	282/306/323	309/334
Transportation funding, general funds, highway acct.....	H 310	282	-
Transportation funding, various tax changes.....	H 311	282	-
Transportation network companies/drivers, insurance.....	H 316	276	293
Utility/specialty off-highway vehicle, sales tax exempt.....	H 12	48	100
Vehicle labor/material liens, repeal.....	H 14	50	-
Vehicle liability insurance violations, increase fine.....	S 1032	50	-
Vehicle licensees, commercial learner permits, citizens.....	S 1016	32	58
Vehicle ownership dispute, stop title process.....	H 15	48/100/171	200
Vehicle sales tax treatment of nonresident purchasers.....	H 252	233	-
Wholesale vehicle dealer, license bond, fund exemption.....	S 1015	32/100	114
TREASURER'S INVESTMENT ADVISORY BOARD			
Arial, Cameron: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 27).....		28	
Committee Report.....		106	
Confirmed by Senate.....			110
Gee, Gavin: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 27).....		28	
Committee Report.....		106	
Confirmed by Senate.....			113
Johnson, Dennis: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 27).....		28	
Committee Report.....		127	
Confirmed by Senate.....			131
Michael, Gary: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 27).....		29	
Committee Report.....		108	
Confirmed by Senate.....			113
Murray, Kerrie: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 27).....		29	
Committee Report.....		106	
Confirmed by Senate.....			110
TREASURER, STATE			
Appropriation.....	H 272	216	245
TRESPASSING			
Property trespass, water rights penalty exception.....	H 94	113/241	252

	Bill Number	Intro. Page	Vote Page
TRUSTS			
Income tax rate reduction .....	H 311	282	-
Spendthrift trusts, correct standards .....	S 1052	62	114
- U -			
UNEMPLOYMENT			
See EMPLOYMENT SECURITY LAW			
UNFAIR COMPETITION			
Contact lens manufacturers, unlawful practices.....	H 149	140	-
UNIFORM AND MODEL LAWS			
Idaho Code of Military Justice (model code) added.....	H 53	147	263
Idaho Uniform Business Organizations Code, add.....	S 1025	41	148
Idaho Uniform Business Organizations Code, trailer bill.....	S 1109	124	148
Idaho Uniform Business Organizations Code, trailer bill.....	S 1182	282	286
Uniform Fiduciary Access to Digital Assets Act.....	S 1055	62	-
Uniform Interstate Family Support Act, amend.....	S 1067	75	229
Uniform Recognition of Substitute Decision-Making .....	S 1054	62	137
Uniform Voidable Transactions Act, formerly Fraudulent .....	H 92	228/268	277
UNIONS			
See LABOR			
UNIVERSITIES			
See COLLEGES AND UNIVERSITIES			
UNIVERSITY OF IDAHO			
See COLLEGES AND UNIVERSITIES			
URBAN RENEWAL			
Dilapidated property, expert assessment, cure period.....	H 303	272	-
School emergency fund levy, effect on tax rate.....	H 76	86	133
Telecommunications facilities relocation cost allocated.....	S 1017	33	-
Urban renewal laws, legislative study committee.....	HCR 17	208	276
UTILITIES			
Electric utility property sale, findings required.....	S 1137	159	-
Electrical corp, not electric vehicle battery chargers.....	H 185	159	243
Energy Resources Authority, conservation measures .....	S 1024	36	71
PUC/Tax/Industrial commissioner salary increase.....	S 1119	135	160
Personal/operating property tax exemption, apportion .....	H 29	37/141	161
Public Utilities Commission, appropriation .....	H 228	160	209
Telecommunications facilities relocation cost allocated.....	S 1017	33	-
VOIP/IP-enabled services, regulation restricted .....	S 1105	118	-
- V -			
VACCINATION			
Immunization Assessments Board act, extend to 2017 .....	H 107	118	212
Immunization registry, release of information, when .....	S 1121	136	161
VAN DER MEULEN, PETER			
Appointment, Member: Idaho Water Resource Board			
Appointed by Governor/to Resources and Environment (Jan. 28).....		32	
Committee Report .....		60	
Confirmed by Senate.....			70
VAN STONE, DALE			
Appointment, Member: Idaho Water Resource Board			
Appointed by Governor/to Resources and Environment (Jan. 29).....		35	
Committee Report .....		60	
Confirmed by Senate.....			66
VEHICLES			
See MOTOR VEHICLES			
VESSELS			
See BOATS			



	Bill Number	Intro. Page	Vote Page
<b>VETERANS</b>			
Medical foster home for veterans, licensing exemption .....	S 1043	55	96
U.S. flag, half-staff, governor's directive .....	S 1155	197	264
Veterans Home in northern Idaho authorized .....	S 1104	106/276	148/279
Veterans Services Division, appropriation .....	H 227	160	209
<b>VETERINARY MEDICINE</b>			
Veterinarian/technician licensing/certification renewal .....	H 72	118/155	175
Veterinary Medicine Board rule rejected .....	SCR 114	126	135
Veterinary application/licensing fees, nonrefundable .....	H 73	140	-
<b>VETO MESSAGES, GOVERNOR'S</b>			
<b>S 1011:</b> Veto Message from Governor: April 4, 2015 .....		302	
<b>S 1192:</b> Line Item Veto Message from Governor: April 16, 2015 .....		337	
<b>S 1146,</b> as amended: Veto Message from Governor: April 16, 2015 .....		337	
<b>VETOED BILLS</b>			
Cannabidiol oil possession, affirmative medical defense .....	S 1146	166/218	242
Historical horse races, betting repealed .....	S 1011	25	302
Labor Department, appropriation (line-item veto) .....	S 1192	299	308
School staff allowance support unit calculation .....	H 126	136	213
Sign language interpreters, licensing .....	H 152	151/268	276
<b>VICTIMS</b>			
Crime victim restitution, judgment lien, execution .....	H 62	95	200
Human trafficking victim, expunge criminal record, when .....	S 1103	104	-
Human trafficking victims, expunge criminal records .....	S 1154	193/218	239
<b>VISITORS</b>			
Burdick, Roger S., Chief Justice Idaho Supreme Court, February 2, 2015 .....		38	
Crapo, Mike, United States Senator, February 17, 2015 .....		95	
Risch, Jim, United States Senator, February 17, 2015 .....		95	
<b>VISUALLY IMPAIRED</b>			
See BLIND			
<b>VOCATIONAL REHABILITATION</b>			
Division, appropriation .....	H 251	194	220
Division, appropriation, add'l. ....	S 1012	27	37
<b>VOLUNTEERS</b>			
YMCA Day, March 20th, recognize community contributions .....	SCR 118	163	180
<b>VON LINDERN, MARK</b>			
Appointment, Member: Hazardous Waste Facility Siting License Application Review Panel			
Appointed by Governor/to Health and Welfare (Mar. 16) .....		192	
Committee Report .....		211	
Confirmed by Senate .....			218
<b>VOTING AND VOTERS</b>			
City annexation, when voter approval is required .....	S 1065	71	-
City initiative and referendum procedures, dates .....	H 216	208	281
Election automatic recounts, filing requests .....	H 242	198	281
Electronic poll book and miscellaneous election laws .....	H 212	170	280
Expenditure, nonbusiness, nonpolitical entities .....	H 214	180	281
Levy/bond indebtedness, disclosures before ballot .....	H 219	228	280
Presidential primary date, conduct of election .....	S 1049	57	-
Presidential primary date, conduct of election .....	S 1066	75	136
Primary election candidate withdrawal deadline .....	H 128	129	213
School board candidates, campaign finance reporting .....	S 1072	77/156	174
State legislator qualifications, registered elector .....	H 3	20	-
<b>VOTING, CONFLICT, DISCLOSURE</b>			
See CONFLICT OF INTEREST			
- W -			
<b>WAGES</b>			
Inmate incentive pay, work, compensation, effect .....	S 1004	23	136
Lengthy trial juror compensation fund created .....	H 162	140	-
Minimum wage increase, annual CPI increases .....	S 1111	128	-

	Bill Number	Intro. Page	Vote Page
<b>WAGES (Continued)</b>			
PUC/Tax/Industrial commissioner salary increase.....	S 1119	135	160
Peace officer temporary disability condition, extend.....	H 55	63	138
School administrator salary funding calculation amended.....	S 1183	288	294
School salary funding calculation amended.....	S 1185	288	295
School teacher salary funding calculation amended.....	S 1184	288	295
Teacher career ladder, salary, funding calculation.....	H 296	241	268
U.S. employment retirement benefits, tax deductibility.....	H 36	48	119
<b>WASTES</b>			
Highway transportation, sanitation trucks.....	H 194	140/181	209
Littering, hazardous conditions, misdemeanor, fine.....	H 160	136	222
<b>WATER</b>			
Allowable ground water degradation, mine operators.....	H 197	160	244
Aquatic invasive species, expedite federal funding.....	SJM 101	85	98
Columbia Snake River system, state sovereignty.....	HJM 11	291	304
Ground water district, increase maximum amount of warrants.....	S 1169	208	250
Idaho National Lab, geothermal system production.....	HJM 7	151	180
Irrigation Board power to incur debts, mitigation projects.....	H 166	140	203
Land Board, navigable waterways, revenues, fund deposits.....	H 47	63	176
Lateral water users association, assessments, withdrawal.....	S 1099	93	125
Property trespass, water rights penalty exception.....	H 94	113/241	252
Public irrigation construction, engineer exemption.....	H 256	228	272
Soil and Water Conservation Commission, appropriation.....	S 1162	202	224
Water Users District, project resolutions and funding.....	S 1100	93	136
Water quality rule approval, mixing zone, permit.....	H 58	136	203
<b>WATER RESOURCES DEPARTMENT</b>			
Appropriation.....	H 273	216	245
Appropriation, Secondary Aquifer Planning Fund.....	S 1190	289	296
Conjunctive management rule rejected.....	HCR 10	118	165
<b>WEAPONS</b>			
Concealed weapon permit renewal notices, mailing.....	H 66	58	-
Concealed weapons licenses, enhanced licenses.....	H 301	249	290
Concealed weapons permit law, revise.....	S 1090	83	-
Knives, no city/county regulation.....	S 1092	83	194
National Rifle Association friends, special license plates.....	H 16	50	67
<b>WEEDS</b>			
Agriculture Department, noxious weeds, research facility.....	S 1073	81/276	114/279
<b>WEEG, STEPHEN</b>			
Appointment, Member: State Board of Health and Welfare			
Appointed by Governor/to Health and Welfare (Feb. 13).....		80	
Committee Report.....		116	
Confirmed by Senate.....			123
<b>WELFARE</b>			
See PUBLIC ASSISTANCE			
<b>WELLMAN, WILLIAM</b>			
Appointment, Member: State Public Defense Commission			
Appointed by Governor/to Judiciary and Rules (Feb. 12).....		74	
Committee Report.....		112	
Confirmed by Senate.....			118
<b>WELLS</b>			
Gas definition, includes condensate.....	H 125	124	176
Oil/Gas Commission, drilling and permit fee schedule.....	H 49	67	161
Oil/Gas Commission, geographic spacing units, exceptions.....	H 124	124	176
Oil/Gas Commission, unit operation application, plan and order.....	H 50	71	162
Oil/gas production records, confidentiality, exception.....	H 48	67	161
<b>WERK, ELLIOT</b>			
Resignation Letter, February 18, 2015.....		97	
Appointment, Member: State Tax Commission			
Appointed by Governor/to Local Government and Taxation (Feb. 19).....		103	
Committee Reports.....		140	
Confirmed by Senate.....			146

SENATE INDEX

421

	Bill Number	Intro. Page	Vote Page
<b>WILDERNESS</b>			
Boulder-White Clouds, national monument status .....	HJM 5	151	180
Caldera, Island Park, oppose monument designation .....	HJM 2	84	128
Federal lands in Idaho, develop long-term state leases .....	SCR 115	130	-
Public Lands Council and Public Lands Office created .....	S 1134	151	-
<b>WILDLIFE</b>			
See also ANIMALS			
Columbia Snake River system, state sovereignty .....	HJM 11	291	304
Deer Flat National Wildlife Refuge, oppose conservation .....	HJM 10	249	285
Hunting infractions, fines .....	H 161	140	200
Hunting/fishing business, sales tax production exempt .....	H 221	180	246
Hunting/fishing licenses, senior resident defined .....	S 1031	50	95
Land and sage-grouse management plans not public .....	H 291	258	286
Legislative Legal Defense Fund, appropriation, sage-grouse .....	S 1190	289	296
License plates, special, Rocky Mountain Elk Foundation .....	H 44	58	119
Sage-grouse, long-term management, state primacy .....	HJM 9	258	285
Salmon/steelhead, unlawful killing, delete flagrant .....	H 31	53	202
State amphibian is Idaho Giant Salamander .....	H 1	241	265
<b>WILLS</b>			
Informal probate unavailable for multiple codicils .....	S 1051	62	114
<b>WINE</b>			
See LIQUOR			
<b>WOLVES</b>			
See WILDLIFE			
<b>WOMEN</b>			
Abortion providers, must have hospital privileges .....	S 1094	84	-
Abortion providers, must have hospital privileges .....	S 1102	93	-
Chemical abortions, requirements, court proceedings .....	H 154	136/217	239
<b>WORKERS COMPENSATION</b>			
Industrial administration fund premium tax reduced .....	S 1168	208	263
Prisoners, private farm employers, no benefits .....	S 1075	81	152

- Y -

**YOST, JIM**

Appointment, Member: Northwest Power and Conservation Council			
Appointed by Governor/to Resources and Environment (Feb. 3) .....		49	
Committee Report .....		153	
Confirmed by Senate .....			165

- Z -

**ZONING**

See PLANNING AND ZONING

## SECTION V

## NUMERICAL INDEX OF SENATE BILLS

The following index lists in numerical order all bills which were introduced in the Senate, together with the name of the author and a brief description of the subject matter. The numbers in the Introduction column cite the page where the complete title may be found and the date of introduction of the bill. The numbers in the Vote or Disposition columns cite the page where the Senate's Final Vote or Final Disposition can be found. Amendments to a bill are noted at the bottom of the subject matter and the number opposite is the page in the Journal where the Senate amendments are recorded. Session Law chapter numbers for bills which became law are also noted. House amendments to Senate bills can be found in the House Journal.

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1001	Commerce and Human Resources	LAW	STATE GOVERNMENT AND STATE AFFAIRS - Repeals and amends existing laws relating to workplace safety..... <b>Session Law Chapter No. 110</b>	20	137	257
1002	Finance	LAW	APPROPRIATIONS - IDAHO PUBLIC TELEVISION - Revises the fiscal year 2015 appropriation to provide an additional \$183,500 to Idaho Public Television for repairs to capital assets. .... <b>Session Law Chapter No. 2</b>	23	33	74
1003	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF ENVIRONMENTAL QUALITY - Appropriates an additional \$500,000 to the Department of Environmental Quality for fiscal year 2015 for environmental cleanup and monitoring..... <b>Session Law Chapter No. 3</b>	23	33	74
1004	Judiciary and Rules	LAW	STATE BOARD OF CORRECTION - Amends existing law to revise provisions relating to inmate incentive pay and to provide limitations on inmate incentive pay..... <b>Session Law Chapter No. 111</b>	23	136	257
1005	Judiciary and Rules	S Jud	EXECUTIONS - Amends existing law to provide that the identities of certain individuals participating or assisting in an execution and certain information shall be confidential.....	23	-	24
1006	Commerce and Human Resources	LAW	REAL ESTATE LICENSE LAW - Amends existing law to revise definitions; to remove references to a challenge exam; to revise requirements of Idaho certified course providers relating to course completion lists; to revise provisions relating to the expiration or withdrawal of provider certification; to require prior approval or certification for individuals wishing to teach real estate for credit toward post license; to provide instructor qualifications for individuals wishing to teach any real estate courses for credit toward the post license; to revise a provision relating to distance learning courses, to remove provisions relating to substituting continuing education coursework and to remove provisions relating to retaking a challenge exam; to revise provisions relating to the broker and branch manager absences and changes; to provide an additional requirement for written offers to purchase real property or any interest therein; and to remove provisions relating to terminating relationships between a broker and a sole proprietorship owned by a person other than the broker..... <b>Session Law Chapter No. 51</b>	24	115	212

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1007	Commerce and Human Resources	LAW	IDAHO REAL ESTATE LICENSE LAW - Amends existing law to provide an additional basis upon which the Idaho Real Estate Commission may deny any license application. .... <b>Session Law Chapter No. 71</b>	25	115	232
1008	Commerce and Human Resources	LAW	REAL ESTATE - Amends existing law to remove obsolete language relating to a fee. .... <b>Session Law Chapter No. 72</b>	25	115	232
1009	Commerce and Human Resources	LAW	REAL ESTATE LICENSE LAW - Amends existing law to revise the term of a course provider's certification and to provide an expiration date; and to revise the term of an instructor certification and to provide an expiration date. .... <b>Session Law Chapter No. 52</b>	25	115	212
1010	Commerce and Human Resources	LAW	REAL ESTATE LICENSE LAW - Amends existing law to revise provisions relating to fee-splitting with unlicensed persons and to revise the requirement that all fees must be paid through a broker. .... <b>Session Law Chapter No. 73</b>	25	119	232
1011	State Affairs	VETOED	HORSE RACING - Repeals existing law relating to pari-mutuel betting on historical horse races. ....	25	302	302
1012	Finance	LAW	APPROPRIATIONS - DIVISION OF VOCATIONAL REHABILITATION - Revises the fiscal year 2015 appropriation to provide an additional \$555,000 to the Division of Vocational Rehabilitation for services and support to customers. .... <b>Session Law Chapter No. 1</b>	27	37	74
1013	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF FISH AND GAME - Reduces the FY 2015 appropriation to the Department of Fish and Game by \$874,100. .... <b>Session Law Chapter No. 7</b>	30	48	103
1014	Judiciary and Rules	LAW	EXEMPTION OF PROPERTY - Amends existing law to revise and clarify which proceeds of a certain life insurance contract are entitled to an exemption from attachment or levy. .... <b>Session Law Chapter No. 112</b>	30	114	257
1015	Transportation	LAW	MOTOR VEHICLE DEALERS - Amends existing law to revise bond requirement provisions, to require the procurement and filing of specified bond by wholesale dealers and to provide an exemption from participation in the Idaho Consumer Asset Recovery Fund by certain wholesale dealer licensees. .... <b>Amended in the Senate</b> ..... <b>Session Law Chapter No. 53</b>	32 100	- 114	212
1016	Transportation	LAW	DRIVER'S LICENSES AND PERMITS - Amends existing law to provide for commercial learner's permits and for the renewal of designated permits without retaking a test under certain conditions; to provide an application fee for commercial learner's permits, to revise application provisions for certain licenses and permits; and to provide for the examination of applicants for commercial learner's permits..... <b>Session Law Chapter No. 54</b>	32	58	212

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1017	Transportation	S Transp	TELECOMMUNICATIONS SERVICE - Amends existing law to provide that the Transportation Department and urban renewal agencies shall partially reimburse telecommunications service providers for the cost of relocation of facilities to accommodate certain projects. ....	33	-	34
1018	Education	LAW	EDUCATION - Amends existing law relating to certificate records and fees. .... <b>Session Law Chapter No. 23</b>	33	58	145
1019	Education	H Educ	EDUCATION - Amends existing law to revise fees for undergoing a criminal history check. ....	33	58	58
1020	Resources and Environment	LAW	FISH AND GAME - Amends existing law to provide certain exemptions relating to the payment of moneys into the Fish and Game Set-Aside Account. .... <b>Session Law Chapter No. 44</b>	35	95	196
1021	Education	LAW	PUBLIC CHARTER SCHOOLS - Amends existing law to revise provisions relating to the authorizer fee formula and to revise the payment deadline for the authorizer fee. .... <b>Session Law Chapter No. 14</b>	35	63	117
1022	Transportation	S Transp	MOTOR VEHICLES - Amends and adds to existing law relating to license plates to provide for America The Beautiful plates. ....	36	-	40
1023	Commerce and Human Resources	LAW	INSURANCE - Adds to existing law to provide the Idaho Unclaimed Life Insurance Benefits Act. .... <b>Session Law Chapter No. 74</b>	36	119	232
1024	State Affairs	LAW	CONSERVATION - Amends and adds to existing law to provide for the Energy Resources Authority to enter into agreements and issue bonds for various energy conservation matters. .... <b>Session Law Chapter No. 59</b>	36	71	215
1025	Judiciary and Rules	LAW	IDAHO UNIFORM BUSINESS ORGANIZATIONS CODE - Repeals and adds to existing law to create the Idaho Uniform Business Organizations Code. .... <b>Session Law Chapter No. 243</b>	41	148	301
1026	Judiciary and Rules	LAW	DRIVING UNDER THE INFLUENCE - Amends existing law to revise a provision relating to the suspension of driving privileges following conviction for felony DUI. .... <b>Session Law Chapter No. 60</b>	47	99	227
1027	Judiciary and Rules	LAW	JUDGES - Amends existing law to revise provisions relating to the eligibility of a senior judge. .... <b>Session Law Chapter No. 61</b>	47	99	227
1028	Judiciary and Rules	LAW	SPEED LIMITS - Amends existing law to provide for certain speed limits on interstate highways and state highways unless otherwise posted. .... <b>Session Law Chapter No. 24</b>	47	67	145
1029	Judiciary and Rules	LAW	FRAUDULENT TRANSACTIONS - Amends existing law to provide for intent to use to defraud when acquiring a financial transaction card or financial transaction card number. .... <b>Session Law Chapter No. 62</b>	47	99	227

