

JOURNAL
of the
STATE SENATE



SECOND REGULAR SESSION

of the

SIXTY-THIRD LEGISLATURE

of the

STATE OF IDAHO
2016

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SENATE JOURNAL

2016

TABLE OF CONTENTS

SIXTY-THIRD IDAHO LEGISLATURE
SECOND REGULAR SESSION

	<u>Page</u>
SECOND REGULAR SESSION - January 11 through March 25, 2016	1
Alphabetical Index of All Senate legislation and House legislation received by the Senate.....	301
Committee Assignments.....	298
House Bills received by the Senate.....	406
House Concurrent Resolutions received by the Senate.....	430
House Joint Memorials received by the Senate.....	429
House Joint Resolutions received by the Senate.....	428
Journal Index.....	291
Members of the Senate and Assignments.....	294
Senate Attaches.....	299
Senate Bills.....	369
Senate Bills that became Law with effective date and Session Law Chapter number cited.....	401
Senate Concurrent Resolutions.....	398
Senate Joint Memorials.....	396
Senate Joint Resolutions.....	395
Senate Officers and Administration.....	292
Senate Resolutions.....	397
Senate Sponsors of House Legislation.....	438
Senate Sponsors of Senate Legislation.....	434
Regular Session Daily Journals.....	1

SENATE JOURNAL
OF THE
IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIRST LEGISLATIVE DAY
MONDAY, JANUARY 11, 2016

Senate Chamber

At the hour of 12 p.m. on Monday, January 11, 2016, the time established for the convening of the Second 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.

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 to serve as members of the Senate of the Second Regular Session of the Sixty-Third Legislature, as shown by official records on file in my office:

Table with 2 columns: DISTRICT and NAME. Lists 23 districts and their corresponding members, including Shawn A. Keough, Steve Vick, Bob Nonini, Mary Souza, Dan J. Schmidt, Dan Johnson, Sheryl L. Nuxoll, Steven P. Thayn, Abby Lee, Jim Rice, Patti Anne Lodge, Todd Lakey, Curt McKenzie, Marv Hagedorn, Fred S. Martin, Grant Burgoyne, Maryanne Jordan, Janie Ward-Engelking, Cherie Buckner-Webb, Chuck Winder, Clifford R. Bayer, Lori Den Hartog, and Bert Brackett.

Table with 2 columns: District number and Member name. Lists districts 24 through 35 and their members: Lee Heider, Jim Patrick, Michelle Stennett, Kelly Anthon, Jim Guthrie, Roy Lacey, Dean M. Mortimer, Steve Bair, Mark R. Harris, Bart M. Davis, Brent Hill, and Jeff C. Siddoway.

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 Sixth day of January, in the year of our Lord, Two Thousand and Sixteen, and of the Independence of the United States of America, the Two Hundred and Fortieth.

/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 Ward-Engelking, absent and formally excused by the Chair. [District 27 vacant, District 32 vacant]

Prayer was offered by Father John Worster, Saint Mary's Catholic Church, Boise Idaho.

On request by Senator Davis, granted by unanimous consent, the Sergeant at Arms, Sarah Jane McDonald, escorted the Boise Police Department Honor Guard into the Senate Chamber to present and post the colors for the Second Regular Session of the Sixty-third Idaho Legislature.

The Pledge of Allegiance was led by Sarah Jane McDonald.

On request by Senator Davis, granted by unanimous consent, the Assistant Sergeant at Arms, Jerry Csutoras, escorted the Nampa High School Chamber Singers into the Senate Chamber for the purpose of singing The Star Spangled Banner and America Our Heritage. The choir was directed by Jesse Ledbetter.

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.

President Little presented the Idaho State flag to the Honor Guard to be raised above the Senate Chamber to fly during the Second Regular Session of the Sixty-third Idaho Legislature and the Honor Guard exited the Chamber.

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

Reading of Communications

June 10, 2015

Senator Brent Hill,
President Pro Tempore
Idaho State Senate

Dear Pro Tempore Hill,

I am writing to formally resign my position as the State Senator representing District 27 in the Idaho State Senate as of the end of the day on June 14th, 2015.

Serving in the State Senate has been an incredible experience. It has been truly an honor to represent the citizens of Minidoka and Cassia County. I will always be grateful for their trust, confidence and support. I am also humbled and privileged to have served with so many honorable, dedicated, and selfless men and women.

While I will miss serving in Senate, I am excited and honored to accept an appointment by Governor Otter as the Director of the Department of Insurance effective June 15th, 2015.

Thank you for your leadership, guidance and friendship. I will be forever grateful for your steady, calm, reasonable demeanor. I have every confidence in the talented Senators who will assume my responsibilities and committee assignments. I will do my best to assure a smooth transition in all aspects.

With admiration and respect,
/s/ Dean L Cameron
District 27

The correspondence will be filed in the Office of the Secretary.