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1030	State Affairs	LAW	CODIFIER CORRECTIONS - Amends and repeals existing law to make codifier corrections and to provide correct terminology and code references..... <b>Session Law Chapter No. 244</b>	47	142	301
1031	Resources and Environment	LAW	FISH AND GAME - Amends existing law to revise residency requirements relating to senior resident combination licenses..... <b>Session Law Chapter No. 55</b>	50	95	212
1032	Judiciary and Rules	S Jud	MOTOR VEHICLES - FINANCIAL RESPONSIBILITY - Amends existing law to increase a fine amount. ....	50	-	52
1033	Judiciary and Rules	H FAILED	CRIMINAL HISTORY RECORDS - Amends existing law to provide for the retention and expungement of fingerprint records in certain instances..... <b>Amended in the Senate</b> ..... <b>Amended in the Senate</b> .....	50 99 198	- 114 219	291
1034	Judiciary and Rules	LAW	PRISONERS - Amends existing law to provide for persons who have reached eighteen years of age and escape or attempt to escape from a juvenile facility. .... <b>Session Law Chapter No. 75</b>	50	119	232
1035	Judiciary and Rules	LAW	JUVENILE CORRECTIONS - Repeals, amends and adds to existing law to provide for the blended sentence and dual custody of the State Board of Correction and Department of Juvenile Corrections for a convicted juvenile..... <b>Session Law Chapter No. 113</b>	50	132	257
1036	Health and Welfare	LAW	DENTISTRY - Amends existing law to require licensees to provide notice of felony convictions..... <b>Session Law Chapter No. 45</b>	50	78	196
1037	Health and Welfare	LAW	DENTISTRY - Amends existing law relating to license expiration, cancellation, and reinstatement..... <b>Session Law Chapter No. 56</b>	50	95	212
1038	Health and Welfare	S Health/Wel	PUBLIC ASSISTANCE - Amends existing law to prohibit public assistance recipients from forgiving unpaid child support or accepting direct payment of child support. ....	50	-	52
1039	Transportation	S Transp	EMINENT DOMAIN - Amends existing law relating to assessment of damages in eminent domain cases.....	53	-	54
1040	Judiciary and Rules	LAW	CRIMINAL PROCEDURE - Amends existing law to clarify language regarding filing of certain appeals when punishment of death has been imposed. .... <b>Amended in the Senate</b> ..... <b>Amended in the Senate</b> ..... <b>Session Law Chapter No. 245</b>	55 141 271	- 156 282	301
1041	Judiciary and Rules	LAW	SEXUAL OFFENDER REGISTRATION AND NOTIFICATION ACT - Amends existing law to provide an additional member to the Sexual Offender Management Board who has expertise in sexual offender polygraph examination..... <b>Amended in the Senate</b> ..... <b>Session Law Chapter No. 306</b>	55 170	- 195	321

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1042	Health and Welfare	LAW	HEALTH AND SAFETY - Amends existing law relating to residential care and assisted living facilities. .... <b>Session Law Chapter No. 46</b>	55	96	196
1043	Health and Welfare	LAW	HEALTH AND SAFETY - Amends existing law to provide that medical foster homes for veterans are exempt from certain requirements. .... <b>Session Law Chapter No. 47</b>	55	96	196
1044	Local Government and Taxation	LAW	EMINENT DOMAIN - Amends existing law to provide that eminent domain shall not be used for trails, paths, greenways or other ways for walking, running, hiking, bicycling or equestrian use, unless adjacent to a highway, road or street. .... <b>Session Law Chapter No. 122</b>	55	111	269
1045	Local Government and Taxation	LAW	PORT DISTRICTS - Amends existing law to revise and modernize audit requirements for port districts. .... <b>Session Law Chapter No. 57</b>	55	99	212
1046	Commerce and Human Resources	LAW	ENGINEERS AND SURVEYORS - Amends existing law to revise provisions relating to renewal of licenses, to revise the penalty for failure to renew a license; and to provide a penalty for failure to complete certain professional requirements. .... <b>Session Law Chapter No. 114</b>	57	137	257
1047	Commerce and Human Resources	LAW	ADMINISTRATION DEPARTMENT - Amends existing law to revise and alphabetize definitions relating to the state purchasing law. .... <b>Session Law Chapter No. 290</b>	57	137	321
1048	State Affairs	S St Aff	HORSE RACING - Amends existing law to revise provisions relating to wagering on an historical horse race. ....	57	-	60
1049	State Affairs	S St Aff	PRIMARY ELECTIONS - Amends and adds to existing law to establish a presidential primary. ....	57	-	60
1050	Education	LAW	EDUCATION - ADVANCED OPPORTUNITIES - Repeals and adds to existing law to define terms, to provide for advanced opportunities, to provide for the "8 in 6 Program," to provide for the Mastery Advancement Program and to provide rulemaking authority. .... <b>Session Law Chapter No. 58</b>	58	114	212
1051	Judiciary and Rules	LAW	INFORMAL PROBATE AND APPOINTMENT PROCEEDINGS - Amends existing law to revise provisions relating to the unavailability of informal probate in certain cases. .... <b>Session Law Chapter No. 76</b>	62	114	232
1052	Judiciary and Rules	LAW	SPENDTHRIFT TRUSTS - Amends existing law to provide correct terminology. .... <b>Session Law Chapter No. 77</b>	62	114	232
1053	Judiciary and Rules	LAW	PROTECTION OF PERSONS UNDER DISABILITY AND THEIR PROPERTY - Amends existing law to revise provisions relating to the rights and powers of guardians ad litem. .... <b>Amended in the Senate</b> ..... <b>Amended in the Senate</b> ..... <b>Amended in the Senate</b> ..... <b>Session Law Chapter No. 246</b>	62 88 95 171	- 103 108 199	301



SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1054	Judiciary and Rules	LAW	PROBATE CODE - Adds to existing law to create the Uniform Recognition of Substitute Decision-Making Documents Act. .... <b>Session Law Chapter No. 115</b>	62	137	257
1055	Judiciary and Rules	S Jud	PROBATE CODE - Adds to existing law to create the Uniform Fiduciary Access to Digital Assets Act. ....	62	-	65
1056	Judiciary and Rules	LAW	NONPROBATE TRANSFERS - Adds to existing law to provide for a right of survivorship for personal property held as community property; and to provide that the right of survivorship is extinguished in certain instances. .... <b>Amended in the Senate</b> ..... <b>Amended in the Senate</b> ..... <b>Session Law Chapter No. 247</b>	63 89 141	- 101 157	301
1057	Resources and Environment	LAW	IRRIGATION DISTRICTS - Amends existing law to provide for alternative meeting locations. .... <b>Session Law Chapter No. 78</b>	63	124	232
1058	Resources and Environment	LAW	IRRIGATION DISTRICTS - Amends existing law to provide for acceptance of additional methods of personal or other nonguaranteed forms of payment relating to assessments, to provide for entry of the assessment number on the transaction receipt, to provide for invalidity of a receipt if payment is refused by a financial institution and to provide for additional transaction, processing and convenience fees. .... <b>Session Law Chapter No. 79</b>	63	124	232
1059	Resources and Environment	LAW	IRRIGATION DISTRICTS - Adds to existing law to provide for special assessments to pay for physical structures or other work necessary to protect irrigation district facilities from harm caused by runoff or drainage, to provide for the assessment of individual lands that are the source of runoff or drainage and to provide that assessments shall be for certain costs and shall be in addition to assessments for the delivery of water. .... <b>Amended in the Senate</b> ..... <b>Amended in the Senate</b> ..... <b>Amended in the Senate</b> ..... <b>Session Law Chapter No. 123</b>	63 89 141 166	- 102 156 185	271
1060	Health and Welfare	H Health/Wel	PSYCHOLOGISTS - Amends and adds to existing law to grant psychologists the authority to prescribe certain medications. ....	67	125	125
1061	Transportation	H Gen Ord	HIGHWAY DISTRICTS - Amends existing law to revise provisions relating to terms of office and elections of highway commissioners..... <b>Amended in the Senate</b> .....	71 107	- 119	119
1062	Commerce and Human Resources	LAW	DIRECT MEDICAL CARE ACT - Adds to existing law to establish the Direct Medical Care Act. .... <b>Amended in the Senate</b> ..... <b>Amended in the Senate</b> ..... <b>Amended in the Senate</b> ..... <b>Session Law Chapter No. 291</b>	71 117 172 188	- 139 199	321

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1063	Commerce and Human Resources	LAW	LAND SURVEYING - Amends existing law to revise definitions; and to revise terminology..... <b>Session Law Chapter No. 116</b>	71	137	257
1064	Commerce and Human Resources	S Com/HuRes	COSMETICIANS - Amends existing law to revise requirements for licensure as a registered cosmetologist. ....	71	-	74
1065	Local Government and Taxation	S Loc Gov	ANNEXATION - Amends and adds to existing law to provide a notice of intent to annex and procedures for an election for certain parcels; and to provide when election provisions apply for certain parcels. ....	71	-	74
1066	State Affairs	LAW	PRIMARY ELECTIONS - Amends and adds to existing law to establish a presidential primary..... <b>Session Law Chapter No. 292</b>	75	136	321
1067	Judiciary and Rules	H Jud	HEALTH AND WELFARE - Amends and adds to existing law relating to the Uniform Interstate Family Support Act....	75	229	229
1068	Judiciary and Rules	S Jud	JUDGMENTS - Amends existing law to increase the period of time that a certain judgment may be enforced from 5 to 10 years. ....	77	-	79
1069	Judiciary and Rules	LAW	JUDGMENTS - Amends existing law to increase the time that a certain judgment may be enforced from 5 years to 10 years. .... <b>Amended in the Senate</b> ..... <b>Amended in the Senate</b> ..... <b>Amended in the House (See House Journal)</b> <b>Session Law Chapter No. 278</b>	77 155 181	-  199 279	303
1070	Education	H Educ	EDUCATION - Amends existing law to provide for an alternate route to qualify for graduation from an accredited secondary school..... <b>Amended in the Senate</b> ..... <b>Amended in the Senate</b> .....	77 142 155	- 157 166	157
1071	Education	LAW	EDUCATION - COURSES OF INSTRUCTION - Amends existing law to provide that certain pupils must pass a certain civics test in order to qualify for graduation from a secondary school and to provide related provisions. .... <b>Amended in the Senate</b> ..... <b>Amended in the Senate</b> ..... <b>Amended in the Senate</b> ..... <b>Session Law Chapter No. 293</b>	77 102 129 141	- 114 143 157	321
1072	Education	LAW	ELECTIONS - SCHOOL DISTRICT TRUSTEES - Amends existing law to provide that certain code sections shall apply to all elections of school district trustees..... <b>Amended in the Senate</b> ..... <b>Amended in the Senate</b> ..... <b>Session Law Chapter No. 248</b>	77 117 156	- 139 174	301
1073	Agricultural Affairs	LAW	NOXIOUS WEEDS - Amends existing law to to authorize the director of the Idaho Department of Agriculture to allow the collection, removal and movement of noxious weeds from an infested area to a facility within the state for purposes of biological control research and to provide conditions..... <b>Amended in the House (See House Journal)</b> <b>Session Law Chapter No. 279</b>	81	114 279	303

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1074	Agricultural Affairs	LAW	IDAHO HONEY COMMISSION - Amends, repeals and adds to existing law to revise the name of the commission and to provide for membership on the commission..... <b>Session Law Chapter No. 124</b>	81	133	271
1075	Commerce and Human Resources	LAW	CORRECTIONAL INDUSTRIES - Amends existing law to provide that certain inmates who are compensated shall not be considered to be employees of certain employers and to provide that an inmate engaged in productive work shall not be entitled to worker's compensation or unemployment benefits. .... <b>Session Law Chapter No. 125</b>	81	152	271
1076	Commerce and Human Resources	LAW	BENEFIT CORPORATION ACT - Adds to existing law to establish the Benefit Corporation Act. .... <b>Session Law Chapter No. 217</b>	81	167	301
1077	Commerce and Human Resources	LAW	DEATH CERTIFICATES - Amends existing law to provide that certain persons have a direct and tangible interest in death certificates. .... <b>Session Law Chapter No. 126</b>	81	152	271
1078	Commerce and Human Resources	LAW	MORTGAGE INSURANCE - Amends existing law to remove language relating to coverage limits. .... <b>Session Law Chapter No. 127</b>	81	138	271
1079	Commerce and Human Resources	LAW	ENGINEERS AND SURVEYORS - Amends existing law to revise the required form of a plat offered for record and to provide for new requirements on what shall be displayed on a plat; to revise terminology relating to certification as an intern and assignment to professional examinations, to revise the qualifications for certification as an engineer intern or land survey intern; to clarify language relating to failure of all or part of an examination; to clarify language relating to the defacing of monumentation; and to revise language relating to required content for a record of survey. .... <b>Session Law Chapter No. 48</b>	82	107	196
1080	Commerce and Human Resources	LAW	OCCUPATIONAL LICENSES BUREAU - Adds to existing law to provide for the licensure of genetic counselors..... <b>Amended in the Senate</b> ..... <b>Amended in the Senate</b> ..... <b>Session Law Chapter No. 128</b>	82 139 141	- 148 156	271
1081	Commerce and Human Resources	LAW	HEALTH CARE - Amends existing law to provide reserves and surplus requirements of public postsecondary educational institutions with a public postsecondary educational institution plan for health care benefits. .... <b>Session Law Chapter No. 49</b>	82	107	196
1082	Transportation	LAW	HIGHWAY DISTRICTS - Adds to existing law to provide for the reproduction and retention of documents in photographic, digital or other nonpaper medium, to provide conditions relating to the medium chosen, to provide that documents retained pursuant to specified law shall be considered original public records, to provide for the disposal or return of original paper documents, to provide for treatment of requisite duplicate copies and to provide that highway districts may incorporate electronic versions of agreements by reference into contracts if certain conditions are met..... <b>Session Law Chapter No. 117</b>	82	114	257

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1083	Transportation	S Transp	MOTOR VEHICLES - Amends and adds to existing law to provide for America The Beautiful license plates. ....	82	-	124
1084	Transportation	H Transp	MOTOR VEHICLES - SUPPORT OUR TROOPS PLATES - Amends existing law relating to Support Our Troops license plates, revises the name and location designation of an organization and provides for support and assistance to military service members and their families. ....	82	114	114
1085	Education	S Educ	EDUCATION - Adds to existing law to provide for duties of the State Superintendent of Public Instruction relating to the Smarter Balanced Assessment Consortium. ....	82	-	85
1086	Education	LAW	PROFESSIONAL-TECHNICAL EDUCATION - Amends existing law to provide duties and powers of the Division of Professional-Technical Education. .... <b>Session Law Chapter No. 150</b>	82	132	271
1087	Education	LAW	CHARTER SCHOOLS - Amends existing law to provide an additional preference in admission to public charter schools. .... <b>Session Law Chapter No. 129</b>	82	133	271
1088	Education	LAW	EDUCATION - Repeals and adds to existing law to specify when a reduction in force may occur and to define "reduction in force." ..... <b>Amended in the House (See House Journal)</b> <b>Amended in the House (See House Journal)</b> <b>Session Law Chapter No. 249</b>	83	137 264 221	301
1089	State Affairs	S St Aff	BEER AND WINE LICENSES - Amends and adds to existing law to provide qualifications for beer and wine licenses to be issued for mobile or temporary food courts. ....	83	-	85
1090	State Affairs	S St Aff	CONCEALED WEAPONS - Amends existing law to clarify provisions relating to the carrying of concealed weapons. ....	83	-	85
1091	State Affairs	LAW	APPORTIONMENT PLANS - Adds to existing law to provide a process for challenge of an apportionment plan adopted by the Commission on Reapportionment; and to provide for rules of the Idaho Supreme Court governing such challenge. .... <b>Session Law Chapter No. 250</b>	83	133	301
1092	Local Government and Taxation	H Jud	KNIVES - Adds to existing law to provide that a political subdivision shall not enact certain rules, ordinances or taxes relating to knives and to provide that certain rules and ordinances from a political subdivision shall be null and void. ....	83	194	194
1093	Local Government and Taxation	S Loc Gov	ANNEXATION - Amends and adds to existing law to provide a notice of intent to annex and procedures for an election for certain parcels; and to provide when election provisions apply for certain parcels. ....	83	-	85
1094	Health and Welfare	S St Aff	ABORTION - Amends existing law to provide that abortions shall only be lawful when performed by a physician with admitting privileges at a hospital within 20 miles of where the physician performs abortions. ....	84	-	85

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1095	Judiciary and Rules	H Jud	SEXUAL OFFENDER REGISTRATION - Amends and adds to existing law to provide for a risk-based sexual offender registration level process. .... <b>Amended in the Senate</b> .....	86 171	- 199	199
1096	Education	H Educ	EDUCATION - Adds to existing law to provide for parental rights in education. .... <b>Amended in the Senate</b> .....	92 171	- 195	195
1097	Education	LAW	EDUCATION - Repeals existing law regarding pupil transportation audits..... <b>Session Law Chapter No. 81</b>	93	136	241
1098	Resources and Environment	LAW	PARKS AND RECREATION BOARD - Amends existing law to authorize the board to enter into agreements to assist its efforts to secure long-term funding sources and to authorize the recognition of sponsors..... <b>Amended in the House (See House Journal)</b> <b>Session Law Chapter No. 335</b>	93	124 304	337
1099	Resources and Environment	LAW	IRRIGATION - Amends and adds to existing law to revise conditions under which parties constitute a lateral water users' association; to provide that the operation, improvement, repair and maintenance of certain laterals and ditches shall be under the direction of the directors of the lateral water users' association, to revise provisions relating to the examination of laterals and ditches and preparation of estimates of total costs, to revise provisions relating to assessment of water users; to provide that assessments shall be a lien upon certain lands of a water user, to provide for the recording, collection and duration of liens, to provide for priority of certain liens; and to provide a procedure for withdrawal from a lateral water users' association..... <b>Session Law Chapter No. 80</b>	93	125	232
1100	Resources and Environment	LAW	WATER - Amends existing law to provide that under specified conditions a watermaster may acquire, hold and dispose of real and personal property, equipment and facilities for the proper administration of the water district and enhancement of water supplies, to provide that under specified conditions a watermaster may develop, coordinate or provide for certain weather modification projects; and to provide that if specified funds are not sufficient to cover expenses in implementing certain resolutions, such expenses shall come from assessments. .... <b>Session Law Chapter No. 82</b>	93	136	241
1101	Health and Welfare	S Health/Wel	INDIGENT SICK - Amends existing law to revise the declaration of policy relating to who is eligible for the County Medically Indigent Program and Catastrophic Health Care Cost Program; to define "federal poverty level" and to revise the definition of "medically indigent." .....	93	-	94
1102	Health and Welfare	S St Aff	ABORTION - Amends existing law to provide that abortions shall only be lawful when performed by a physician with admitting privileges at a hospital within 30 miles of where the physician performs surgical abortions.....	93	-	94

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1103	Judiciary and Rules	S Jud	CRIMINAL HISTORY RECORDS - Adds to existing law to provide that a victim of human trafficking may petition for expungement of a criminal history record under certain conditions. ....	104	-	106
1104	State Affairs	LAW	VETERANS - Adds to existing law to authorize the establishment of a veterans home. .... <b>Amended in the House (See House Journal) Session Law Chapter No. 280</b>	106	148 279	303
1105	State Affairs	S St Aff	TELECOMMUNICATIONS - Amends and adds to existing law to provide that the Internet and all of its applications are regulated at the federal level and to prohibit the state or political subdivisions from regulating certain Internet services with exceptions. ....	118	-	122
1106	State Affairs	S St Aff	CANNABIDIOL OIL - Amends existing law to clarify that cannabidiol oil is not under the definition of "marijuana" for purposes of the Uniform Controlled Substances Act. ....	118	-	122
1107	State Affairs	H St Aff	TRUST ACCOUNTS - Amends and repeals existing law to revise procedures for how an individual may designate a trust account or the Idaho Opportunity Scholarship to which income tax refund or liability moneys are remitted.....	118	152	152
1108	State Affairs	H Transp	AUTONOMOUS DRIVEN VEHICLES - Amends and adds to existing law to provide insurance requirements, to provide requirements for testing autonomous driven vehicles, to provide that autonomous driven vehicles shall meet federal standards and regulations, to provide requirements for autonomous driven vehicles prior to testing or operation on highways within the state, to provide an exemption from liability for manufacturers and dealers and to provide that all highways shall be open for testing..... <b>Amended in the Senate</b> ..... <b>Amended in the Senate</b> .....	118 135 155	- 145 174	174
1109	Judiciary and Rules	LAW	UNIFORM BUSINESS ORGANIZATIONS CODE - Amends and repeals existing law relating to the Idaho Uniform Business Organizations Code and to provide correct code references. .... <b>Session Law Chapter No. 251</b>	124	148	301
1110	Finance	LAW	APPROPRIATIONS - APPELLATE PUBLIC DEFENDER - Appropriates an additional \$94,900 to the Office of the State Appellate Public Defender for fiscal year 2015..... <b>Session Law Chapter No. 83</b>	128	148	241
1111	State Affairs	S St Aff	MINIMUM WAGE - Amends existing law to increase Idaho's minimum wage, including that for a tipped employee and a youth worker. ....	128	-	131
1112	State Affairs	LAW	STATE OFFICE VACANCIES - Amends existing law to provide whenever an appointee's term has expired as prescribed by law, the governor or other appointing authority shall reappoint the appointee to the position within 12 months of the expiration, or such office shall be declared vacant if certain events by the governor or the appointing authority occur, and to provide for documentation to accompany appointments and to provide procedures..... <b>Session Law Chapter No. 338</b>	129	194	337

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1113	State Affairs	LAW	IDAHO BEEF COUNCIL - Amends existing law to authorize the council to lease, purchase or own personal property and to lease real property deemed necessary in the administration of specified law. .... <b>Session Law Chapter No. 294</b>	129	161	321
1114	Finance	LAW	APPROPRIATIONS - DIVISION OF HUMAN RESOURCES - Appropriates \$1,732,800 to the Division of Human Resources for fiscal year 2016; limits the number of authorized full-time equivalent positions to 12; provides legislative intent; and provides guidance on employee compensation. .... <b>Session Law Chapter No. 84</b>	132	151	241
1115	Finance	H FAILED	APPROPRIATIONS - FISH AND GAME DEPT - Appropriates an additional \$7,409,000 to the Department of Fish and Game for fiscal year 2015 for one-time projects. ....	132	152	179
1116	Finance	LAW	APPROPRIATIONS - PUBLIC SCHOOLS/CHILDREN'S PROGRAMS DIV - Appropriates an additional \$49,115,000 from federal funds to the Public Schools Educational Support Program/Division of Children's Programs for fiscal year 2015; and declares an emergency. .... <b>Session Law Chapter No. 118</b>	135	160	257
1117	Finance	LAW	APPROPRIATIONS - PERSI - Appropriates \$7,384,500 to the Public Employee Retirement System of Idaho for fiscal year 2016; limits the number of authorized full-time equivalent positions to 65; and provides legislative intent. .... <b>Session Law Chapter No. 119</b>	135	160	257
1118	Finance	LAW	APPROPRIATIONS - COMMISSION ON THE ARTS - Appropriates \$1,905,700 to the Commission on the Arts for fiscal year 2016; and limits the number of authorized full-time equivalent positions to 10. .... <b>Session Law Chapter No. 130</b>	135	160	271
1119	Finance	LAW	APPROPRIATIONS - PUBLIC UTILITIES COMMISSION, STATE TAX COMMISSION, INDUSTRIAL COMMISSION - Amends existing law to increase the salaries of members of the Public Utilities Commission; to increase the salaries of members of the State Tax Commission; to increase the salaries of members of the Industrial Commission; appropriates an additional \$10,400 to the Public Utilities Commission for commissioner salaries; appropriates an additional \$12,800 to the State Tax Commission for commissioner salaries; and appropriates an additional \$10,100 to the Industrial Commission for commissioner salaries. .... <b>Session Law Chapter No. 120</b>	135	160	257
1120	Judiciary and Rules	LAW	DRIVER'S TRAINING - Amends existing law to provide that a portion of course fees for certain driver's training programs shall be paid to the Bureau of Occupational Licenses. .... <b>Session Law Chapter No. 252</b>	136	167	301
1121	Judiciary and Rules	LAW	IMMUNIZATION REGISTRY - Amends existing law relating to information in the immunization registry. .... <b>Session Law Chapter No. 253</b>	136	161	301

## SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1122	Finance	S Fin	FEDERAL FUNDS - Amends existing law to revise duties of the Division of Financial Management and state agencies regarding receipts of federal funds and potential or actual reduction of those funds. ....	140	-	144
1123	Judiciary and Rules	H Health/Wel	INDIGENT SICK - Amends existing law to revise language for medical assistance for indigent persons. ....	146	230	230
1124	Judiciary and Rules	S Jud	JUVENILE CORRECTIONS - Amends existing law to revise policies and procedures in the sealing of juvenile records. ....	146	-	150
1125	Finance	LAW	APPROPRIATIONS - SECRETARY OF STATE - Appropriates \$2,159,300 to the Secretary of State for fiscal year 2016; and limits the number of full-time equivalent positions to 27. .... <b>Session Law Chapter No. 151</b>	146	167	271
1126	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF FINANCE - Appropriates \$7,750,000 to the Department of Finance for fiscal year 2016; limits the number of full-time equivalent positions to 64; and provides legislative intent relating to certain continuous appropriations. .... <b>Session Law Chapter No. 131</b>	146	167	271
1127	Finance	LAW	APPROPRIATIONS - STATE LIQUOR DIVISION - Appropriates \$18,593,200 to the State Liquor Division for fiscal year 2016; and limits the number of full-time equivalent positions to 212. .... <b>Session Law Chapter No. 132</b>	146	167	271
1128	Finance	LAW	APPROPRIATIONS - OFFICE OF SPECIES CONSERVATION - Appropriates \$13,805,500 to the Office of Species Conservation for fiscal year 2016; and limits the number of full-time equivalent positions to 12. .... <b>Session Law Chapter No. 133</b>	147	167	271
1129	Finance	LAW	APPROPRIATIONS - STATE INDEPENDENT LIVING COUNCIL - Appropriates \$609,100 to the State Independent Living Council for fiscal year 2016; and limits the number of full-time equivalent positions to 4. .... <b>Session Law Chapter No. 134</b>	147	168	271
1130	Finance	LAW	APPROPRIATIONS - IDAHO STATE LOTTERY - Appropriates \$5,696,000 to the Idaho State Lottery for fiscal year 2016; limits the number of full-time equivalent positions to 45; and provides legislative intent with regard to certain continuous appropriations. .... <b>Session Law Chapter No. 135</b>	147	168	271
1131	Finance	LAW	APPROPRIATIONS - LIEUTENANT GOVERNOR - Appropriates \$163,600 to the Office of the Lieutenant Governor for fiscal year 2016; limits the number of full-time equivalent positions to 3; and authorizes lump sum spending authority. .... <b>Session Law Chapter No. 136</b>	147	168	271
1132	Finance	LAW	APPROPRIATIONS - REGULATORY BOARDS - Appropriates \$6,831,100 to the Regulatory Boards for fiscal year 2016; and limits the number of full-time equivalent positions to 64. .... <b>Session Law Chapter No. 137</b>	147	168	271



SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1133	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF FISH AND GAME - Appropriates \$95,721,900 to the Department of Fish and Game for fiscal year 2016; and limits the number of full-time equivalent positions to 558. .... <b>Session Law Chapter No. 138</b>	147	168	271
1134	State Affairs	S Res/Env	OFFICE OF PUBLIC LANDS - Adds to existing law to create the Office of Public Lands, to provide for appointment of an administrator and to provide powers and duties of the office.....	151	-	153
1135	Judiciary and Rules	LAW	CLAIM OF LIEN - Amends existing law to provide that for a claim of lien an owner or reputed owner does not include a trustee of a deed of trust. .... <b>Amended in the Senate</b> ..... <b>Session Law Chapter No. 339</b>	155 217	- 238	337
1136	Judiciary and Rules	LAW	PAROLE - Amends existing law to provide that hearing officers shall have certain powers and duties when a parole violation occurs..... <b>Session Law Chapter No. 295</b>	155	208	321
1137	State Affairs	S St Aff	ELECTRIC UTILITIES - Amends existing law to revise provisions relating to requisite findings of the Public Utilities Commission in regard to a merger, sale, lease, assign or transfer of property by an electric public utility or electrical corporation and to provide an exception.....	159	-	163
1138	Finance	LAW	APPROPRIATIONS - FINANCIAL MANAGEMENT DIVISION - Appropriates \$1,707,000 to the Division of Financial Management for fiscal year 2016; and limits the number of authorized full-time equivalent positions to 15..... <b>Session Law Chapter No. 167</b>	159	194	284
1139	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF INSURANCE - Appropriates \$9,028,500 to the Department of Insurance for fiscal year 2016; and limits the number of full-time equivalent positions to 73.5..... <b>Session Law Chapter No. 168</b>	159	194	284
1140	Finance	LAW	APPROPRIATIONS - INDUSTRIAL COMMISSION - Appropriates \$16,036,100 to the Industrial Commission for fiscal year 2016; and limits the number of full-time equivalent positions to 138.25..... <b>Session Law Chapter No. 169</b>	159	194	284
1141	Finance	LAW	APPROPRIATIONS - BUILDING SAFETY - Appropriates \$11,386,600 to the Division of Building Safety for fiscal year 2016; and limits the number of full-time equivalent positions to 121. .... <b>Session Law Chapter No. 170</b>	159	194	284
1142	Finance	LAW	APPROPRIATIONS - LEGISLATIVE BRANCH - Appropriates \$7,992,200 to the Legislative Branch for fiscal year 2016; reappropriates any unexpended and unencumbered balances in the Professional Services Fund; and exempts the appropriation from object transfer limitations. .... <b>Session Law Chapter No. 171</b>	159	195	284

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1143	Finance	LAW	APPROPRIATIONS - GOVERNOR, EXECUTIVE OFFICE OF - Appropriates \$2,032,600 to the Executive Office of the Governor for fiscal year 2016; limits the number of full-time equivalent positions to 22; and exempts appropriation object and program transfer limitations. .... <b>Session Law Chapter No. 172</b>	159	195	284
1144	Finance	LAW	APPROPRIATIONS - MILLENNIUM FUND - Appropriates, distributes and transfers a total of \$10,561,600 from the Idaho Millennium Income Fund for fiscal year 2016; provides that certain unexpended and unencumbered moneys shall revert to the Idaho Millennium Income Fund at the end of fiscal year 2016; and provides that any remaining unexpended and unencumbered moneys in the Idaho Millennium Income Fund shall be transferred to the Idaho Millennium Permanent Endowment Fund at the end of fiscal year 2016. .... <b>Session Law Chapter No. 173</b>	166	199	284
1145	Finance	LAW	APPROPRIATIONS - PUBLIC DEFENSE COMMISSION - Appropriates \$304,300 to the Public Defense Commission for fiscal year 2016; and limits the number of authorized full-time equivalent positions to 1.5..... <b>Session Law Chapter No. 174</b>	166	199	284
1146	State Affairs	VETOED	CONTROLLED SUBSTANCES - Amends existing law to define "cannabidiol oil" and to authorize its use in limited circumstances. .... <b>Amended in the Senate</b> .....	166 218	- 242	336
1147	State Affairs	H W/M	MUNICIPAL CORPORATIONS - Amends existing law to authorize the issuance of certain bonds to provide for the protection of public safety by the establishment of fire and police departments and by the purchase of building sites, buildings and equipment and apparatus necessary to provide police protection. ....	166	229	229
1148	Finance	LAW	APPROPRIATIONS - HISPANIC AFFAIRS - Appropriates \$268,000 to the Commission on Hispanic Affairs for fiscal year 2016; and limits the number of full-time positions to 3..... <b>Session Law Chapter No. 254</b>	170	208	301
1149	Finance	LAW	APPROPRIATIONS - PUBLIC TELEVISION - Appropriates \$8,699,300 to Idaho Public Television for fiscal year 2016; and limits the number of full-time equivalent positions to 60. .... <b>Session Law Chapter No. 255</b>	170	208	301
1150	Finance	LAW	APPROPRIATIONS - AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE - Appropriates \$28,761,800 to the Agricultural Research and Cooperative Extension Service for fiscal year 2016; and exempts the appropriation from object transfer limitations. .... <b>Session Law Chapter No. 256</b>	193	219	301
1151	Finance	LAW	APPROPRIATIONS - PROFESSIONAL-TECHNICAL EDUCATION DIVISION - Appropriates \$66,928,800 to the Division of Professional-Technical Education for fiscal year 2016; exempts appropriation object transfer limitations; and reappropriates certain unexpended and unencumbered fund balances..... <b>Session Law Chapter No. 257</b>	193	219	301

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1152	Finance	LAW	FEDERAL FUNDS - Amends existing law to revise duties of the Division of Financial Management and state agencies regarding receipts of federal funds and potential or actual reduction of those funds. .... <b>Session Law Chapter No. 307</b>	193	229	335
1153	Judiciary and Rules	S Health/Wel	INDIGENT SICK - Amends existing law to revise the declaration of policy concerning who is eligible for the County Medically Indigent Program and Catastrophic Health Care Cost Program; to define "federal poverty level" and to revise the definition of "medically indigent." .....	193	-	196
1154	Judiciary and Rules	LAW	CRIMINAL HISTORY RECORDS - Adds to existing law to provide that a victim of human trafficking may petition for expungement of a criminal history record under certain conditions. .... <b>Amended in the Senate</b> ..... <b>Amended in the Senate</b> ..... <b>Session Law Chapter No. 308</b>	193 197 218	- 215 239	335
1155	State Affairs	LAW	FLAGS - Amends existing law to provide that the Governor, unless prohibited by the United States Flag Code, may direct that the flag of the United States be flown at half-staff at certain monuments, to provide for the duration of the directive and for renewal and to provide that the Governor may request the time, manner and condition of such direction in keeping with the traditions of the United States Flag Code. .... <b>Session Law Chapter No. 336</b>	197	264	337
1156	State Affairs	H St Aff	INVESTIGATIONAL DRUGS - Adds to existing law to authorize the director of the Department of Health and Welfare to enter into certain agreements concerning investigational drugs. ....	197	242	242
1157	Finance	LAW	APPROPRIATIONS - PARDONS AND PAROLE COMMISSION - Appropriates \$2,751,800 to the Commission for Pardons and Parole for fiscal year 2016; and limits the number of authorized full-time equivalent positions to 33..... <b>Session Law Chapter No. 258</b>	197	223	301
1158	Finance	LAW	APPROPRIATIONS - PARKS AND RECREATION DEPARTMENT - Appropriates \$35,607,800 to the Idaho Department of Parks and Recreation for fiscal year 2016; limits the number of full-time equivalent positions to 150.39; permits the department to exceed the 10% transfer limitations between programs for certain project grants; provides carryover authority for the Capital Development Program; and provides a cash transfer to the Harriman State Park Trust Fund. .... <b>Session Law Chapter No. 259</b>	197	223	301
1159	Finance	LAW	APPROPRIATIONS - SUPREME COURT - Appropriates \$65,318,700 to the Supreme Court for fiscal year 2016; and exempts appropriation from object and program transfer limitations. .... <b>Session Law Chapter No. 296</b>	197	224	321

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1160	Finance	LAW	APPROPRIATIONS - WOLF CONTROL FUND - Appropriates and transfers \$400,000 from the General Fund to the Wolf Control Fund for fiscal year 2016..... <b>Session Law Chapter No. 260</b>	202	224	301
1161	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF AGRICULTURE - Appropriates \$36,465,500 to the Department of Agriculture for fiscal year 2016; and limits the number of full-time equivalent positions to 196.05..... <b>Session Law Chapter No. 261</b>	202	224	301
1162	Finance	LAW	APPROPRIATIONS - SOIL AND WATER CONSERVATION COMMISSION - Appropriates \$2,941,400 to the Soil and Water Conservation Commission for fiscal year 2016; limits the number of full-time equivalent positions to 17.75; and provides legislative intent..... <b>Session Law Chapter No. 262</b>	202	224	301
1163	Finance	LAW	APPROPRIATIONS - ENVIRONMENTAL QUALITY DEPARTMENT - Appropriates \$64,620,900 to the Department of Environmental Quality for fiscal year 2016; limits the number of full-time equivalent positions to 368; transfers \$1.5 million from the Water Pollution Control Fund to the Environmental Remediation Basin Fund; expresses legislative intent regarding an annual report; and expresses legislative intent regarding uses of the Water Pollution Control Fund..... <b>Session Law Chapter No. 263</b>	202	229	301
1164	Finance	LAW	APPROPRIATIONS - BOARD OF TAX APPEALS - Appropriates \$534,400 to the Board of Tax Appeals for fiscal year 2016; and limits the number of full-time equivalent positions to 5..... <b>Session Law Chapter No. 264</b>	202	229	301
1165	Finance	LAW	APPROPRIATIONS - STATE TAX COMMISSION - Appropriates \$39,111,800 to the Idaho State Tax Commission for fiscal year 2016; and limits the number of full-time equivalent positions to 447..... <b>Session Law Chapter No. 297</b>	202	230	321
1166	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF COMMERCE - Appropriates \$36,109,900 to the Department of Commerce for fiscal year 2016; limits the number of full-time equivalent positions to 46; and transfers \$1.75 million from the General Fund to the Idaho Opportunity Fund. .... <b>Session Law Chapter No. 265</b>	202	230	301
1167	State Affairs	S St Aff	HEMP EXTRACT - Adds to existing law to define terms, to provide for a hemp extract registration card, to provide for an application and to provide fees; and to provide an exemption to the Uniform Controlled Substances Act for lawful use and possession of hemp extract.....	208	-	211
1168	Finance	LAW	WORKER'S COMPENSATION - Amends existing law concerning worker's compensation to permanently reduce premium tax rates. .... <b>Session Law Chapter No. 332</b>	208	263	335

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1169	State Affairs	LAW	GROUND WATER DISTRICTS - Amends existing law to increase the total dollar amount of certain warrants that are authorized to be issued relating to indebtedness of the district. .... <b>Session Law Chapter No. 309</b>	208	250	335
1170	Judiciary and Rules	LAW	JUDGES - Amends existing law to revise qualifications for magistrates, judges on the Court of Appeals, Supreme Court justices and District Court judges. .... <b>Session Law Chapter No. 310</b>	212	250	335
1171	Finance	LAW	APPROPRIATIONS - SUPERINTENDENT OF PUBLIC INSTRUCTION - Appropriates \$39,213,300 to the Superintendent of Public Instruction for fiscal year 2016; limits the number of authorized full-time equivalent positions to 142; and provides legislative intent related to school district broadband services, use of funds and reporting requirements..... <b>Session Law Chapter No. 311</b>	216	247	335
1172	Finance	LAW	APPROPRIATIONS - PERMANENT BUILDING FUND - Appropriates an additional \$1,150,000 from the Permanent Building Fund for fiscal year 2015; appropriates \$27,578,300 from the Permanent Building Fund for fiscal year 2016; authorizes the allocation of funds for specific projects; provides legislative intent relating to utilization of matching funds; exempts the appropriation from certain provisions; provides legislative intent relating to reallocation of project savings; and declares an emergency..... <b>Session Law Chapter No. 312</b>	228	251	335
1173	Finance	S Fin	APPROPRIATIONS - LABOR DEPARTMENT - Appropriates an additional \$3,190,000 to the Department of Labor for fiscal year 2015; appropriates \$92,578,900 to the Department of Labor for fiscal year 2016; limits the number of full-time equivalent positions to 700; transfers \$3 million from the Industrial Administration Fund to the Workforce Development Training Fund; provides legislative intent for the maintenance of local Department of Labor offices and services provided therein; and provides legislative intent requesting a report on activities of the Workforce Development Training Fund.....	228	-	299
1174	Finance	LAW	APPROPRIATIONS - IDAHO TRANSPORTATION DEPARTMENT - Appropriates \$496,641,900 to the Idaho Transportation Department for fiscal year 2016; limits the number of authorized full-time equivalent positions to 1,698.7; expresses legislative intent for continuously appropriated funds; authorizes the transfer of moneys to the Tourism and Promotion Fund; provides reappropriation authority for dedicated funds; provides reappropriation authority for airport development grants; provides reappropriation of federal stimulus funds; and authorizes a transfer of funds for debt service..... <b>Session Law Chapter No. 340</b>	228	311	337

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1175	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - Appropriates an additional \$100,000 to the Department of Administration for fiscal year 2015; appropriates \$19,602,500 to the Department of Administration for fiscal year 2016; limits the number of authorized full-time equivalent positions to 139.5; provides a dedicated fund cash transfer; provides notification of a contract renewal or extension; directs continuation of health insurance premium cost sharing with state employees; provides legislative intent regarding broadband connectivity; provides legislative intent regarding issuance of contracts relating to the Idaho Education Network; provides legislative intent regarding issuance of contracts relating to broadband for state agencies; and declares an emergency..... <b>Session Law Chapter No. 346</b>	232	251	337
1176	Finance	LAW	APPROPRIATIONS - COLLEGE AND UNIVERSITIES - Appropriates \$520,478,300 to the State Board of Education and the Board of Regents of the University of Idaho for college and universities and the Office of the State Board of Education for fiscal year 2016; provides certain reappropriation authority; provides legislative intent for systemwide needs; provides legislative intent for the Complete College Idaho initiative; and exempts appropriation object and program transfer limitations. .... <b>Session Law Chapter No. 313</b>	233	251	335
1177	Judiciary and Rules	LAW	NATUROPATHIC PHYSICIANS - Repeals existing law relating to licensure of naturopathic physicians..... <b>Session Law Chapter No. 317</b>	241	277	335
1178	Finance	LAW	APPROPRIATIONS - SECRETARY OF STATE - Appropriates an additional \$2,000,000 to the Secretary of State for fiscal year 2016 for the presidential primary; and transfers \$780,000 from the Consolidated Elections Fund to the General Fund. .... <b>Session Law Chapter No. 318</b>	278	292	335
1179	Finance	S Fin	APPROPRIATIONS - OFFICE OF PERFORMANCE EVALUATIONS - LEGISLATIVE BRANCH - Appropriates an additional \$250,000 to the Office of Performance Evaluations for fiscal year 2016; and exempts appropriation object transfer limitations for the Office of Performance Evaluations.....	278	-	299
1180	Finance	H Approp	APPROPRIATIONS - H&W, PUBLIC HEALTH SERVICES - TRAILER - Appropriates an additional \$223,500 to the Department of Health and Welfare for the Physical Health Services Program for fiscal year 2016 to be used for the costs associated with an expanded access program to treat children with epileptic seizures. ....	278	293	293
1181	Judiciary and Rules	H Jud	SESSION LAWS AND JOURNALS - Repeals and adds to existing law to recodify the laws regarding the compiling and printing of Session Laws and Journals of the Legislature. ....	282	286	286
1182	Judiciary and Rules	LAW	IDAHO UNIFORM BUSINESS ORGANIZATIONS CODE - Amends and repeals existing law relating to effective dates in the Idaho Uniform Business Organizations Code. .... <b>Session Law Chapter No. 337</b>	282	286	337

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1183	Finance	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - ADMINISTRATORS DIVISION - Appropriates \$83,290,600 for the Public Schools Educational Support Program/Division of Administrators for fiscal year 2016; amends existing law to increase the salary-based apportionment for administrators; and limits the amount distributed for school district and charter school strategic planning and training. .... <b>Session Law Chapter No. 319</b>	288	294	335
1184	Finance	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - TEACHERS DIVISION - Appropriates \$806,119,800 for the Public Schools Educational Support Program/Division of Teachers for fiscal year 2016; amends existing law to increase salary-based apportionment for pupil service staff for an increased pupil service staff minimum and base salaries; directs the use of moneys for professional development; and defines the term "distributed." ..... <b>Session Law Chapter No. 320</b>	288	295	335
1185	Finance	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - OPERATIONS DIVISION - Appropriates \$571,845,000 for the Public Schools Educational Support Program/Division of Operations for fiscal year 2016; amends existing law to increase the salary-based apportionment for classified staff; provides an estimate for discretionary funds per support unit; provides for expenditures for information technology staff; provides for classroom technology; directs the use of moneys for instructional management systems; defines the term "distributed"; and allows for transfers between other divisions. .... <b>Session Law Chapter No. 321</b>	288	295	335
1186	Finance	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - CHILDREN'S PROGRAMS DIVISION - Appropriates \$282,074,600 for the Public Schools Educational Support Program/Division of Children's Programs for fiscal year 2016; provides guidance on funds for the Idaho Digital Learning Academy; directs the use of funds for the Safe and Drug-Free Schools program; directs the use of funds for literacy programs and remedial coursework; directs the use of funds for limited English proficiency programs; requiring advanced opportunities reporting; defining the term "distributed"; and transferring \$21.5 million from the Consumer Protection Fund to the Public Education Stabilization Fund for fiscal year 2015. .... <b>Session Law Chapter No. 322</b>	289	295	335
1187	Finance	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - FACILITIES DIVISION - Appropriates \$46,335,000 for the Public Schools Educational Support Program/Division of Facilities for fiscal year 2016; provides moneys for the Bond Levy Equalization Fund; and specifies the amount of revenue to be distributed to the General Fund. .... <b>Session Law Chapter No. 323</b>	289	295	335
1188	Finance	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - BUREAU OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND DIVISION - Appropriates \$8,861,200 for the Public Schools Educational Support Program/Division of Services for the Deaf and the Blind for fiscal year 2016. .... <b>Session Law Chapter No. 324</b>	289	296	335

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1189	Finance	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - CENTRAL SERVICES DIVISION - Appropriates \$15,785,700 for the Public Schools Educational Support Program/Division of Central Services for fiscal year 2016; directs the use for literacy programs, intervention services and math initiative programs; directs the use for the Safe and Drug-Free Schools program; directs the use for limited English proficiency programs; directs the use for student assessments; directs the use for performance evaluations; directs the use for wireless technology services; directs the use for wireless technology infrastructure; directs the use for professional development; directs the use for an instructional management system; provides legislative intent related to the use for digital content and credit recovery; provides legislative intent for content and curriculum related to technology; defines terms; and provides guidance on year-end reconciliation. .... <b>Session Law Chapter No. 325</b>	289	296	335
1190	Finance	LAW	APPROPRIATIONS - Appropriates and transfers from the General Fund \$27,000,000 to the Fire Suppression Deficiency Fund in fiscal year 2016; \$20,000,000 to the Economic Recovery Reserve Fund in fiscal year 2016; \$500,000 to the Secondary Aquifer Planning, Management and Implementation Fund in fiscal year 2016; and \$1,050,000 to the Legislative Legal Defense Fund in fiscal year 2015..... <b>Session Law Chapter No. 330</b>	289	296	335
1191	Finance	H 3rd Rdg	APPROPRIATIONS - Appropriates and transfers \$25,000,000 from the General Fund to the Budget Stabilization Fund in fiscal year 2016; and limits the fiscal year 2017 statutory transfer. ....	289	296	296
1192	Finance	LAW/Line Item Veto	APPROPRIATIONS - LABOR DEPARTMENT - Appropriates an additional \$3,190,000 to the Department of Labor for fiscal year 2015; appropriates \$92,578,900 to the Department of Labor for fiscal year 2016; limits the number of full-time equivalent positions to 700; transfers \$3 million from the Industrial Administration Fund to the Workforce Development Training Fund; provides legislative intent for the maintenance of local Department of Labor offices and services provided therein; and provides legislative intent requesting a report on activities of the Workforce Development Training Fund..... <b>Session Law Chapter No. 331</b>	299	308	336
1193	State Affairs	S Health/Wel	HEALTH CARE - Adds to existing law to establish a community primary care pilot program. ....	304	-	305



SECTION VI

SENATE JOINT MEMORIALS

Senate Joint Memorial	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
101	State Affairs	ADOPTED	INVASIVE SPECIES - Stating findings of the Legislature and requesting Congress to fund the Water Resources Reform and Development Act to significantly enhance monitoring and prevention efforts and to implement the intent of the act regarding dreissenid mussels. ....	85	98	191
102	State Affairs	S St Aff	CRATERS OF THE MOON NATIONAL MONUMENT - Stating findings of the Legislature and urging Congress to redesignate Craters of the Moon National Monument as Craters of the Moon National Park. ....	287	-	292
103	State Affairs	H W/M	CRATERS OF THE MOON NATIONAL MONUMENT - Stating findings of the Legislature and urging Congress to redesignate Craters of the Moon National Monument as Craters of the Moon National Park. ....	290	292	292

## SECTION VII

## SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
101	Agricultural Affairs	ADOPTED	CONCURRENT RESOLUTION - Recognizing and honoring Gary Stevens, a native Idahoan, for his long and outstanding career and accomplishments in horse racing.....	34	62	144
102	Transportation	H Transp	TRANSPORTATION - Stating findings of the Legislature and requesting that the Joint Legislative Oversight Committee direct the Office of Performance Evaluations to manage an independent evaluation of LHTAC by a qualified, out-of-state consultant or consultants.....	69	154	154
103	Judiciary and Rules	ADOPTED	PUBLIC DEFENSE REFORM INTERIM COMMITTEE - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of potential approaches to public defense reform. ....	73	87	313
104	Health and Welfare	ADOPTED	SUICIDE PREVENTION - Stating findings of the Legislature and authorizing the Health Quality Planning Commission to prepare a plan for suicide prevention in Idaho.....	79	95	191
105	Education	S Educ	EDUCATION STANDARDS - Stating findings of the Legislature and directing the State Department of Education and State Board of Education to convert the current Idaho Core Standards into more Idaho-specific standards, declaring that the Idaho core math and English language standards be reviewed, that standards should never be used as a rigid script and directing that math and English standards be reviewed in 2015.....	88	-	94
106	Education	H Educ	STUDENT TESTING - Stating findings of the Legislature and listing policy of the State of Idaho regarding the responsibility for testing and for teacher and student accountability, stating policy regarding the length of testing time and directing the State Department of Education to present suitable alternatives to the Smarter Balanced Assessment Consortium to the Legislature.....	89	124	124
107	Resources and Environment	ADOPTED	STATE LAND EXCHANGES - Stating findings of the Legislature encouraging and urging the State Board of Land Commissioners, when in the state's best interest, to exercise its authority in entering into land exchanges, including multiparty exchanges.....	90	128	240
108	Resources and Environment	S Res/Env	PUBLIC LANDS - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study for the State of Idaho to acquire title to and control of public lands now controlled by the federal government.....	90	-	94
109	Health and Welfare	ADOPTED	MUSIC THERAPY - Stating findings of the Legislature and recognizing music therapy as a valid and important therapeutic health care service.....	91	132	240

SENATE INDEX

Senate Concurrent Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
110	Health and Welfare	ADOPTED	DIAPER NEED AWARENESS WEEK - Stating findings of the Legislature and recognizing National Diaper Need Awareness Week. ....	91	132	240
111	Health and Welfare	S Health/Wel	CAREGIVERS - Stating findings of the Legislature and creating a task force to study issues relating to family caregivers. ....	91	-	150
112	State Affairs	ADOPTED	BOUNDARY COUNTY - Stating findings of the Legislature and recognizing and congratulating Boundary County and its residents on its Centennial Anniversary to be celebrated during 2015. ....	105	132	319
113	State Affairs	ADOPTED	AGRICULTURE - Stating findings of the Legislature and rejecting a certain rule docket of the Idaho State Department of Agriculture relating to Rules Governing Livestock Dealers, Buying Stations, and Livestock Trader Lots.....	126	135	240
114	State Affairs	H Agric Aff	VETERINARY MEDICINE - Stating findings of the Legislature and rejecting a certain rule docket of the Board of Veterinary Medicine relating to Rules of the State of Idaho Board of Veterinary Medicine. ....	126	135	135
115	State Affairs	S St Aff	FEDERAL LANDS - Stating findings of the Legislature and requesting that the Department of Lands perform certain duties with the federal government regarding federal lands and to provide for periodic reports.....	130	-	142
116	State Affairs	H Agric Aff	AGRICULTURE - RULE REJECTED - Stating findings of the Legislature and rejecting a certain rule docket of the Idaho State Department of Agriculture relating to Rules Governing the Importation of Animals. ....	149	165	165
117	State Affairs	ADOPTED	JOHN J. GROSSENBACHER - Stating findings of the Legislature and recognizing and honoring John J. Grossenbacher for his years of service to the State of Idaho as director of the Idaho National Laboratory.....	149	165	313
118	State Affairs	ADOPTED	YMCA DAY - Stating findings of the Legislature and declaring March 20 of each year as "YMCA Day" to recognize the contributions of the YMCA to the citizens of Idaho. ....	163	180	313
119	State Affairs	ADOPTED	EDUCATION - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule docket of the State Board of and State Department of Education relating to Rules Governing Uniformity. ....	178	207	313
120	State Affairs	H Educ	EDUCATION - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the State Board of and State Department of Education relating to Rules Governing Uniformity. ....	178	207	207
121	State Affairs	ADOPTED	EDUCATION - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the State Board of and State Department of Education relating to Rules Governing Thoroughness. ....	178	207	313

## SENATE INDEX

Senate Concurrent Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
122	State Affairs	H Educ	EDUCATION - RULE REJECTION - Stating findings of the Legislature and rejecting certain rules of the State Board of and State Department of Education relating to Rules Governing Thoroughness. ....	178	207	207
123	Judiciary and Rules	H Health/Wel	CAREGIVERS - Stating findings of the Legislature and creating a task force to study issues concerning family caregivers. ....	190	207	207
124	Judiciary and Rules	H Jud	ADMINISTRATIVE HEARING OFFICER INTERIM COMMITTEE - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of potential approaches to the appointment of administrative hearing officers for contested cases. ....	191	207	207
125	State Affairs	H Health/Wel	HEALTH SAVINGS ACCOUNTS - Stating findings of the Legislature and recognizing the mutual benefit that would be created if citizens who opened a Health Savings Account could choose between participation in a Health Care Sharing Ministry or purchase of a high-deductible health insurance plan. ....	226	265	265
126	State Affairs	ADOPTED	FEDERAL LANDS - Stating findings of the Legislature and requesting that the Department of Lands perform certain duties with the federal government regarding federal lands and to provide for periodic reports. ....	231	249	335
127	State Affairs	ADOPTED	ADMINISTRATIVE TEMPORARY RULES - Stating findings of the Legislature and approving and extending temporary rules reviewed by the Legislature. ....	274	284	319
128	State Affairs	ADOPTED	ADMINISTRATIVE FEE RULES - Stating findings of the Legislature and approving administrative rules that impose a fee or charge, with an exception, and rejecting a certain agency rule docket that is not approved. ....	274	285	319
129	State Affairs	ADOPTED	ADMINISTRATION - RULE REJECTION - Stating findings of the Legislature and rejecting certain rules of the Department of Administration relating to Rules of the Division of Purchasing. ....	275	285	319
130	Judiciary and Rules	ADOPTED	PRINTING CONTRACT - SESSION LAWS - Stating findings of the Legislature and approving the contract for the printing of the Session Laws. ....	313	317	335
131	State Affairs	H St Aff	BROADBAND ACCESS STUDY COMMITTEE - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study and make recommendations for broadband services and governance for the State of Idaho and to provide that the committee shall make recommendations regarding minimum Service Level Agreements. ....	314	317	317

## SECTION VIII

## ENROLLED 2015 SENATE BILLS

WITH EFFECTIVE DATE AND SESSION LAW CHAPTER NUMBER CITED

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1001	110	Commerce and Human Resources	03/25/2015	07/01/2015
1002	2	Finance	02/11/2015	02/11/2015
1003	3	Finance	02/11/2015	02/11/2015
1004	111	Judiciary and Rules	03/25/2015	07/01/2015
1006	51	Commerce and Human Resources	03/17/2015	07/01/2015
1007	71	Commerce and Human Resources	03/20/2015	07/01/2015
1008	72	Commerce and Human Resources	03/20/2015	07/01/2015
1009	52	Commerce and Human Resources	03/17/2015	07/01/2015
1010	73	Commerce and Human Resources	03/20/2015	07/01/2015
1012	1	Finance	02/11/2015	02/11/2015
1013	7	Finance	02/18/2015	02/18/2015
1014	112	Judiciary and Rules	03/25/2015	07/01/2015
1015aa	53	Transportation	03/17/2015	07/01/2015
1016	54	Transportation	03/17/2015	07/01/2015
1018	23	Education	03/04/2015	07/01/2015
1020	44	Resources and Environment	03/16/2015	07/01/2015
1021	14	Education	02/24/2015	07/01/2015
1023	74	Commerce and Human Resources	03/20/2015	07/01/2016
1024	59	State Affairs	03/18/2015	03/18/2015
1025	243	Judiciary and Rules	04/03/2015	07/01/2017 Sections 2, 4 & 5; 07/01/2015 All other sections
1026	60	Judiciary and Rules	03/19/2015	07/01/2015
1027	61	Judiciary and Rules	03/19/2015	07/01/2015
1028	24	Judiciary and Rules	03/04/2015	07/01/2015
1029	62	Judiciary and Rules	03/19/2015	07/01/2015
1030	244	State Affairs	04/03/2015	07/01/2015
1031	55	Resources and Environment	03/17/2015	07/01/2015
1034	75	Judiciary and Rules	03/20/2015	07/01/2015
1035	113	Judiciary and Rules	03/25/2015	07/01/2015
1036	45	Health and Welfare	03/16/2015	07/01/2015
1037	56	Health and Welfare	03/17/2015	07/01/2015

## SENATE INDEX

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1040aa	245	Judiciary and Rules	04/03/2015	04/03/2015 and shall apply to any case where an appellant's brief in the unified appeal has not been filed with the Idaho Supreme Court
1041aa	306	Judiciary and Rules	04/09/2015	07/01/2015
1042	46	Health and Welfare	03/16/2015	07/01/2015
1043	47	Health and Welfare	03/16/2015	07/01/2015
1044	122	Local Government and Taxation	03/26/2015	07/01/2015
1045	57	Local Government and Taxation	03/17/2015	07/01/2015
1046	114	Commerce and Human Resources	03/25/2015	07/01/2015
1047	290	Commerce and Human Resources	04/09/2015	07/01/2015
1050	58	Education	03/17/2015	07/01/2015
1051	76	Judiciary and Rules	03/20/2015	07/01/2015
1052	77	Judiciary and Rules	03/20/2015	07/01/2015
1053aa	246	Judiciary and Rules	04/03/2015	07/01/2015
1054	115	Judiciary and Rules	03/25/2015	07/01/2015
1056aa	247	Judiciary and Rules	04/03/2015	07/01/2015
1057	78	Resources and Environment	03/20/2015	07/01/2015
1058	79	Resources and Environment	03/20/2015	07/01/2015
1059aa	123	Resources and Environment	03/26/2015	07/01/2015
1062aa,aa	291	Commerce and Human Resources	04/09/2015	07/01/2015
1063	116	Commerce and Human Resources	03/25/2015	07/01/2015
1066	292	State Affairs	04/09/2015	07/01/2015
1069aa,aa,aaH	278	Judiciary and Rules	04/06/2015	07/01/2015 and shall apply only to judgments issued on and after 07/01/2015 by a court of competent jurisdiction
1071aa	293	Education	04/09/2015	07/01/2015
1072aa	248	Education	04/03/2015	07/01/2015
1073aaH	279	Agricultural Affairs	04/06/2015	07/01/2015
1074	124	Agricultural Affairs	03/26/2015	03/26/2015
1075	125	Commerce and Human Resources	03/26/2015	07/01/2015
1076	217	Commerce and Human Resources	04/02/2015	07/01/2015
1077	126	Commerce and Human Resources	03/26/2015	07/01/2015
1078	127	Commerce and Human Resources	03/26/2015	07/01/2015
1079	48	Commerce and Human Resources	03/16/2015	07/01/2015
1080aa	128	Commerce and Human Resources	03/26/2015	07/01/2015
1081	49	Commerce and Human Resources	03/16/2015	07/01/2015
1082	117	Transportation	03/25/2015	07/01/2015

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1086	150	Education	03/26/2015	07/01/2015
1087	129	Education	03/26/2015	07/01/2015
1088aaH	249	Education	04/03/2015	07/01/2015
1091	250	State Affairs	04/03/2015	07/01/2015
1097	81	Education	03/23/2015	07/01/2015
1098aaH	335	Resources and Environment	04/20/2015	07/01/2015
1099	80	Resources and Environment	03/20/2015	07/01/2015
1100	82	Resources and Environment	03/23/2015	07/01/2015
1104aaH	280	State Affairs	04/06/2015	07/01/2015
1109	251	Judiciary and Rules	04/03/2015	07/01/2015 and upon passage of Senate Bill 1025 as enacted by the First Regular Session of the 63rd Idaho Legislature
1110	83	Finance	03/23/2015	03/23/2015
1112	338	State Affairs	04/21/2015	07/01/2015
1113	294	State Affairs	04/09/2015	07/01/2015
1114	84	Finance	03/23/2015	07/01/2015
1116	118	Finance	03/25/2015	03/25/2015
1117	119	Finance	03/25/2015	07/01/2015
1118	130	Finance	03/26/2015	07/01/2015
1119	120	Finance	03/25/2015	07/01/2015
1120	252	Judiciary and Rules	04/03/2015	07/01/2015
1121	253	Judiciary and Rules	04/03/2015	07/01/2015
1125	151	Finance	03/26/2015	07/01/2015
1126	131	Finance	03/26/2015	07/01/2015
1127	132	Finance	03/26/2015	07/01/2015
1128	133	Finance	03/26/2015	07/01/2015
1129	134	Finance	03/26/2015	07/01/2015
1130	135	Finance	03/26/2015	07/01/2015
1131	136	Finance	03/26/2015	07/01/2015
1132	137	Finance	03/26/2015	07/01/2015
1133	138	Finance	03/26/2015	07/01/2015
1135aa	339	Judiciary and Rules	04/21/2015	07/01/2015
1136	295	Judiciary and Rules	04/09/2015	07/01/2015
1138	167	Finance	03/30/2015	07/01/2015
1139	168	Finance	03/30/2015	07/01/2015
1140	169	Finance	03/30/2015	07/01/2015
1141	170	Finance	03/30/2015	07/01/2015

## SENATE INDEX

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1142	171	Finance	03/30/2015	07/01/2015
1143	172	Finance	03/30/2015	07/01/2015
1144	173	Finance	03/30/2015	07/01/2015
1145	174	Finance	03/30/2015	07/01/2015
1148	254	Finance	04/03/2015	07/01/2015
1149	255	Finance	04/03/2015	07/01/2015
1150	256	Finance	04/03/2015	07/01/2015
1151	257	Finance	04/03/2015	07/01/2015
1152	307	Finance	04/10/2015	07/01/2015
1154aa	308	Judiciary and Rules	04/10/2015	07/01/2015
1155	336	State Affairs	04/20/2015	07/01/2015
1157	258	Finance	04/03/2015	07/01/2015
1158	259	Finance	04/03/2015	07/01/2015
1159	296	Finance	04/09/2015	07/01/2015
1160	260	Finance	04/03/2015	07/01/2015
1161	261	Finance	04/03/2015	07/01/2015
1162	262	Finance	04/03/2015	07/01/2015
1163	263	Finance	04/03/2015	07/01/2015
1164	264	Finance	04/03/2015	07/01/2015
1165	297	Finance	04/09/2015	07/01/2015
1166	265	Finance	04/03/2015	07/01/2015
1168	332	Finance	04/16/2015	07/01/2015
1169	309	State Affairs	04/10/2015	07/01/2015
1170	310	Judiciary and Rules	04/10/2015	07/01/2015
1171	311	Finance	04/10/2015	07/01/2015
1172	312	Finance	04/10/2015	04/10/2015 Section 1; 07/01/2015 All other sections
1174	340	Finance	04/21/2015	07/01/2015
1175	346	Finance	law w/o signature	04/23/2015 Sections 1 & 8; 07/01/2015 All other sections
1176	313	Finance	04/10/2015	07/01/2015
1177	317	Judiciary and Rules	04/10/2015	07/01/2015
1178	318	Finance	04/10/2015	07/01/2015
1182	337	Judiciary and Rules	04/20/2015	07/01/2015
1183	319	Finance	04/10/2015	07/01/2015
1184	320	Finance	04/10/2015	07/01/2015
1185	321	Finance	04/10/2015	07/01/2015



<b>Senate Bill No.</b>	<b>Session Laws Chapter No.</b>	<b>Introduced by</b>	<b>Signed by Governor</b>	<b>Effective Date(s)</b>
1186	322	Finance	04/10/2015	04/10/2015 Section 10; 07/01/2015 All other sections
1187	323	Finance	04/10/2015	07/01/2015
1188	324	Finance	04/10/2015	07/01/2015
1189	325	Finance	04/10/2015	07/01/2015
1190	330	Finance	04/10/2015	04/10/2015 Section 4; 07/01/2015 All other sections
1192	331	Finance	04/16/2015	04/16/2015 Sections 1 and 2; 07/01/2015 All other sections with the exception of section 5, line 19 - line item veto

## SECTION IX

## NUMERICAL INDEX OF HOUSE BILLS RECEIVED BY THE SENATE

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1	State Affairs	LAW	STATE AMPHIBIAN - Adds to existing law to designate the Idaho Giant Salamander as the state amphibian of the State of Idaho.....	241	265	275
3	State Affairs	S St Aff	ELECTION QUALIFICATIONS - Amends existing law to revise qualifications for a person to be eligible to be elected as a State Representative or Senator. ....	20	-	20
4	Health and Welfare	LAW	CONTROLLED SUBSTANCES - Amends existing law to revise registration requirements, to permit federal registrants to conduct research; to revise language relating to registration and to allow consideration of DEA registration restrictions; to provide the Board of Pharmacy with additional disciplinary authority; to revise restrictions to actions that require an order to show cause and to revise the fining authority of the board; and to remove language relating to records of registration.....	71	120	131
5	Health and Welfare	LAW	PHARMACY - Amends fingerprinting requirements for certain applicants. ....	67	120	131
6	Health and Welfare	LAW	PHARMACY - Amends and adds to existing law relating to prescription drug orders.....	71	120	131
7	Health and Welfare	LAW	CONTROLLED SUBSTANCES - Amends existing law to require that an order for release of prescription monitoring program records must be issued by a judge.....	67	120	131
8	Health and Welfare	LAW	PHARMACY BOARD - Amends existing law relating to drug distribution.....	71	120	131
9	Health and Welfare	LAW	CONTROLLED SUBSTANCES - Amends existing law to revise drug schedules.....	67	120	131
10	Revenue and Taxation	LAW	INCOME TAX - Amends existing law to provide that certain publication and printing requirements are satisfied if the information is made available to the public in electronic form.....	48	99	109
11	Revenue and Taxation	LAW	SALES TAX EXEMPTIONS - Amends existing law to correct a code reference.....	48	100	109
12	Revenue and Taxation	LAW	SALES TAX - Amends existing law to provide that certain sales of utility type vehicles and specialty off-highway vehicles to nonresidents are exempt from sales tax if certain conditions are met.....	48	100	109
13	Revenue and Taxation	LAW	INCOME TAX - Amends and adds to existing law to provide an additional provision relating to the computation of federal taxable income; to allow a certain credit and to provide related requirements.....	48	104	113
14	Transportation and Defense	S Transp	MOTOR VEHICLES - Repeals existing law relating to labor and material liens on motor vehicles. ....	50	-	70
15	Transportation and Defense	LAW	MOTOR VEHICLES - Adds to existing law to provide for title stop requests when ownership of a vehicle is disputed.....	48	-	249
			<b>Amended in the Senate</b> .....	100		
			<b>Amended in the Senate</b> .....	171	200	

SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
16	Transportation and Defense	LAW	MOTOR VEHICLES - Amends and adds to existing law to provide for Idaho Friends of the National Rifle Association license plates. ....	50	67	81
17	Transportation and Defense	LAW	MOTOR VEHICLES - AUTOCYCLES - Amends and adds to existing law relating to autocycles to require compliance with motorcycle plate, tag, registration and insurance requirements and to provide that autocycles are exempt from motorcycle endorsements and helmet requirements. .... <b>Amended in the Senate</b> .....	86 171	- 200	271
20	Education	LAW	APPRAISEMENT - LEASE - SALE OF LANDS - Amends existing law to provide that lands or properties in the custody of the State Board of Education are exempt from a certain act and to provide related provisions. ....	50	99	109
21	Education	LAW	NURSES - Amends existing law to remove a requirement that the State Board of Education must approve any curriculum or rule change in a nursing program that may alter existing articulation agreements between educational institutions. ....	50	77	92
22	Education	LAW	EDUCATION - Repeals existing law relating to the transition of school trustee terms from three years to four years. ....	50	78	92
23	Health and Welfare	LAW	PROFESSIONS, VOCATIONS, AND BUSINESSES - Amends existing law relating to massage therapy practice exemptions. ....	77	120	131
24	Health and Welfare	LAW	PROFESSIONS, VOCATIONS, AND BUSINESSES - Amends existing law relating to occupational therapy licensing. ....	71	121	131
25	Health and Welfare	LAW	PROFESSIONS, VOCATIONS, AND BUSINESSES - Amends existing law relating to physical therapy practice exemptions. ....	71	121	131
26	Appropriations	LAW	APPROPRIATIONS - DEFICIENCY WARRANTS - Appropriates and transfers a total of \$17,981,900 from the General Fund for fiscal year 2015; transfers \$17,529,000 to the Fire Suppression Deficiency Fund; transfers \$389,400 to the Pest Control Deficiency Fund; and transfers \$63,500 to the Hazardous Substance Emergency Response Fund. ....	33	48	54
27	Revenue and Taxation	LAW	RECREATION DISTRICTS - Amends existing law to remove a provision that a certain Idaho code section does not apply to certain recreation districts. ....	35	64	75
28	Revenue and Taxation	LAW	TAXES - LEVY - APPORTIONMENT - Amends existing law to provide a code reference. ....	37	64	75
29	Revenue and Taxation	LAW	TAXATION EXEMPTIONS - Amends existing law to revise and to provide additional provisions relating to certain personal property exempt from taxation. .... <b>Amended in the Senate</b> .....	37 141	- 161	207
30	Judiciary, Rules, and Administration	LAW	PROFESSIONS, VOCATIONS, AND BUSINESSES - Amends existing law relating to certified shorthand reporters. ....	110	210	232

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
31	Resources and Conservation	LAW	FISH AND GAME - Amends existing law to revise provisions relating to the illegal killing, possession or waste of certain fish and game animals.....	53	202	227
33	Health and Welfare	LAW	HEALTH AND SAFETY - Repeals existing law relating to substance abuse treatment. ....	86	161	170
34	Revenue and Taxation	LAW	ADMINISTRATIVE PROCEDURE ACT - Repeals existing law to remove a sunset date. ....	48	119	131
36	Revenue and Taxation	LAW	INCOME TAX - Amends existing law to revise provisions relating to the deduction of certain retirement benefits and to clarify that certain taxpayers may not deduct certain retirement benefits. ....	48	119	131
37	Revenue and Taxation	LAW	INCOME TAX - Adds to existing law to provide for a deduction for certain charitable contributions and to provide related requirements.....	48	100	109
39	Revenue and Taxation	LAW	SALES TAX - PRODUCTION EXEMPTION - Amends existing law to remove a certain exception to the production exemption.....	98	176	197
40	Appropriations	LAW	APPROPRIATIONS - OFFICE OF ENERGY RESOURCES - Appropriates an additional \$246,000 to the Office of Energy Resources for fiscal year 2015 for regional planning and coordination. ....	35	50	57
41	Appropriations	LAW	APPROPRIATIONS - STATE INDEPENDENT LIVING COUNCIL - Revises the fiscal year 2015 appropriation to provide an additional \$75,000 to the State Independent Living Council for project management activities.....	48	55	66
42	Transportation and Defense	LAW	FUELS TAX - Amends existing law to revise provisions relating to gasoline tax refund procedures. ....	63	120	131
43	Transportation and Defense	LAW	FUELS TAX - Repeals, amends and adds to existing law to clarify provisions relating to the prohibition of dyed or marked diesel fuel use on state highways and to remove penalty provisions; to rename a certain license and to revise and provide additional requirements relating to the license; to provide for a limited distributor license and related requirements and to remove revocation and suspension provisions; to provide for violations in general, specific violations and penalties; and to provide for enforcement of licensing provisions. ....	58	138	150
44	Transportation and Defense	LAW	LICENSE PLATES - Amends and adds to existing law to provide for Rocky Mountain Elk Foundation plates. ....	58	119	131
46	Health and Welfare	LAW	HEALTH BENEFIT PLANS - Amends existing law to define "stand-alone dental plan.".....	84	210	232
47	Resources and Conservation	LAW	LAND BOARD - Amends existing law to provide that certain revenue from navigable waterways shall be deposited in the Navigable Waterways Fund, to provide that certain moneys shall be deposited in the Waterways Improvement Fund at the beginning of each fiscal year and to provide that royalties from extraction of minerals from navigable waterways shall be deposited in the Public School Permanent Endowment Fund. ....	63	176	197

SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
48	Resources and Conservation	LAW	OIL AND GAS - Amends existing law to provide for the confidentiality of certain records of oil and gas producers for a designated period of time. ....	67	161	170
49	Resources and Conservation	LAW	OIL AND GAS - Amends existing law to provide for fees, to revise fee provisions, to provide for the deposit of fees in the Oil and Gas Conservation Fund and to provide for the use of fees. ....	67	161	170
50	Resources and Conservation	LAW	OIL AND GAS - Amends existing law to provide for unit operations, to provide for applications, responses, hearings and orders, to provide for certification by applicants of notice to specified owners, to provide that orders shall include plans for unit operations, to provide for termination and dissolution of unit operations, to provide for amendment of orders, to provide a procedure relating to allocation in orders, to provide for the approval of additions or exclusions, to provide that certain production and proceeds of sale are deemed the property and income of specified persons, to provide for the duration of force of division orders or other contracts relating to a sale or purchase of production and the application thereof and to provide that certain orders do not result in transfer of title. ....	71	162	170
52	Transportation and Defense	LAW	YOUTH CHALLENGE PROGRAM - Repeals existing law relating to the Youth Challenge Program to remove a sunset provision. ....	86	121	131
53	Transportation and Defense	LAW	CODE OF MILITARY JUSTICE - Repeals and adds to existing law to enact and specify the provisions of the Model State Code of Military Justice to provide for arrest, to provide for regulatory authority and to provide for immunity..... <b>Amended in the House (See House Journal)</b>	147	- 263	275
55	Transportation and Defense	LAW	PEACE OFFICER AND DETENTION OFFICER TEMPORARY DISABILITY ACT - Repeals existing law to remove a sunset date.....	63	138	150
58	Environment, Energy, and Technology	LAW	WATER QUALITY - Amends existing law to revise provisions relating to the effect of certain rules, to provide that mixing zones are subject to laws and rules, and to provide for the duration of effectiveness of mixing zones. ....	136	203	227
59	Business	LAW	PLUMBING - Amends existing law to provide for an inactive certificate of competency for plumbing contractor or specialty contractor and to provide for a temporary certificate of competency in certain situations.....	84	213	232
61	Judiciary, Rules, and Administration	LAW	JUVENILE CORRECTIONS - Amends existing law to authorize probation for a juvenile offender under certain conditions.....	95	176	197
62	Judiciary, Rules, and Administration	LAW	VICTIM RESTITUTION - Amends existing law to provide for liens resulting from restitution owed to a crime victim; to provide for execution on judgments for restitution owed to a crime victim and to provide for a writ of execution under certain conditions.....	95	200	227

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
64	Judiciary, Rules, and Administration	LAW	IMPRISONMENT - Amends existing law to provide credit for a period of incarceration served as a condition of probation in certain instances; to revise a provision relating to a finding that a defendant has violated probation, to provide that a defendant shall receive credit for time served in certain instances; and to remove a provision relating to credit for time spent in custody pending trial, sentencing or appeal.....	95	201	227
66	State Affairs	S St Aff	CONCEALED WEAPONS - Amends existing law to provide that the sheriff shall mail renewal notices for concealed weapons licenses; and to provide that the sheriff shall mail renewal notices for enhanced concealed weapons licenses.....	58	-	58
67	State Affairs	S St Aff	IDAHO LIMITED CONVENTION ACT - Adds to existing law to provide for the Idaho Limited Convention Act. ....	136	-	136
68	Local Government	LAW	PRINTING - Amends existing law to include counties in exemptions that the state enjoys for printing, engraving, binding or stationery work. ....	98	161	170
70	Transportation and Defense	LAW	MOTOR VEHICLES - TIRE LOAD - Amends existing law to provide load for inch width of tire for the front steer axle may not exceed the manufacturer's load rating per tire or the load rating of the axle or 20,000 pounds per axle whichever is less.....	98	151	165
72	Agricultural Affairs	LAW	VETERINARIANS AND VETERINARY TECHNICIANS - Amends existing law to remove unnecessary language, to provide that veterinary technicians may place their certification on inactive status and to provide conditions for transfer from inactive to active status. .... <b>Amended in the Senate</b> .....	118 155	- 175	227
73	Agricultural Affairs	S Agric Aff	VETERINARIANS - Amends existing law to provide that licensing and application fees are nonrefundable. ....	140	-	140
75	Revenue and Taxation	LAW	SALES TAX - Amends existing law to exempt eyeglasses, eyeglass component parts and contact lenses from sales tax.....	98	176	197
76	Revenue and Taxation	LAW	TAX LEVIES - Amends existing law to provide for funds for the school emergency fund levy to be included on the base assessment roll. ....	86	133	145
77	Revenue and Taxation	LAW	INCOME TAX - Amends existing law to update a reference to the Internal Revenue Code. ....	71	87	95
78	Commerce and Human Resources	LAW	EMPLOYMENT SECURITY LAW - Amends existing law to clarify that fifteen percent of certain overpayments must be paid into the Employment Security Fund. ....	86	210	232
81	Business	LAW	GEOLOGISTS - Amends existing law relating to geologist examinations. ....	113	210	232
82	Judiciary, Rules, and Administration	LAW	IDAHO STATE POLICE - Amends existing law to authorize the Idaho State Police to close or restrict use of a highway for public safety. ....	86	162	170

SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
85	Revenue and Taxation	LAW	INCOME TAX - Amends existing law to provide that the holding period of qualifying property that was distributed by an S corporation or an entity treated as a partnership to a person who was an owner, member or partner at the time of the distribution shall, for that person, include the amount of time the S corporation or the entity held the property, regardless of whether the distribution was a liquidating distribution. ....	86	133	145
90	State Affairs	LAW	RECODIFICATION - Repeals and adds to existing law to recodify the Public Records Act, the Open Meetings Law, the Ethics in Government act and the Prohibitions Against Contracts With Officers into one title. ....	129	211	232
91	State Affairs	LAW	PUBLIC RECORDS - Amends existing law to provide correct code references to the Idaho Public Records Act. ....	129	211	232
92	Business	LAW	VOIDABLE TRANSACTIONS - Amends and adds to existing law to update and revise outdated portions of the Uniform Voidable Transactions Act. ....	228	-	322
			<b>Amended in the House (See House Journal)</b>			
			<b>Amended in the Senate</b> .....	268	277	
94	Resources and Conservation	LAW	TRESPASS - Amends existing law to provide an exception to specified law for certain persons, companies, corporations and entities. ....	113	-	298
			<b>Amended in the Senate</b> .....	241	252	
95	Revenue and Taxation	H Held at Desk	SALES TAX - Adds to existing law to provide an exemption from the sales or use tax on certain materials used in connection with a public road and to provide exceptions. ....	106	-	312
			<b>Amended in the Senate</b> .....	311	312	
96	Transportation and Defense	LAW	DRIVER'S LICENSES AND IDENTIFICATION CARDS - Amends existing law to provide for the submittal of compliance extension requests to the United States Department of Homeland Security, to provide that the Idaho Transportation Board and the Idaho Transportation Department are not prevented from taking necessary steps to ensure the acceptance of driver's licenses and identification cards for airline travel and to provide that the department shall report specified information to certain legislative committees. ....	110	138	150
99	Business	LAW	CHARTERED BANKS - Repeals, amends and adds to existing law to revise provisions regulating state chartered banks that have been preempted by federal law, that do not address current industry practices or that do not provide sufficient authority to the Department of Finance. ....	147	243	257
100	Commerce and Human Resources	S St Aff	RETIREMENT PROVISIONS - LEGISLATURE - Amends existing law relating to the Public Employee Retirement System to revise provisions relating to computation of certain service retirement allowances as they relate to the Idaho Legislature; and to revise provisions relating to computation of certain early retirement allowances as they relate to the Idaho Legislature. ....	141	-	141
101	Judiciary, Rules, and Administration	LAW	CRIMINAL PROCEDURE - Repeals existing law relating to refusing assistance to an officer and tampering with a vehicle. ....	118	214	232

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
102	Judiciary, Rules, and Administration	LAW	CURFEWS - Amends existing law to revise the penalty for a juvenile curfew violation.....	118	214	232
104	Judiciary, Rules, and Administration	LAW	DEBRIS - Amends existing law to revise the penalty for placing debris on a highway; and to revise the penalty for placing debris on property.....	129	221	241
107	Health and Welfare	LAW	IMMUNIZATION ASSESSMENT BOARD - Amends existing law to extend a sunset date.....	118	212	232
108	Health and Welfare	LAW	PHARMACY - Amends and adds to existing law to specify how opioid antagonists may be prescribed and administered in certain circumstances.....	118	175	197
109	Revenue and Taxation	LAW	INCOME TAX - Amends existing law to revise the definition of "real property" for capital gains purposes. .... <b>Amended in the Senate</b> .....	106 217	- 242	282
110	Education	LAW	EDUCATION - Amends and adds to existing law to provide for a mastery-based education system.....	110	161	170
112	State Affairs	LAW	ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES - Amends existing law to revise provisions relating to notification of certain contributions.....	124	252	271
113	State Affairs	LAW	PARENT AND CHILD - Adds to existing law to provide that parental rights are protected..... <b>Amended in the Senate</b> .....	124 216	- 239	275
114	Agricultural Affairs	LAW	PURE SEED LAW - Amends existing law to provide for the applicability of specified law to the cultivation, production and processing of seeds and to prohibit regulation by political subdivisions relating to the cultivation, production and processing of seeds.....	129	200	227
116	Business	LAW	OCCUPATIONAL LICENSES BUREAU - Amends existing law to revise the list of agencies to which the bureau provides services and to provide that such agencies may assess costs, fees and attorney fees incurred in investigations and prosecutions.....	136	223	241
117	Business	LAW	STATE GOVERNMENT AND STATE AFFAIRS - Repeals and adds to existing law relating to annual renewal of occupational licenses and to renewal and reinstatement requirements.....	136	223	241
120	Commerce and Human Resources	LAW	ECONOMIC ADVISORY COUNCIL - Amends existing law to revise provisions relating to who may be appointed to the Economic Advisory Council and to revise a provision relating to compensation for members of the council..... <b>Amended in the House (See House Journal)</b> <b>Amended in the House (See House Journal)</b>	147	- 213	232
121	Judiciary, Rules, and Administration	LAW	CRIMINAL PROCEDURE - Amends existing law to remove a provision relating to the penalty imposed when certain language is used; to revise the penalty for flooding a highway; and to revise the penalty for certain smoking violations.....	118	214	232
122	Education	LAW	SCHOOL DISTRICTS - STRATEGIC PLAN - Amends existing law to revise the name of a certain plan and provisions relating to it.....	110	162	170



SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
123	Resources and Conservation	LAW	OIL AND GAS CONSERVATION COMMISSION - Amends existing law to provide that the commission's actions in exercising its duties and authorities shall not be considered to be contested cases and to provide an exception. ....	124	203	227
124	Resources and Conservation	LAW	OIL AND GAS WELLS - Amends existing law relating to provide exceptions relating to the size and shape of spacing units, to provide for the exclusion of certain federal minerals and to provide for the consent of operators and mineral interest owners relating to the granting of exceptions associated with well drilling locations. ....	124	176	197
125	Resources and Conservation	LAW	OIL AND GAS - Amends existing law to revise the definition of "gas." .....	124	176	197
126	Education	H Held at Desk	PUBLIC SCHOOL SUPPORT PROGRAM - Amends existing law to provide when a certain number of support units shall be used to calculate discretionary funding. ....	136	213	232
128	Local Government	LAW	ELECTIONS - Amends existing law to revise provisions relating to the withdrawal of candidacy. ....	129	213	232
129	Transportation and Defense	LAW	MOTOR VEHICLES - Amends existing law to provide an exception to a prohibition of operation of certain vehicles and motorbikes on controlled access highways, to provide that the Idaho Transportation Board may designate sections of state highways over which specified vehicles and motorbikes may travel and to provide that specified vehicles and motorbikes may travel upon and cross certain portions of non-full access-controlled state highways unless closed. ....	147	222	241
131	Transportation and Defense	S Transp	MOTOR VEHICLES - Amends existing law to revise the definition of "principal place of business." .....	118	-	118
132	Transportation and Defense	LAW	MOTOR FUELS - Amends existing law to provide for a revised rate of taxation on gaseous special fuels. ....	140	222	241
133	Revenue and Taxation	LAW	INCOME TAX - Amends existing law to establish additional provisions relating to a capital gains deduction. ....	106	162	170
136	Judiciary, Rules, and Administration	LAW	COUNTY JAILS - Amends existing law to provide funding for certain probationers and parolees committed to a county jail. ....	129	204	227
137	Judiciary, Rules, and Administration	LAW	PUBLIC EMPLOYEE RETIREMENT SYSTEM - Amends existing law to provide that certain deputy sheriffs and city police officers who act in a supervisory capacity shall not lose their peace officer status. .... <b>Amended in the House (See House Journal)</b> <b>Amended in the House (See House Journal)</b>	147	- 223	241
138	Judiciary, Rules, and Administration	LAW	COUNTY JAILS - Repeals existing law relating to removal of prisoners in case of pestilence; and relating to expenses of removal. ....	118	204	227
139	Judiciary, Rules, and Administration	LAW	CRIMINAL PROCEDURE - Repeals existing law relating to fighting duels out of state. ....	118	204	227

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
142	Local Government	LAW	PLANNING AND ZONING - Amends existing law to revise procedures for appointment of members of a city planning and zoning commission when a vacancy occurs outside the boundaries of a certain city's area of impact. ....	140	-	249
			<b>Amended in the Senate</b> .....	139	153	
			<b>Amended in the Senate</b> .....	172	200	
			<b>Amended in the Senate</b> .....	181		
143	Transportation and Defense	LAW	EXEMPT EMPLOYMENT - Amends existing law to provide an additional circumstance for exempt employment under the state's employment security law regarding motor carriers and motor vehicles. ....	147	213	232
147	Transportation and Defense	LAW	MOTOR VEHICLES - Adds to existing law to provide for rental fleet registration, alternative special registration cards, rental car stickers, annual registration renewal and fees. ....	140	175	197
148	Agricultural Affairs	LAW	CHERRY COMMISSION - Amends, repeals and adds to existing law to provide for commission members, to provide for terms, to provide for meetings for the selection of commission nominees, to provide for notice of meetings and to provide for vacancies; and to provide for powers and duties. ....	147	213	232
149	Health and Welfare	S Jud	CONTACT LENSES - Amends existing law to prohibit certain acts by manufacturers and distributors of contact lenses. ....	140	-	140
150	Health and Welfare	LAW	INTERSTATE MEDICAL LICENSURE COMPACT - Adds to existing law to establish the Interstate Medical Licensure Compact. ....	140	203	227
152	Health and Welfare	VETOED	OCCUPATIONAL LICENSES BUREAU - Adds to existing law to provide for the licensure of sign language interpreters. ....	151	-	310
			<b>Amended in the Senate</b> .....	135	145	
			<b>Amended in the Senate</b> .....	268	276	
153	Health and Welfare	LAW	EMERGENCY MEDICAL SERVICES - Amends existing law to provide that authorized personnel may provide community health emergency medical services. ....	147	212	232
154	State Affairs	LAW	ABORTION - Adds to existing law to provide requirements for chemical abortions and for administering certain drugs in abortions, to provide for a civil cause of action and conditions for anonymity of the female and to provide for construction. ....	136	-	275
			<b>Amended in the Senate</b> .....	217	239	
155	State Affairs	S PASSED	OPEN MEETING LAW - Amends existing law to increase monetary civil penalties for violations of the Open Meeting Law. ....	159	-	285
			<b>Amended in the Senate</b> .....	265	285	
156	Local Government	LAW	TAXATION - PURCHASE OF PROPERTY - Amends existing law to provide that the county tax collector may bid on property for sale if it is deemed in the best interest of the county and to provide that the tax collector shall dispose of the purchased property by sale in the same manner as other personal property belonging to the county. ....	147	210	232

SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
157	Judiciary, Rules, and Administration	LAW	IDAHO STATE POLICE - Amends existing law to authorize the Idaho State Police to contract with private entities under certain conditions when necessary for public safety..... <b>Amended in the Senate</b> .....	129 198	- 219	271
158	Judiciary, Rules, and Administration	LAW	BAIL - Amends existing law to provide for setting bail when a defendant fails to appear in court under certain conditions.....	140	222	241
159	Judiciary, Rules, and Administration	LAW	TOBACCO - Amends existing law to revise a provision relating to selling or distributing tobacco products, to reclassify certain tobacco-related offenses as infractions, and to revise penalties. ....	140	214	232
160	Judiciary, Rules, and Administration	LAW	DEBRIS - Amends existing law to provide that willfully placing debris on a highway under certain conditions shall be a misdemeanor and to provide a penalty.....	136	222	241
161	Judiciary, Rules, and Administration	LAW	FISH AND GAME - Amends existing law to reclassify certain violations as infractions and to provide for penalties. ....	140	200	227
162	Judiciary, Rules, and Administration	S Jud	JURY SELECTION AND SERVICE - Amends and adds to existing law to establish additional provisions relating to juror compensation for lengthy trials; to establish an additional power of the Supreme Court to make rules concerning juries; to establish the Lengthy Trial Juror Compensation Fund; and to increase certain fees and to provide for the deposit of certain fees. ....	140	-	140
163	Judiciary, Rules, and Administration	LAW	IDAHO CRIMINAL JUSTICE SYSTEM - Amends existing law relating to the Idaho criminal justice system to revise effective dates. ....	136	222	241
166	Resources and Conservation	LAW	IRRIGATION DISTRICTS - Amends and adds to existing law to provide resolutions for the development and operation of mitigation plans and recharge projects, to provide that the amount of obligation or contract indebtedness proposed to be issued be set forth, to provide that the contract indebtedness in a proposed resolution be submitted to a vote if certain conditions are met, to provide criteria whereby a district shall be authorized to incur indebtedness or obligations or enter into certain contracts, to provide that certain action shall be subject to judicial examination, to provide for answers to petitions, to provide for action by the court, to provide for costs and to provide for review of judgments.....	140	203	227
167	State Affairs	LAW	LABOR - Repeals, amends and adds to existing law to remove provisions relating to labor negotiations conducted in executive session, to provide that consideration of labor contract offers may be held in executive session; to establish provisions relating to negotiations in open session, to provide that an executive session may be held for certain specific purposes, to provide that certain documents exchanged between parties shall be subject to public writings disclosure laws, to provide for notice and to provide that public testimony shall be posted as an agenda item. .... <b>Amended in the Senate</b> ..... <b>Amended in the Senate</b> .....	140 166 218	- 186 243	282

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
168	Appropriations	LAW	APPROPRIATIONS - SUPERINTENDENT OF PUBLIC INSTRUCTION AND DEPARTMENT OF ADMINISTRATION - Appropriating an additional \$3,640,500 for fiscal year 2015 to the Superintendent of Public Instruction to pay for broadband at public schools; providing legislative intent for use of the funds; providing legislative intent regarding the law governing procurement for school districts; providing legislative intent for reporting requirements; and reducing the appropriation to the Department of Administration for fiscal year 2015 by \$5,052,000 for the Idaho Education Network.....	104	111	111
169	Education	LAW	EDUCATION - Amends existing law to remove a sunset date and an effective date.....	140	203	227
170	Education	LAW	EDUCATION - Adds to existing law to provide for pay for success contracting. .... <b>Amended in the Senate</b> .....	129 238	- 250	298
172	Revenue and Taxation	LAW	REIMBURSEMENT INCENTIVE ACT - Amends existing law to revise the definition of "new jobs"; to revise application requirements; to revise the agreement with the applicant; and to revise applicant reporting requirements. ....	136	214	232
177	Health and Welfare	LAW	MINORS - Amends existing law to prohibit using tanning devices on minors except under certain circumstances. ....	140	175	197
178	Health and Welfare	LAW	HEALTH CARE - Amends existing law to revise the maximum amount of educational debt repayments for rural physicians and to provide that the review board shall make a certain consideration before granting awards. ....	147	210	232
179	Health and Welfare	LAW	HOSPITALS - Amends and adds to existing law to provide investment limitations for hospital treasurers. ....	155	245	257
181	Health and Welfare	S FAILED	NATUROPATHIC MEDICAL PHYSICIANS - Adds to existing law to provide the Naturopathic Medical Physicians Licensing Act..... <b>Amended in the Senate</b> ..... <b>Amended in the Senate</b> .....	166 233 258	-  277	277
182	State Affairs	LAW	INSURANCE - Amends existing law to exclude consumer operated and oriented health plans from guaranty association coverage. .... <b>Amended in the House (See House Journal)</b>	208	- 277	291
183	State Affairs	LAW	HIGHWAY INFORMATION CENTERS - Amends existing law to allow for posters and signs for victims of human trafficking in state rest areas along highways and to provide for contents of the posters and signs. ....	160	245	257
184	State Affairs	LAW	BEER - Amends existing law to clarify provisions relating to small brewer self-distribution.....	159	246	257
185	State Affairs	LAW	ELECTRICAL CORPORATIONS - Amends existing law to provide for an exception to a defined term where electricity is purchased to charge batteries of electric motor vehicles as provided by order or rule of the Idaho Public Utilities Commission. ....	159	243	257
189	Health and Welfare	LAW	IDAHO TELEHEALTH ACCESS ACT - Adds to existing law to establish the Idaho Telehealth Access Act.....	140	203	227

SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
190	Education	LAW	EDUCATION - Amends existing law to revise a fee for undergoing a criminal history check. ....	151	213	232
194	State Affairs	LAW	MOTOR VEHICLES - Amends existing law to revise harvest season provisions; to revise a braking requirement exemption in the use of farm trailers; to revise a chaining requirement exemption for the transportation of agricultural products; and to provide an exception to specified weight restrictions for axles, bridges and gross vehicle weight limits for farm vehicles, vehicles that are operated to transport forest products and certain refuse or sanitation trucks. .... <b>Amended in the Senate</b> ..... <b>Amended in the Senate</b> .....	140 181 181	- 196 209	271
195	State Affairs	LAW	FIREWORKS - Amends existing law to provide penalties for a fireworks violation. ....	160	244	257
197	Ways and Means	LAW	ENVIRONMENTAL QUALITY - Amends existing law to establish provisions for ground water and mine operators. ....	160	244	257
202	Ways and Means	LAW	FIRE PROTECTION DISTRICTS - Amends existing law to provide requirements relating to assessing the value of certain personal property, to provide requirements for the sale of certain personal property and to provide that certain individuals are not eligible to acquire certain personal property. .... <b>Amended in the Senate</b> .....	170 218	- 242	282
204	Ways and Means	S Loc Gov	FIRE PROTECTION DISTRICTS - Amends and adds to existing law to revise provisions relating to the residence requirements of fire protection commissioners; to establish provisions relating to residence requirements for fire protection commissioners, to provide requirements relating to the Board of Fire Protection Commissioners' responsibility to revise subdistricts; and to establish a process to decrease the size of a fire protection board. ....	194	-	194
205	Appropriations	LAW	APPROPRIATIONS - H&W, MEDICAID - Appropriates an additional \$62,761,000 for the Division of Medicaid from dedicated receipt funds; and reduces the appropriation for the Division of Medicaid by \$17,110,000 from the General Fund and \$41,890,000 from federal funds for a net increase of \$3,761,000 for fiscal year 2015. ....	155	201	227
206	Appropriations	LAW	APPROPRIATION - CORRECTION DEPARTMENT - Appropriates to the Department of Correction an additional \$398,600 from the General Fund, \$156,900 from the Inmate Labor Fund, and \$200,000 from the Parolee Supervision Fund for a total of \$755,500 for fiscal year 2015; authorizes an additional two full-time equivalent positions; and reduces the General Fund appropriation to the Department of Correction by \$2,369,900 for fiscal year 2015. These changes represent a net reduction of \$1,971,300 in the General Fund and an overall net reduction of \$1,614,400 in all funds.....	151	175	197
207	Appropriations	LAW	APPROPRIATIONS - OFFICE OF DRUG POLICY - Appropriates \$4,254,600 to the Office of Drug Policy for fiscal year 2016; and limits the number of full-time equivalent positions to 6.....	151	176	197

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
208	Revenue and Taxation	LAW	PROPERTY TAX RELIEF - Amends existing law to further define the term "claimant." .....	160	243	257
209	Revenue and Taxation	LAW	SALES AND USE TAX - Amends existing law to revise the definition of "tangible personal property" and to remove the definition of "digital videos." .....	160	214	232
210	Appropriations	LAW	APPROPRIATIONS - H&W, INDIRECT SUPPORT SERVICES AND SELF-RELIANCE OPERATIONS - Changes the fiscal year 2015 appropriation to shift \$3,605,700 from federal to dedicated funds; appropriates an additional \$8,124,500 in dedicated funds to Self-Reliance Operations; and transfers 15 FTP from the Southwest Idaho Treatment Center to Self-Reliance Operations. ....	155	201	227
211	Appropriations	LAW	APPROPRIATIONS - H&W, BENEFIT PAYMENTS PROGRAM AND INDIRECT SUPPORT SERVICES - Changes the fiscal year 2015 appropriation by adding an additional \$3,236,300 of federal fund appropriation for the Benefit Payments Program in the Division of Welfare; transfers \$1,300,000 of General Fund personnel costs to operating expenditures and capital outlay and adds \$2,600,000 of federal fund appropriation for Indirect Support Services. ....	155	202	227
212	State Affairs	LAW	ELECTIONS - Amends and adds to existing law to define a term; to remove obsolete language; to revise provisions relating to disclosures in elections to authorize a levy; to provide additional qualifications for the election of district judges; to provide that no candidate's name may appear on a ballot for more than one judicial office; to authorize county adoption of an electronic poll book and to provide duties of the secretary of state; to establish additional provisions relating to a recount; and to remove the authority of an election board judge to require a certain declaration.....	170	280	291
213	State Affairs	LAW	PUBLIC LIBRARY DISTRICTS - Amends existing law to revise provisions relating to the annual meetings of public library district boards and to revise provisions relating to administering an oath of office.....	170	280	291
214	State Affairs	LAW	SUNSHINE LAW - Amends existing law to revise the definition of "nonbusiness entity"; to revise expenditure requirements by nonbusiness entities; and to revise certain duties of lobbyists.....	180	281	291
216	State Affairs	LAW	ELECTIONS - Repeals, amends and adds to existing law to provide initiative and referendum procedures for cities. .... <b>Amended in the House (See House Journal)</b> <b>Amended in the House (See House Journal)</b>	208	- 281	291

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
218	Appropriations	LAW	APPROPRIATIONS - H&W, HEALTHCARE POLICY INITIATIVES, PHYSICAL HEALTH SERVICES, MEDICALLY INDIGENT ADMINISTRATION, SWITC - Creates the new Healthcare Policy Initiatives Program and provides seven positions and \$3,479,800 from federal funds for FY 2015; provides an additional \$41,900 in federal funds and one position for Physical Health Services for FY 2015; reduces the General Fund appropriation by \$57,800 and one position for the Medically Indigent Administration Program; and reduces the Southwest Idaho Treatment Center FTP count by eight. ....	160	204	227
219	State Affairs	LAW	ELECTIONS - Amends existing law to revise procedures regarding disclosures in elections to authorize bonded indebtedness; and to revise procedures regarding disclosures in elections to authorize tax levies. ....	228	280	291
220	Revenue and Taxation	LAW	INCOME TAX CREDITS - Amends existing law to revise criteria as to how certain nonprofit corporations, funds, foundations, trusts or associations qualify for a state income tax credit. ....	160	243	257
221	Revenue and Taxation	LAW	TAX EXEMPTION - WILDLIFE COSTS - Amends existing law to provide that the costs of acquiring, feeding, caring for and maintaining wildlife or fish available for hunting or fishing are eligible for the production exemption when the hunting or fishing activity is taxable. ....	180	246	257
223	Appropriations	LAW	APPROPRIATIONS - ENERGY RESOURCES - Appropriates \$1,515,000 to the Office of Energy Resources for fiscal year 2016; and limits the number of full-time equivalent positions to 8. ....	160	204	227
224	Appropriations	LAW	APPROPRIATIONS - MEDICAL BOARDS - Appropriates \$5,534,000 to the Medical Boards for fiscal year 2016; and limits the number of full-time equivalent positions to 45.1. ....	160	204	227
225	Appropriations	LAW	APPROPRIATIONS - LAVA HOT SPRINGS - Appropriates \$1,968,700 to the Lava Hot Springs Foundation for fiscal year 2016; and limits the number of full-time equivalent positions to 13.8. ....	160	204	227
226	Appropriations	LAW	APPROPRIATIONS - JUVENILE CORRECTIONS DEPARTMENT - Appropriates \$51,454,300 to the Department of Juvenile Corrections for fiscal year 2016; and limits the number of authorized full-time equivalent positions to 410. ....	160	209	232
227	Appropriations	LAW	APPROPRIATIONS - DIVISION OF VETERANS SERVICES - Appropriates \$32,168,700 to the Division of Veterans Services for fiscal year 2016; and limits the number of full-time equivalent positions to 331. ....	160	209	232
228	Appropriations	LAW	APPROPRIATIONS - PUBLIC UTILITIES COMMISSION - Appropriates \$6,163,700 to the Public Utilities Commission for fiscal year 2016; and limits the number of full-time equivalent positions to 52. ....	160	209	232

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
229	Appropriations	LAW	APPROPRIATIONS - MILITARY DIVISION - Appropriates an additional \$25,000 from the General Fund to the Military Division for the Military Management Program to cover inauguration expenses for fiscal year 2015; appropriates \$67,913,400 to the Military Division for fiscal year 2016; limits the number of authorized full-time equivalent positions to 317.8; provides clarification and guidance regarding the Flat Top Butte communication site; and grants a continuous appropriation for the Bureau of Homeland Security's Miscellaneous Revenue Fund for the purpose of covering incurred costs arising out of hazardous substance incidents.....	160	209	232
230	Appropriations	LAW	APPROPRIATIONS - PUBLIC HEALTH DISTRICTS - Appropriates \$8,719,200 from the General Fund to the Public Health Districts for fiscal year 2016. ....	160	209	232
231	Appropriations	LAW	APPROPRIATIONS - ENDOWMENT FUND INVESTMENT BOARD - Appropriates \$644,500 to the Endowment Fund Investment Board for fiscal year 2016; limits the number of full-time equivalent positions to 3.7; authorizes continuous appropriation authority for certain costs; and expresses legislative intent with regard to transfers from the earnings reserve funds to the income funds.....	160	210	232
232	Appropriations	LAW	APPROPRIATIONS - H&W, CHILDREN'S MENTAL HEALTH AND SUBSTANCE ABUSE TREATMENT - Changes the fiscal year 2015 appropriation to the Department of Health and Welfare with a one-time transfer of General Funds from Adult Mental Health to Children's Mental Health; changes the fiscal year 2015 appropriation for the Substance Abuse Treatment and Prevention Program with the transfer of 2.0 FTP from the Southwest Idaho Treatment Center and provides an additional appropriation of \$796,700 from federal funds. ....	160	210	232
236	Revenue and Taxation	LAW	TAX INFORMATION - Adds to existing law to provide for an agreement for exchange of information between the State Tax Commission and the departments of Correction and Health and Welfare in relation to the food tax credit. ....	198	246	257
237	Revenue and Taxation	LAW	USE TAX - Amends existing law to provide that the use tax shall not apply to a retailer supplying prepared food or beverages free of charge to its employee when that retailer sells prepared food or beverages in its normal course of business. ....	198	246	257
238	State Affairs	LAW	ELECTRICAL CONTRACTORS AND JOURNEYMEN - Amends existing law to provide an exemption for certain equipment.....	198	250	271
240	Appropriations	LAW	APPROPRIATIONS - H&W, MEDICAID - Appropriates \$2,103,501,600 for the Medicaid Division in the Department of Health and Welfare for fiscal year 2016; limits the number of authorized full-time equivalent positions to 208; provides for transfers to the Cooperative Welfare Fund; limits transfers from trustee and benefit payments; provides legislative intent regarding program integrity; requires monthly Medicaid tracking reports; provides for transfers between programs; requires biannual reports regarding managed care implementation; and requires an annual report on flexible spending authority. ....	180	219	241



SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
242	State Affairs	LAW	ELECTIONS - Amends existing law to revise provisions and procedures when an automatic recount in an election occurs. ....	198	281	291
245	Education	LAW	EDUCATION - Amends existing law to remove the exception for a foreign exchange pupil from applying to a postsecondary institution to enroll in nonsectarian courses.....	228	277	291
246	Education	LAW	BULLYING - Amends and adds to existing law to apply a section to an additional group of individuals; and to provide requirements for harassment, intimidation and bullying information and professional development. ....	241	278	291
247	Appropriations	LAW	APPROPRIATIONS - IDAHO STATE POLICE - Appropriates a total of \$70,732,700 to the Idaho State Police for fiscal year 2016; and limits the number of authorized full-time equivalent positions to 560.5.....	194	219	241
248	Appropriations	LAW	APPROPRIATIONS - COMMISSION ON AGING - Appropriates \$12,492,400 to the Commission on Aging for fiscal year 2016; limits the number of authorized full-time equivalent positions to 13; and requires a management review. ....	194	220	241
249	Appropriations	LAW	APPROPRIATIONS - STATE CONTROLLER - Appropriates \$14,464,200 to the Idaho State Controller for fiscal year 2016; limits the number of authorized full-time equivalent positions to 95; provides for the recovery of State Controller service costs to the General Fund; provides dedicated fund reappropriation authority; and appropriates an additional \$250,000 to the Idaho State Controller for fiscal year 2015.....	194	220	241
250	Appropriations	LAW	APPROPRIATIONS - IDAHO COMMISSION FOR LIBRARIES - Appropriates \$5,261,100 to the Idaho Commission for Libraries for fiscal year 2016; and limits the number of authorized full-time equivalent positions to 37.5.....	194	220	241
251	Appropriations	LAW	APPROPRIATIONS - DIVISION OF VOCATIONAL REHABILITATION - Appropriates \$25,443,700 to the Division of Vocational Rehabilitation for fiscal year 2016; and limits the number of full-time equivalent positions to 152.5.....	194	220	241
252	Revenue and Taxation	S Loc Gov	SALES AND USE TAX - Amends existing law to impose a sales and use tax exemption for sales of certain items to nonresidents from states not imposing a sales and use tax for use outside of this state even though delivery be made within this state under certain conditions and to impose a sales and use tax exemption for sales of certain items manufactured in Idaho for use and licensing outside of Idaho when sold directly by the manufacturer to the out-of-state purchaser; and to provide for distribution of these moneys. .... <b>Amended in the House (See House Journal)</b>	233	-	233
253	Appropriations	LAW	APPROPRIATIONS - COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED - Appropriates \$4,750,000 to the Commission for the Blind and Visually Impaired for fiscal year 2016; and limits the number of full-time equivalent positions to 40.12.....	198	222	241

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
254	Appropriations	LAW	APPROPRIATIONS - ATTORNEY GENERAL - Appropriates \$22,796,000 to the Attorney General for fiscal year 2016; limits the number of authorized full-time equivalent positions to 202.6; and exempts the Attorney General from object and program transfer limitations. ....	198	222	241
256	Ways and Means	LAW	PUBLIC WORKS - Amends existing law to revise provisions concerning the applicability of specified law.....	228	272	282
257	Ways and Means	S Loc Gov	PROPERTY TAXATION - Amends existing law to provide that park model vehicles shall be assessed per the National Automobile Dealers Association standard for recreational vehicles classified as park model homes for property tax purposes. .... <b>Amended in the Senate</b> .....	228 263	-	292
262	Transportation and Defense	LAW	TRANSPORTATION NETWORK COMPANIES - Adds to existing law to provide for regulation of transportation network companies and drivers. ....	208	256	271
263	Appropriations	LAW	APPROPRIATIONS - SUPERINTENDENT OF PUBLIC INSTRUCTION - Amends existing law to provide for certain payments to schools.....	208	244	257
264	Appropriations	LAW	APPROPRIATIONS - H&W - MENTAL HEALTH SERVICES/ PSYCHIATRIC HOSPITALIZATION/SUBSTANCE ABUSE SERVICES - Appropriates \$88,007,100 to the divisions of Mental Health, Psychiatric Hospitalization, and Substance Abuse Treatment and Prevention for fiscal year 2016; limits the number of full-time equivalent positions for the three divisions to 673; provides for General Fund transfers to the Cooperative Welfare Fund; directs expenditures for trustee and benefit payments; provides for program integrity; limits transfers of legislative appropriations; clarifies responsibility for education of certain children in state care; directs an interagency payment; provides for Court Services Fund transfers; and provides legislative intent relating to a Crisis Center location.....	208	244	257
265	Ways and Means	S Res/Env	PUBLIC LANDS - Adds to existing law to provide for the Interstate Compact on Transfer of Public Lands. .... <b>Amended in the House (See House Journal)</b> <b>Amended in the House (See House Journal)</b>	276	-	276
268	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF LANDS - Appropriates an additional \$69,600 to the Department of Lands for fiscal year 2015; appropriates \$50,641,800 to the Department of Lands for fiscal year 2016; limits the number of full-time equivalent positions to 283.12; exempts certain appropriation object transfer limitations; and provides legislative intent with regard to Flat Top Butte. ....	216	245	257
269	Revenue and Taxation	LAW	OIL AND GAS TAX - Amends existing law to revise how the tax on the production of oil and gas is administered and collected and to define "gross income.".....	228	264	275

SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
271	Appropriations	LAW	APPROPRIATIONS - STATE APPELLATE PUBLIC DEFENDER - Appropriates \$2,476,300 to the State Appellate Public Defender for fiscal year 2016; limits the number of full-time equivalent positions to 23; provides legislative intent for the payment of outside counsel costs; provides legislative intent for the payment of capital representation costs; and provides for a cash transfer.....	216	245	257
272	Appropriations	LAW	APPROPRIATIONS - STATE TREASURER - Appropriates \$3,828,700 to the State Treasurer for fiscal year 2016; limits the number of full-time equivalent positions to 26; provides for reappropriation authority for the LGIP Fund; provides legislative intent regarding conference-related activities; provides legislative intent regarding payment of bank service fees; provides legislative intent regarding mitigation of bank service fees; and provides legislative intent regarding consultation with the State Treasurer Investment Advisory Board.....	216	245	257
273	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF WATER RESOURCES - Appropriates \$20,683,200 to the Department of Water Resources for fiscal year 2016; limits the number of full-time equivalent positions to 152; appropriates and transfers \$716,000 from the Revolving Development Fund to the Aquifer Planning and Management Fund; and provides legislative intent for the director to commence a water rights adjudication of the Palouse River Basin.....	216	245	257
274	Appropriations	LAW	APPROPRIATIONS - H&W - WELFARE DIVISION- Appropriates \$149,545,500 for the Welfare Division in the Department of Health and Welfare for fiscal year 2016; limits the number of authorized full-time equivalent positions to 634.55; provides for transfers to the Cooperative Welfare Fund; directs expenditures for trustee and benefit payments; provides legislative intent for program integrity; and requires biannual forecast reports.....	228	246	257
276	Appropriations	LAW	APPROPRIATIONS - H&W - CHILD WELFARE/DEVELOPMENTALLY DISABLED SERVICES/SERVICE INTEGRATION - Appropriates \$99,734,500 to the Department of Health and Welfare for the divisions of Child Welfare, Services for the Developmentally Disabled and Service Integration for fiscal year 2016; limits the number of authorized full-time equivalent positions for the three divisions to 734.21; provides for General Fund transfers to the Cooperative Welfare Fund; limits transfers for trustee and benefit payments; provides for program integrity; provides legislative intent on educating children in the department's care; and directs expenditures for Head Start.....	228	247	257
277	Ways and Means	LAW	TITLE INSURANCE - Amends and adds to existing law to establish additional provisions concerning the business of title insurance; to establish additional provisions concerning the business of title insurance operating under the control and supervision of the director of the Department of Insurance; to provide that a title insurer may issue closing or settlement protection to certain persons, to provide a limitation on closing or settlement protection, to provide a rate and to establish provisions for construing the section.....	241	273	282

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
281	Appropriations	LAW	APPROPRIATIONS - H&W - PUBLIC HEALTH SERVICES - Appropriates \$110,359,900 to the Department of Health and Welfare for the Public Health Services Division for fiscal year 2016; limits the number of authorized full-time equivalent positions to 221.5; provides for transfers to the Cooperative Welfare Fund; limits the transfer of funds budgeted for trustee and benefit payments; provides for program integrity; provides for specific use of General Funds; and requires an annual report on accreditation status.....	241	253	271
282	Appropriations	LAW	APPROPRIATIONS - CATASTROPHIC HEALTH CARE PROGRAM - Appropriates \$27 million from the General Fund and directs the transfer to the Catastrophic Health Care Cost Fund for fiscal year 2016; and provides guidance regarding unexpended and unencumbered General Funds. ....	241	253	271
284	Appropriations	LAW	APPROPRIATIONS - CORRECTION DEPARTMENT - Appropriates \$226,163,000 to the Department of Correction for fiscal year 2016; limits the number of authorized full-time equivalent positions to 1,972.85; and expresses legislative intent regarding the distribution of moneys for the Special Assistant United States Attorney Project. ....	241	253	271
286	Revenue and Taxation	S Loc Gov	PROPERTY EXEMPT FROM TAXATION - Amends existing law to revise the property tax exemption for certain business property, to revise definitions, to revise capital investment requirements in counties within a certain population criteria and to revise the exemption criteria. ....	258	-	258
287	Appropriations	LAW	APPROPRIATIONS - EDUCATION BOARD, HEALTH EDUCATION PROGRAMS - Appropriates \$13,098,800 to the State Board of Education and the Board of Regents of the University of Idaho for Health Education Programs for fiscal year 2016; limits the number of authorized full-time equivalent positions to 23.8; provides a lump sum appropriation for dedicated funds; and reappropriates unexpended and unencumbered dedicated fund balances in the Dental Education Program. ....	241	254	271
288	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - INDEPENDENT COUNCILS/ INDIRECT SUPPORT SERVICES/HEALTHCARE POLICY INITIATIVES/LICENSING AND CERTIFICATION - Appropriates \$62,134,600 to the Department of Health and Welfare for the divisions of Independent Councils, Indirect Support Services, Healthcare Policy Initiatives and Licensing and Certification for fiscal year 2016; limits the number of authorized full-time equivalent positions to 373.5; provides for General Fund transfers to the Cooperative Welfare Fund; restricts the transfer of trustee and benefit payments; limits services to available resources; requires a monthly Medicaid tracking report; requires a biannual Medicaid Integrity Unit report; requires quarterly transfer reports; requires a report on VOCA funds; and requires a report on facility licensing and certification. ....	241	254	271
289	Appropriations	LAW	APPROPRIATIONS - SUPERINTENDENT OF PUBLIC INSTRUCTION - Appropriates an additional \$201,600 of dedicated funds and reduces the federal fund appropriation by \$301,600 in fiscal year 2015. ....	241	254	271

SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
290	Appropriations	LAW	APPROPRIATIONS - SPECIAL PROGRAMS - Appropriates \$11,920,100 to Special Programs under the State Board of Education for fiscal year 2016; limits the number of full-time equivalent positions to 38.13; and provides for the transfer of any unexpended and unencumbered General Fund moneys to the Opportunity Scholarship Program Fund at the end of fiscal year 2015.....	241	255	271
291	State Affairs	LAW	PUBLIC RECORDS - Amends existing law to provide that land management plans required for voluntary stewardship agreements pursuant to law and agreements relating to the conservation of sage grouse and entered into voluntarily by owners or occupiers of land with a soil conservation district are exempt from disclosure under the Public Records Act.....	258	286	302
293	Appropriations	LAW	APPROPRIATIONS - IDAHO STATE HISTORICAL SOCIETY - Appropriates \$5,892,900 to the Idaho State Historical Society for fiscal year 2016; and limits the number of authorized full-time equivalent positions to 49.02.....	241	255	271
294	Appropriations	LAW	APPROPRIATIONS - IDAHO STATE CAPITOL COMMISSION - Appropriates \$2,642,000 to the Idaho State Capitol Commission for fiscal year 2016; provides a cash transfer; and provides reappropriation authority.....	241	255	271
295	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION FOR THE BOND PAYMENT PROGRAM - Appropriates \$12,303,000 to the Department of Administration for the Bond Payment Program for fiscal year 2016. ....	241	256	271
296	Education	LAW	EDUCATION - Amends and adds to existing law to revise provisions for staff allowance; to revise provisions for the experience and education multiplier; to provide for a career ladder and related requirements; to revise provisions for each district's salary-based apportionment; and to revise provisions for leadership premiums. ....	241	268	275
298	Health and Welfare	LAW	MEDICAID - Amends existing law to provide that certain services provided to adolescents shall be reimbursed at a certain percentage of the current Medicare rate. ....	258	287	302
300	Education	LAW	EDUCATION - Amends existing law to provide that computation of alternative school support units shall include grades 6 through 12. ....	272	286	302
301	State Affairs	LAW	CONCEALED WEAPONS - Repeals, amends and adds to existing law relating to the carrying of concealed weapons.....	249	290	302
302	Education	LAW	SCIENCE AND TECHNOLOGY - Adds to existing law to create in the Office of the Governor the Science, Technology, Engineering and Math Action Center and the STEM Action Center Board, to provide powers and duties and to provide for reports. ....	272	287	302
303	Ways and Means	S Loc Gov	EMINENT DOMAIN - Amends existing law to require certain evidence in cases in which eminent domain is intended to be exercised for specific purposes. ....	272	-	272

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
304	Appropriations	LAW	APPROPRIATIONS - COMMUNITY COLLEGES - Appropriates \$34,561,000 to the State Board of Education for community colleges for fiscal year 2016; exempts appropriation object and program transfer limitations; provides legislative intent relating to system-wide expenditures; and requires an update on the Complete College Idaho initiative. ....	249	264	275
305	Appropriations	LAW	APPROPRIATIONS - OFFICE OF STATE BOARD OF EDUCATION - Appropriates \$5,857,500 to the Office of the State Board of Education for fiscal year 2016; limits the number of full-time equivalent positions to 25.75; and authorizes the reappropriation of certain funds. ....	249	265	275
308	Education	LAW	PUBLIC CHARTER SCHOOLS - Amends existing law to provide that certain code provisions relating to pupil service staff allowance do not apply to public charter schools. ....	272	287	302
309	Education	LAW	PUBLIC CHARTER SCHOOLS - Adds to existing law to create the Public Charter School Debt Reserve, to provide conditions to use the Public Charter School Debt Reserve, to provide for approval from the Idaho Housing and Finance Association, to establish the Public Charter School Debt Reserve Fund, to provide for continuous appropriation, to provide for the deposit of certain moneys into the fund and to provide provisions concerning a default on an outstanding debt. .... <b>Amended in the Senate</b> .....	276 304	- 307	322
310	Ways and Means	S Transp	TRANSPORTATION - Amends existing law to revise apportionment provisions relating to the Highway Distribution Account; and to provide for the transfer of certain General Fund collections to the State Highway Account. ....	282	-	323
311	Revenue and Taxation	S Transp	TAXATION - Amends, repeals and adds to existing law to revise the tax imposed on motor fuel and to provide for floor stock tax provisions; to establish provisions concerning the distribution of revenues from tax on motor fuel; to establish provisions concerning the distribution of revenues from tax on special fuels; to revise income tax rates; to provide a sales and use tax exemption for the purchase of food; and to establish additional provisions concerning the revenue sharing account. ....	282	-	290
312	Ways and Means	LAW	TRANSPORTATION - Amends and adds to existing law to revise registration fees; to provide for additional registration fees; and to provide a fee for electric and hybrid vehicles. .... <b>Amended in the Senate</b> ..... <b>Amended in the Senate</b> .....	282 306 323	- 309 334	336
313	Education	LAW	EDUCATION - Amends and adds to existing law to provide an amount needed for school counseling support; to revise provisions and to establish additional provisions for school counselors; to provide for academic and college or career advisors and student mentors, to grant school districts and charter schools the authority to employ certain staff, to require school districts provide professional development for certain staff and to provide notice and reporting requirements. ....	282	294	304

SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
314	Education	LAW	EDUCATION - Adds to existing law to grant the State Board of Education rulemaking authority concerning the flexibility document associated with the federal Elementary and Secondary Education Act, to provide testing requirements, to provide requirements concerning the contents of the flexibility document and to provide review requirements. ....	282	294	304
316	Ways and Means	LAW	TRANSPORTATION NETWORK COMPANIES - Adds to existing law to establish insurance requirements for transportation network companies and drivers; and to revise a definition. ....	276	293	304
318	State Affairs	LAW	LIQUOR LICENSES - Amends existing law to provide for the issuance of a liquor license to the owner, operator or lessee of a conference and event center that is within the city limits of a resort city. ....	291	312	319
319	State Affairs	LAW	ADMINISTRATIVE RULES - Adds to existing law to provide that administrative rules that expire on July 1, 2015, will continue to be effective until July 1, 2016, to provide that administrative rules approved or extended by the adoption of a concurrent resolution shall be effective until July 1, 2016, or until such time as they expire, to provide that rules rejected by concurrent resolution shall be null, void and of no force and effect and to authorize agencies to amend or repeal certain rules pursuant to the Administrative Procedure Act. ....	302	308	313
320	Appropriations	LAW	APPROPRIATIONS - FISH AND GAME DEPARTMENT - Appropriates an additional \$1,600,000 to the Department of Fish and Game for fiscal year 2015 for onetime projects. ....	302	308	313
321	Appropriations	LAW	APPROPRIATIONS - SUPERINTENDENT OF PUBLIC INSTRUCTION - Appropriates an additional \$121,000 from the General Fund to the Superintendent of Public Instruction for fiscal year 2016 for background checks. ....	302	312	319
323	Education	LAW	EDUCATION - Amends existing law to provide that certain staff may not be placed on a renewable contract status. ....	305	315	319
324	Ways and Means	LAW	OPEN MEETING LAW - Amends existing law to increase monetary civil penalties for violations of the Open Meeting Law. ....	305	316	319
326	Appropriations	LAW	APPROPRIATIONS - STEM ACTION CENTER - Appropriates \$647,300 to the STEM Action Center for fiscal year 2016; limits the number of authorized full-time equivalent positions to two; and provides legislative intent. ....	313	316	319
328	Ways and Means	LAW	SESSION LAWS AND JOURNALS - Repeals and adds to existing law to recodify the laws regarding the compiling and printing of Session Laws and Journals of the Legislature; and to revise duties of the Secretary of State regarding Session Laws. ....	313	316	319
330	Revenue and Taxation	S Loc Gov	INCOME TAX - Amends existing law to revise the income food tax credit and refunds against the state income tax. ....	320	-	320

## SECTION X

## NUMERICAL INDEX OF HOUSE JOINT MEMORIALS RECEIVED BY THE SENATE

House Joint Memorial	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1	State Affairs	S St Aff	FEDERAL REGULATIONS - Stating findings of the Legislature and requesting Congress to vote to propose the Regulation Freedom Amendment to the United States Constitution. ....	84	-	84
2	Resources and Conservation	ADOPTED	CALDERA MONUMENT - Stating findings of the Legislature and opposing any national monument designation in the Caldera area of the Island Park region in eastern Idaho and declaring that any efforts to reach decisions regarding lands of Idaho administered by federal agencies be made by local collaboration, rather than by unilateral administrative processes that exclude the residents of Idaho. ....	84	128	140
3	State Affairs	S St Aff	HUMAN RIGHTS - Stating findings of the Legislature and urging the government of Turkey to uphold and safeguard religious and human rights of all its citizens without compromise; to grant the Ecumenical Patriarch appropriate international recognition, ecclesiastical succession, and the right to train clergy of all nationalities; and to respect the property rights and human rights of the Ecumenical Patriarchate and all religious and faith traditions. ....	151	-	298
4	State Affairs	S St Aff	JUDGES - Stating findings of the Legislature and calling upon Congress to bring clarity to the principle that the role of the United States judiciary is to interpret as close to original intent as possible. ....	233	-	233
5	Resources and Conservation	ADOPTED	BOULDER-WHITE CLOUDS MONUMENT - Stating findings of the Legislature and declaring that any efforts to reach decisions regarding national monument designation in the Boulder-White Clouds area of Central Idaho should be made with local collaboration, rather than by unilateral federal administrative processes that exclude the residents of Idaho. ....	151	180	207
6	Agricultural Affairs	ADOPTED	AGRICULTURE - Stating findings of the Legislature and urging the Congress of the United States to enact bipartisan legislation that reaffirms the FDA as the primary authority in uniform food labeling related to genetic engineering, based on scientific standards regarding health, safety and nutrition; urging that existing FDA labeling rules and guidance, as well as the U.S. Department of Agriculture's National Organic Program provide sufficient standards to address consumer interest in food production practices through the use of truthful and non-misleading voluntary labeling; and urging the commissioner of the FDA to adopt policies, regulations and rules setting standards to address consumer interest in food production practices through voluntary labeling. ....	151	180	207
7	Ways and Means	ADOPTED	IDAHO NATIONAL LABORATORY - Stating findings of the Legislature and requesting the Department of Energy, the Administration and Congress to join Idaho in exploring the favorable geologic conditions of the Geothermal Resource Area on the western edge of INL. ....	151	180	207



SENATE INDEX

House Joint Memorial	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
8	State Affairs	ADOPTED	TRANSPORTATION - Stating findings of the Legislature and urging and petitioning the Congress of the United States to enact the pending legislation introduced by the Idaho congressional delegation providing legal authority to the State of Idaho to determine whether to allow 129,000-pound vehicles on the federal Interstate highway system in Idaho. ...	151	173	197
9	Ways and Means	ADOPTED	SAGE-GROUSE - Stating findings of the Legislature and urging Congress to continue to make no funds available for use by the Secretary of the Interior to consider, prepare, write, or issue a petition finding or proposed regulation for greater sage-grouse for a period of 10 years through and including fiscal year 2025; resolving that during such period the State of Idaho will continue to implement its sage-grouse conservation plan, thereby establishing and enhancing its efficacy over time; and resolving that Congress should by legislation recognize and encourage state primacy in the long-term management of sage-grouse and its habitat. ....	258	285	302
10	Ways and Means	ADOPTED	DEER FLAT NATIONAL WILDLIFE REFUGE - Stating findings of the Legislature and requesting certain action by the U.S. Fish and Wildlife Service. ....	249	285	302
11	Ways and Means	ADOPTED	WATER RESOURCES - Stating findings of the Legislature and opposing the removal or breaching of dams on the Columbia-Snake River System and its tributaries and recognizing Idaho's sovereignty of its water resources. ....	291	304	313
12	State Affairs	ADOPTED	HUMAN RIGHTS - Stating findings of the Legislature and urging the government of Turkey to uphold and safeguard religious and human rights of all its citizens without compromise; to grant the Ecumenical Patriarch appropriate international recognition, ecclesiastical succession and the right to train clergy of all nationalities; and to respect the property rights and human rights of the Ecumenical Patriarchate and all religious and faith traditions. ....	299	310	319

## SECTION XI

## NUMERICAL INDEX OF HOUSE CONCURRENT RESOLUTIONS RECEIVED BY THE SENATE

House Concurrent Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1	Moyle and Rusche	ADOPTED	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.....	5	-	15
2	State Affairs	ADOPTED	EAGLE ROCK BRIDGE - Stating findings of the Legislature and recognizing the 150th anniversary of the building of the first bridge to span the Snake River which started the settlement that became Idaho Falls.....	58	103	113
3	Education	ADOPTED	EDUCATION - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of the state's elementary, secondary and postsecondary longitudinal data systems.....	86	135	150
4	Revenue and Taxation	ADOPTED	TAXES - RULE REJECTED - Stating findings of the Legislature and rejecting certain rules of the State Tax Commission relating to Idaho Sales and Use Tax Administrative Rules.....	71	128	140
5	Health and Welfare	ADOPTED	DIABETES - Stating findings of the Legislature and recognizing American Diabetes Month in November and supporting its goals and ideals.....	118	132	145
6	Commerce and Human Resources	ADOPTED	PERSI - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule docket of the Public Employee Retirement System of Idaho relating to PERSI Contribution Rules.....	113	180	207
7	Resources and Conservation	ADOPTED	OUTDOOR RETAILER SHOW - Stating findings of the Legislature and inviting Outdoor Retailer to host its biannual show and to express the importance of outdoor recreation to the economy of Idaho and to the lives of Idahoans.....	113	165	179
8	Resources and Conservation	ADOPTED	NATURAL RESOURCE ISSUES - STUDY - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of natural resource issues.....	118	284	302
9	Health and Welfare	ADOPTED	SOCIAL WORK RECOGNITION MONTH - Stating findings of the Legislature and proclaiming March 2015 as Social Work Recognition Month and calling upon all citizens to join with the National Association of Social Workers in celebration and support of the social work profession.....	118	180	207
10	Resources and Conservation	ADOPTED	WATER RESOURCES - Stating findings of the Legislature and rejecting a certain rule docket of the Department of Water Resources relating to Rules for Conjunctive Management of Surface and Ground Water Resources.....	118	165	179
11	Health and Welfare	ADOPTED	COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED - Stating findings of the Legislature and rejecting a certain rule docket of the Office of the Governor relating to the Idaho Commission for the Blind and Visually Impaired. ...	129	193	216

SENATE INDEX

House Concurrent Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
12	Health and Welfare	S Res/Env	ENDOWMENT ASSETS - STUDY - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of endowment asset issues of importance to Idaho and to monitor implementation of the Callan Report recommendations. ....	160	-	276
13	State Affairs	ADOPTED	IDAHO STATE POLICE - RULE REJECTED - Stating findings of the Legislature and rejecting a certain rule of the Idaho State Police relating to the Idaho Peace Officer Standards and Training Council.....	155	207	232
14	Agricultural Affairs	ADOPTED	FARM BUREAU FEDERATION - Stating findings of the Legislature and recognizing and honoring the Idaho Farm Bureau Federation for its 75 years of accomplishments and service to Idaho agriculture.....	151	180	207
15	State Affairs	ADOPTED	STATEHOOD ANNIVERSARY - Stating findings of the Legislature and celebrating the 125th anniversary of statehood for Idaho.....	147	265	275
16	Health and Welfare	ADOPTED	BENEWAH COUNTY - Stating findings of the Legislature and recognizing and congratulating Benewah County and its residents for the county's Centennial Anniversary in 2015. ...	155	249	271
17	Ways and Means	ADOPTED	URBAN RENEWAL STUDY COMMITTEE - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of urban renewal plans and issues. ....	208	276	291
19	Ways and Means	S Health/Wel	EMERGENCY MEDICAL SERVICES - Stating findings of the Legislature and directing the EMS bureau to convene a working group to prepare legislation on emergency medical services in Idaho. ....	258	-	283
21	Education	ADOPTED	EDUCATION - RULEMAKING - Stating findings of the Legislature and rejecting a certain rule docket of the State Board of and State Department of Education relating to Rules Governing Thoroughness. ....	249	271	282
22	Education	ADOPTED	EDUCATION - RULEMAKING - Stating findings of the Legislature and rejecting a certain rule of the State Board of and State Department of Education relating to Rules Governing Uniformity. ....	249	272	282
23	Ways and Means	ADOPTED	PURCHASING LAWS - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of the state's purchasing laws. ....	272	310	319
24	Health and Welfare	ADOPTED	FAMILY CAREGIVERS - Stating findings of the Legislature and endorsing efforts by the Idaho Caregiver Alliance to explore innovative means to support uncompensated family caregivers in Idaho. ....	272	285	302
25	State Affairs	S Transp	TRANSPORTATION - RULE REJECTED - Stating findings of the Legislature and rejecting certain rules of the Idaho Transportation Department.....	304	-	304

<b>House Concurrent Resolution</b>	<b>Introduced by</b>	<b>Final Action</b>	<b>Subject Matter</b>	<b>Intro- duction Page</b>	<b>Senate Vote Page</b>	<b>Final Disp. Page</b>
26	State Affairs	ADOPTED	BROADBAND ACCESS STUDY COMMITTEE - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study and make recommendations for broadband services and governance for the State of Idaho and to provide that the committee shall make recommendations regarding minimum Service Level Agreements. ....	320	321	336

## SECTION XII

## SENATE SPONSORS - SENATE LEGISLATION VOTED ON IN SENATE - 2015

BILL NO.	SPONSOR(S)
S 1001	Patrick
S 1002	Mortimer
S 1003	Bair
S 1004	Johnson
S 1006	Patrick
S 1007	Heider
S 1008	Heider
S 1009	Martin
S 1010	Heider
S 1011	Hill
S 1012	Guthrie
S 1013	Mortimer
S 1014	Davis
S 1015aa	Hagedorn
S 1016	Lacey
S 1018	Keough
S 1019	Thayn
S 1020	Stennett
S 1021	Souza
S 1023	Cameron
S 1024	McKenzie
S 1025	Davis
S 1026	Bayer
S 1027	Hagedorn
S 1028	Winder
S 1029	Johnson
S 1030	McKenzie
S 1031	Keough
S 1033aa	Burgoyne
S 1034	Bayer
S 1035	Burgoyne
S 1036	Martin
S 1037	Martin
S 1040aa	Tippets
S 1041aa	Burgoyne
S 1042	Hagedorn

BILL NO.	SPONSOR(S)
S 1043	Hagedorn
S 1044	Guthrie
S 1045	Johnson
S 1046	Heider
S 1047	Schmidt
S 1050	Thayn
S 1051	Bayer
S 1052	Souza
S 1053aa	Davis
S 1054	Burgoyne
S 1056aa	Davis
S 1057	Siddoway
S 1058	Brackett
S 1059aa	Cameron
S 1060	Heider
S 1061aa	Brackett
S 1062aa,aa	Thayn
S 1063	Schmidt
S 1066	Winder
S 1067	Burgoyne
S 1069aa,aa,aaH	Davis
S 1070aa	Thayn
S 1071aa	Patrick
S 1072aa	Souza
S 1073aaH	Keough
S 1074	Lee
S 1075	Hill
S 1076	Winder
S 1077	Schmidt
S 1078	Patrick
S 1079	Martin
S 1080aa	Ward-Engelking
S 1081	Lakey
S 1082	Nonini
S 1084	Nonini
S 1086	Thayn

BILL NO.	SPONSOR(S)
S 1087	Mortimer
S 1088aaH	Keough
S 1091	Davis
S 1092	Heider
S 1095aa	Hagedorn
S 1096aa	Den Hartog
S 1097	Nonini
S 1098aaH	Vick
S 1099	Bair
S 1100	Heider
S 1104aaH	Nonini
S 1107	Siddoway
S 1108aa	Brackett
S 1109	Davis
S 1110	Keough
S 1112	Davis
S 1113	Brackett
S 1114	Keough
S 1115	Bair
S 1116	Thayn
S 1117	Guthrie
S 1118	Johnson
S 1119	Keough
S 1120	Tippets
S 1121	Martin
S 1123	Schmidt
S 1125	Thayn
S 1126	Cameron
S 1127	Johnson
S 1128	Bair
S 1129	Thayn
S 1130	Guthrie
S 1131	Thayn
S 1132	Bair
S 1133	Guthrie
S 1135aa	Davis

BILL NO.	SPONSOR(S)
S 1136	Lodge
S 1138	Nuxoll
S 1139	Guthrie
S 1140	Keough
S 1141	Keough
S 1142	Bair
S 1143	Nuxoll
S 1144	Johnson
S 1145	Johnson
S 1146aa	McKenzie
S 1147	Siddoway
S 1148	Johnson
S 1149	Thayn
S 1150	Bair
S 1151	Guthrie
S 1152	Cameron
S 1154aa	Rice
S 1155	Cameron
S 1156	Heider
S 1157	Schmidt
S 1158	Lacey
S 1159	Guthrie
S 1160	Bair
S 1161	Bair
S 1162	Guthrie
S 1163	Lacey
S 1164	Keough
S 1165	Thayn
S 1166	Thayn
S 1168	Cameron
S 1169	Stennett
S 1170	Burgoyne
S 1171	Cameron
S 1172	Lacey
S 1174	Keough
S 1175	Guthrie

<b>BILL NO.</b>	<b>SPONSOR(S)</b>
S 1176	Lacey
S 1177	Schmidt
S 1178	Keough
S 1179	Nuxoll
S 1180	Nuxoll
S 1181	Davis
S 1182	Davis
S 1183	Lacey
S 1184	Mortimer
S 1185	Mortimer
S 1186	Thayn
S 1187	Thayn
S 1188	Thayn
S 1189	Mortimer
S 1190	Bair
S 1191	Cameron
S 1192	Bair
<b>SCR NO.</b>	<b>SPONSOR(S)</b>
SCR 101	Rice
SCR 102	Brackett
SCR 103	Lakey
SCR 104	Schmidt
SCR 106	Thayn
SCR 107	Keough
SCR 109	Heider
SCR 110	Ward-Engelking
SCR 112	Keough
SCR 113	Rice
SCR 114	Rice
SCR 116	Ward-Engelking
SCR 117	Davis
SCR 118	Buckner-Webb
SCR 119	Mortimer
SCR 120	Mortimer
SCR 121	Mortimer

<b>SCR NO.</b>	<b>SPONSOR(S)</b>
SCR 122	Mortimer
SCR 123	Heider
SCR 124	Burgoyne
SCR 125	Nuxoll
SCR 126	Winder
SCR 127	McKenzie
SCR 128	McKenzie
SCR 129	Patrick
SCR 130	Davis
SCR 131	Lakey
<b>SJM NO.</b>	<b>SPONSOR(S)</b>
SJM 101	McKenzie
SJM 103	Siddoway

## SECTION XIII

## SENATE SPONSORS - HOUSE LEGISLATION VOTED ON IN SENATE - 2015

BILL NO.	SPONSOR(S)
H 1	Ward-Engelking
H 4	Schmidt
H 5	Martin
H 6	Hagedorn
H 7	Hagedorn
H 8	Schmidt
H 9	Martin
H 10	Johnson
H 11	Bayer
H 12	Vick
H 13	Burgoyne
H 15aaS,aaS	Nonini
H 16	Nonini
H 17aaS	Nonini
H 20	Patrick
H 21	Den Hartog
H 22	Ward-Engelking
H 23	Martin
H 24	Schmidt
H 25	Martin
H 26	Keough
H 27	Werk
H 28	Johnson
H 29aaS	Siddoway
H 30	Schmidt
H 31	Lacey
H 33	Heider
H 34	Burgoyne
H 36	Burgoyne
H 37	Siddoway
H 39	Guthrie
H 40	Lacey
H 41	Schmidt
H 42	Vick
H 43	Keough
H 44	Hagedorn

BILL NO.	SPONSOR(S)
H 46	Martin
H 47	Stennett
H 48	Nuxoll
H 49	Cameron
H 50	Bair
H 52	Keough
H 53aa	Lakey
H 55	Johnson
H 58	Siddoway
H 59	Martin
H 61	Souza
H 62	Tippets
H 64	Johnson
H 68	Bayer
H 70	Nonini
H 72aaS	Brackett
H 75	Vick
H 76	Guthrie
H 77	Hill
H 78	Lee
H 81	Lakey
H 82	Bayer
H 85	Siddoway
H 90	Hill
H 91	Hill
H 92aa,aaS	Davis
H 94aaS	Siddoway
H 95aaS	Rice
H 96	Brackett
H 99	Lakey
H 101	Lakey
H 102	Lakey
H 104	Lakey
H 107	Schmidt
H 108	Tippets
H 109aaS	Stennett



BILL NO.	SPONSOR(S)
H 110	Keough
H 112	McKenzie
H 113aaS	Nuxoll
H 114	Patrick
H 116	Lee
H 117	Martin
H 120aa	Lee
H 121	Bayer
H 122	Ward-Engelking
H 123	Rice
H 124	Vick
H 125	Lee
H 126	Patrick, Bayer
H 128	McKenzie
H 129	Hagedorn
H 132	Winder
H 133	Hill
H 136	Lodge
H 137aa	Schmidt
H 138	Lodge
H 139	Souza
H 142aaS	Rice
H 143	Patrick
H 147	Buckner-Webb
H 148	Lee
H 150	Schmidt
H 152aaS	Ward-Engelking
H 153	Hagedorn
H 154aaS	Nuxoll
H 155aaS	McKenzie
H 156	Johnson
H 157aaS	Bayer
H 158	Johnson
H 159	McKenzie
H 160	Lakey
H 161	Lakey

BILL NO.	SPONSOR(S)
H 163	Lodge
H 166	Cameron
H 167aaS	McKenzie
H 168	Mortimer
H 169	Nonini
H 170aaS	Nonini
H 172	Siddoway
H 177	Hagedorn
H 178	Lee
H 179	Tippets
H 181aaS,aaS	Hagedorn
H 182aa	Lakey
H 183	Nuxoll
H 184	McKenzie
H 185	McKenzie
H 189	Martin
H 190	Thayn
H 194aaS	Hagedorn
H 195	Jordan
H 197	Bair
H 202aaS	Stennett
H 205	Johnson
H 206	Lacey
H 207	Schmidt
H 208	Burgoyne
H 209	Vick
H 210	Schmidt
H 211	Johnson
H 212	Stennett
H 213	Buckner-Webb
H 214	Siddoway
H 216aa	Lakey
H 218	Schmidt
H 219	Nonini
H 220	Johnson
H 221	Nuxoll

<b>BILL NO.</b>	<b>SPONSOR(S)</b>
H 223	Keough
H 224	Schmidt
H 225	Lacey
H 226	Johnson
H 227	Keough
H 228	Keough
H 229	Bair
H 230	Nuxoll
H 231	Nuxoll
H 232	Nuxoll
H 236	Bayer
H 237	Bayer
H 238	Lakey
H 240	Schmidt
H 242	Winder
H 245	Patrick
H 246	Ward-Engelking
H 247	Lacey
H 248	Lacey
H 249	Keough
H 250	Lacey
H 251	Guthrie
H 253	Keough
H 254	Keough
H 256	Patrick
H 262	Nonini
H 263	Cameron
H 264	Schmidt
H 268	Bair
H 269	Lee
H 271	Thayn
H 272	Guthrie
H 273	Bair
H 274	Schmidt
H 276	Nuxoll
H 277	Martin

<b>BILL NO.</b>	<b>SPONSOR(S)</b>
H 281	Johnson
H 282	Nuxoll
H 284	Lacey
H 287	Johnson
H 288	Johnson
H 289	Thayn
H 290	Cameron
H 291	Heider
H 293	Schmidt
H 294	Cameron
H 295	Keough
H 296	Mortimer
H 298	Schmidt
H 300	Patrick
H 301	McKenzie
H 302	Nonini
H 304	Guthrie
H 305	Lacey
H 308	Mortimer
H 309aaS	Mortimer
H 312aaS,aaS	Brackett
H 313	Patrick
H 314	Den Hartog
H 316	Nonini
H 318	Stennett
H 319	McKenzie
H 320	Bair
H 321	Thayn
H 323	Mortimer
H 324	McKenzie
H 326	Cameron
H 328	Davis
<b>HCR NO.</b>	<b>SPONSOR(S)</b>
HCR 1	Davis
HCR 2	Davis

<b>HCR NO.</b>	<b>SPONSOR(S)</b>
HCR 3	Thayn
HCR 4	Johnson
HCR 5	Heider
HCR 6	Patrick
HCR 7	Stennett
HCR 8	Bair
HCR 9	Buckner-Webb
HCR 10	Vick
HCR 11	Lee
HCR 13	Hagedorn
HCR 14	Heider
HCR 15	McKenzie
HCR 16	Schmidt
HCR 17	Winder
HCR 21	Thayn
HCR 22	Thayn
HCR 23	Lakey
HCR 24	Lee
HCR 26	Lakey
<b>HJM NO.</b>	<b>SPONSOR(S)</b>
HJM 2	Siddoway
HJM 5	Stennett
HJM 6	Rice
HJM 7	Heider
HJM 8	Brackett
HJM 9	Brackett
HJM 10	Lodge
HJM 11	Johnson
HJM 12	Buckner-Webb



**JOURNAL**  
of the  
**STATE SENATE**



**FIRST EXTRAORDINARY SESSION**

of the  
**SIXTY-THIRD LEGISLATURE**

of the  
**STATE OF IDAHO**  
**2015**



**SENATE JOURNAL**

**SECTION I-EO**

**SIXTY-THIRD IDAHO LEGISLATURE**

**FIRST EXTRAORDINARY SESSION**

**2015 LEGISLATIVE SESSION**

May 18, 2015

<u>SUBJECT MATTER</u>	<u>PAGE</u>
FIRST EXTRAORDINARY SESSION - May 18, 2015 .....	491
Acting Senator:	
Brent Regan (Vick).....	492
Attaches, Oath of Office.....	492
Certification, Secretary of State .....	491
Certificate of Election.....	491
Proclamation, Office of the Governor.....	491
H 1, by Ways and Means .....	493
Referred to Judiciary and Rules.....	493
Roll Call Vote.....	493
Rules Suspended.....	493
Senate Sponsor - Senator Burgoyne.....	493
<i>Sine Die</i> Adjournment of First Extraordinary Session .....	493

## SECTION II-EO

**SIXTY-THIRD LEGISLATURE  
FIRST EXTRAORDINARY SESSION  
MAY 18, 2015**

## OFFICERS AND ADMINISTRATION OF THE SENATE

<b>Name</b>	<b>Address</b>
LITTLE, BRAD ..... Lieutenant Governor/President of the Senate	Emmett
HILL, BRENT ..... President Pro Tempore	Rexburg
DAVIS, BART M. .... Majority Leader	Idaho Falls
WINDER, CHUCK ..... Assistant Majority Leader	Boise
LAKEY, TODD M. .... Majority Caucus Chair	Nampa
STENNETT, MICHELLE ..... Minority Leader	Ketchum
BUCKNER-WEBB, CHERIE ..... Assistant Minority Leader	Boise
BURGOYNE, GRANT ..... Minority Caucus Chair	Boise
NOVAK, JENNIFER ..... Secretary of the Senate	Boise
HENDRICK, SARAH ..... Journal Clerk	Boise
JONES, MARY SUE ..... Chief of Staff to President Pro Tem	Boise
KELLY, DIANE ..... Minority Chief of Staff	Boise
MCDONALD, SARAH JANE ..... Sergeant-at-Arms	Boise



# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST EXTRAORDINARY SESSION  
SIXTY-THIRD LEGISLATURE

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**FIRST LEGISLATIVE DAY**  
**MONDAY, MAY 18, 2015**

Senate Chamber

At the hour of 8 a.m. on Monday, May 18, 2015, being the day and hour fixed by proclamation of the Governor of the State of Idaho for the convening of the First Extraordinary Session of the Sixty-third Idaho Legislature, the members of the Senate convened in the Senate Chamber of the Capitol in the City of Boise, with President Brad Little presiding. Secretary of the Senate Jennifer Novak read the following Certification and Proclamation calling the Legislature to meet in Extraordinary Session:

STATE OF IDAHO  
OFFICE OF THE SECRETARY OF STATE

### CERTIFICATION

I, Lawrence Denney, Secretary of State of the State of Idaho and legal custodian of the Seal of said State and all Proclamations of the Governor of the State of Idaho pursuant to 67-903, Idaho Code, do hereby certify that the annexed is a full, true and complete copy of the Proclamation of the Governor of the State of Idaho concerning the convening of the Sixty-third Idaho Legislature in an Extraordinary Session, received and filed in this office on the Twenty-ninth day of April, 2015, and that the same appears of record in this office.

IN WITNESS WHEREOF, I have herunto set my hand and affixed the Great Seal of the State of Idaho. Done at Boise, Idaho, this Thirteenth day of May, 2015.

/s/ LAWRENCE DENNEY  
Secretary of State

STATE OF IDAHO  
THE OFFICE OF THE GOVERNOR  
EXECUTIVE DEPARTMENT  
BOISE

### PROCLAMATION

*WHEREAS, Article 4, Section 9 of the Constitution of the State of Idaho empowers the Governor, on extraordinary occasions, to convene the Legislature by proclamation; and*

WHEREAS, there is concern about the effect of tabling previous legislation that was intended to bring our state into compliance with the national child-support program, which was created through a federal-state partnership; and

WHEREAS, there is a compelling public interest in maintaining Idaho's established child support program, which provides services to more than 400,000 parents and children with child-support cases; and

WHEREAS, there is a need for Idaho to operate in full compliance with the reciprocal interstate process as provided by the Uniform Interstate Family Support Act; and

WHEREAS, an extraordinary occasion concerning child support services requiring emergency attention has arisen in the State of Idaho, which makes it appropriate and desirable to convene the 63rd Idaho Legislature in Extraordinary Session;

NOW, THEREFORE, I, C.L. "BUTCH" OTTER, Governor of the State of Idaho, by virtue of the authority vested in me by the Constitution and laws of this state, do by this Proclamation convene the 63rd Idaho Legislature in Extraordinary Session in the legislative chambers at the Capitol in Boise City, Ada County, Idaho, at the hour of 8:00 A.M. on the 18th day of May, 2015 for the following enumerated purpose and no other:

To consider the passage and enactment of legislation amending and adding to Idaho Code, relating to the Uniform Interstate Family Support Act and other laws, in order to maintain a compliant state program of child-support services in Idaho uniform with all other states in the establishment and enforcement of interstate and international support orders and to ensure our state's policies for recognizing foreign judgments are preserved.

The Extraordinary Session of the Legislature convened by this Proclamation shall have no power to legislate on any subjects other than those specified herein.

I HEREBY DIRECT AND REQUIRE that a copy of this Proclamation be delivered to the Lieutenant Governor, to each of the members of the 63rd Idaho Legislature and to the Constitutional Officers of Idaho at the earliest practicable time.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 29th day of April in the year of our Lord two thousand and fifteen and of the Independence of the United States of America the two hundred thirty-ninth and of the Statehood of Idaho the one hundred twenty-fifth.

/s/ C.L. "BUTCH" OTTER  
Governor

/s/ LAWRENCE DENNEY  
Secretary of State

The Certification and Proclamation was ordered filed in the office of the Secretary of the Senate.

The following Certificate of Election was read by the Secretary of the Senate:

STATE OF IDAHO  
OFFICE OF THE SECRETARY OF STATE

### CERTIFICATE OF ELECTION

I, Lawrence Denney, 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 or appointed to serve as members of the Senate of the First Extraordinary Session of the Sixty-third Legislature, as shown by official records on file in my office:

DISTRICT	NAME
1	.....Shawn A. Keough (R)
2	.....Steve Vick (R)
3	..... Bob Nonini (R)
4	.....Mary Souza (R)
5	..... Dan J. Schmidt (D)
6	..... Dan Johnson (R)
7	..... Sheryl L. Nuxoll (R)
8	..... Steven P. Thayne (R)
9	..... Abby Lee (R)
10	..... Jim Rice (R)
11	.....Patti Anne Lodge (R)
12	..... Todd Lakey (R)
13	..... Curt McKenzie (R)
14	.....Marv Hagedorn (R)
15	.....Fred S. Martin (R)
16	.....Grant Burgoyne (D)
17	..... Maryanne Jordan (D)
18	..... Janie Ward-Engelking (D)
19	..... Cherie Buckner-Webb (D)
20	..... Chuck Winder (R)
21	..... Clifford R. Bayer (R)
22	..... Lori Den Hartog (R)
23	..... Bert Brackett (R)
24	..... Lee Heider (R)
25	..... Jim Patrick (R)
26	..... Michelle Stennett (D)
27	..... Dean L. Cameron (R)
28	..... Jim Guthrie (R)
29	..... Roy Lacey (D)
30	..... Dean M. Mortimer (R)
31	..... Steve Bair (R)
32	..... John H. Tippets (R)
33	..... Bart M. Davis (R)
34	..... Brent Hill (R)
35	..... Jeff C. Siddoway (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 Thirteenth day of May, in the year of our Lord, two thousand and fifteen, and of the Independence of the United States of America, the two hundred and thirty-ninth.

/s/ LAWRENCE DENNEY  
Secretary of State

The Certificate of Election was ordered filed in the office of the Secretary of the Senate.

Roll call showed all members present except Senator Vick, absent and formally excused by the Chair.

Prayer was offered by Senator Dean Cameron.

The Pledge of Allegiance was led by Senator Maryanne Jordan.

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

**Messages from the Governor**

May 14, 2015

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have appointed Brent Regan of Coeur d'Alene, Idaho, to be Acting State Senator for Legislative District 2, Kootenai, State of Idaho.

This appointment commences on Monday, May 18, 2015, and continues as long as necessary.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

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 59-917, *Idaho Code*, Steve Vick, State Senator, District 2, Kootenai, State of Idaho, has nominated Brent Regan of Coeur d'Alene, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 2, Kootenai.

NOW, THEREFORE, I, C.L. "Butch" Otter, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Brent Regan to the office of State Senator, District 2, Kootenai, State of Idaho, for a term commencing May 18, 2015, and continuing as long as necessary.

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 Fourteenth day of May, in the year of our Lord two thousand and fifteen and of the Independence of the United States of America, the two hundred and thirty-ninth year.

/s/ BY THE GOVERNOR C.L. "BUTCH" OTTER

/s/ SECRETARY OF STATE LAWRENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Regan, and he was recorded present at this order of business.

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

**Motions and Resolutions**

Moved by Senator Davis, seconded by Senator Stennett, that the following attaches be elected to fill the offices provided for by the *Constitution* of the State of Idaho and by statute:

- Journal Clerk ..... Sarah Hendrick
- Sergeant-at-Arms ..... Sarah Jane McDonald
- Minority Chief of Staff ..... Diane Kelly

The question being, Shall the motion prevail?

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Regan (Vick), Ward-Engelking, Winder. Total - 35.

Whereupon the President declared the attaches duly elected to their respective positions. The President instructed the Sergeant-at-Arms to escort the attaches to the Desk at which time the Oath of Office was administered to the elected attaches and they were escorted from the Chamber.

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

**Messages from the House**

May 18, 2015

Dear Mr. President:

I transmit herewith H 1, which has passed the House.

ALEXANDER, Chief Clerk

H 1 was filed for first reading.

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

**Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials**

H 1, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

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

**Reports of Standing Committees**

May 18, 2015

The JUDICIARY AND RULES Committee reports out H 1 with the recommendation that it do pass.

LODGE, Chairman

H 1 was filed for second reading.

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

**Second Reading of Bills**

Moved by Senator Davis, seconded by Senator Buckner-Webb, that all rules of the Senate interfering with the immediate consideration of H 1 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Regan (Vick), Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 1 was before the Senate for final consideration.

H 1 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Ward-Engelking, Winder. Total - 33.

NAYS—Nuxoll, Regan (Vick). Total - 2.

Total - 35.

Whereupon the President declared H 1 passed, title was approved, and the bill ordered returned to the House.

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

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the First Extraordinary Session of the Sixty-third Legislature of the Idaho Senate adjourned *Sine Die* at 7:12 p.m., Monday, May 18, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

\*\*\*\*\*

[Note: The following is action recorded after Senate *Sine Die*:]

May 19, 2015

Dear Mr. President:

I transmit herewith Enrolled H 1 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 1 and ordered it returned to the House.

**CERTIFICATE**

State of Idaho )  
 )  
Senate Chamber, Boise, Idaho )

We, BRAD LITTLE, President of the Senate, and JENNIFER NOVAK, Secretary of the Senate, do hereby certify and attest as follows:

That the daily Senate Journal of the proceedings of May 18th, 2015 the First Legislative Day, of the First Extraordinary Session of the Sixty-third Idaho Legislature has been read and approved:

And, said Journal contains a true, complete, and accurate record of all Senate proceedings of said day, including final actions by the Senate and the Governor of the State of Idaho, as statutorily mandated.

IN WITNESS WHEREOF, we have hereunto set our hand this 19th day of May, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

\*\*\*\*\*

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HOUSE BILLS RECEIVED BY THE SENATE

House Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1	Ways and Means	LAW	HEALTH AND WELFARE - Amends and adds to existing law relating to the Uniform Interstate Family Support Act..... <b>Session Law Chapter No. 1</b>	493	493	493