June 18, 2015

Brent Hill
President Pro Tempore
Idaho State Senate

Dear Pro Tem Hill:

I write to inform you that subsequent to my appointment by Governor Otter to the director's position at the Idaho Department of Environmental Quality, I hereby resign my position as State Senator, district 32, effective July 5, 2015.

It is with mixed emotions that I leave the Senate for this new opportunity. I have greatly enjoyed my service in the Senate. I have found the issues to be interesting and of great importance to the people of this state. I have appreciated the opportunity to serve my constituents, to get to know them much better, and to help them resolve issues of concern and interest to them. I have enjoyed my association with my colleagues in the Senate, and have come to appreciate the high quality of men and women who serve in that body. I have been impressed with the quality of leadership in the Idaho Senate, and appreciate your true public-servant attitude and your integrity.

I recognize the high level of trust I was given when my constituents chose me to serve, and I have taken that responsibility very seriously. I will be forever grateful for having had this opportunity.

I am now excited about the opportunity to serve in a new capacity, and I look forward to continued association with you and my Senate colleagues as I interface with you on issues related to the Department of Environmental Quality.

God bless you and the Idaho Senate.

Kindest regards,
/s/ John H. Tippetts

The Correspondence will be filed in the Office of the Secretary.

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

Messages from the Governor

July 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 appointed Kelly Anthon of Declo, Idaho, to the office of State Senator for Legislative District 27, Cassia and Minidoka Counties, State of Idaho.

This appointment is effective Thursday, July 2, 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, that pursuant to the provisions of Section 59-904A, *Idaho Code*, the District 27 Legislative Committee of the Republican 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 Kelly Anthon, of Declo, Idaho, to the office of State Senator, District 27, for a term commencing July 2, 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 2nd day of July in the year of our Lord two thousand and fifteen and of the Independence of the United States of America the two hundred fortieth 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 announced that the Oath of Office had been administered previously to Senator Anthon, and he was recorded present at this order of business.

July 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 Mark R. Harris, Soda Springs, Idaho, to the office of State Senator for Legislative District 32, Bear Lake, Bonneville, Caribou, Franklin, Oneida, & Teton Counties, State of Idaho.

This appointment is effective Wednesday, July 22, 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, that pursuant to the provisions of Section 59-904A, *Idaho Code*, the District 32 Legislative Committee of the Republican 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 Mark R. Harris, of Soda Springs, Idaho, to the office of State Senator, District 32, for a term commencing July 22, 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 22nd day of July in the year of our Lord two thousand and fifteen and of the Independence of the United States of America the two hundred fortieth 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 announced that the Oath of Office had been administered previously to Senator Harris, 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

On request by Senator Davis, granted by unanimous consent, President Little appointed a committee consisting of Senator Martin, Chairman, and Senator Lacey to escort the committee from the House of Representatives into the Senate Chamber. Representatives Barbieri, Crane, 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, President Little appointed a committee consisting of Senator Johnson, Chairman, and Senators Anthon 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 Patrick, Chairman, and Senators Harris and Jordan 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 returned to the Ninth Order of Business.

Messages from the House

January 11, 2016

Dear Mr. President:

I transmit herewith [HCR 27](#), which has passed the House.

ALEXANDER, Chief Clerk

[HCR 27](#) 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**

[HCR 27](#), by Moyle, 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 27](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Winder.
Total - 34.

NAYS—None.

Absent and excused—Ward-Engelking. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [HCR 27](#) was before the Senate for final consideration.

On motion by Senator Davis, seconded by Senator Stennett, [HCR 27](#) 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 27](#), 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.

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

Prayer was offered by House Chaplain Tom Dougherty.

On request by Representative Crane, 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 Lodge and Burgoyne and Representatives Wills 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 Gibbs 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 Erpelding 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.

I'm pleased to report today that the State of Idaho is healthy and strong. The people are optimistic. Our communities are vibrant. Our public institutions are running more efficiently and are better prepared than ever to tackle our challenges head on. Idaho citizens are bringing all the energy, enthusiasm and independence that characterize our history to the work of building an even better state for our children and our grandchildren.

And speaking of grandchildren, I'm also pleased to report that the Otter family is expanding. Our son John and his wife Molly are expecting a new grandchild for us to enjoy. I'm excited about the arrival! Of course, all my children and grandchildren are dear to me – a family sentiment and an Idaho value that I'm sure we all share. Our families inspire us to keep working hard to provide them with a legacy of lifelong learning, an appreciation for honest effort, and abiding compassion for those less fortunate.

One of the most inspiring and energizing parts of my job is visiting towns all over Idaho to hold Capital for a Day. It's a chance for local folks who might not often come to Boise to get answers to their questions about State government directly from me and my agency directors. I want to thank all the legislators across Idaho who join us for these monthly public gatherings.

My favorite part of Capital for a Day is meeting students in towns like Kamiah and Albion. They represent their schools, families and communities with great civic pride. And that's no accident. It's a product of engaged parents, committed educators, and public officials from local school trustees to State leaders who embrace the goal of preparing Idaho's schoolchildren for an increasingly complex and competitive world.

Capital for a Day has strengthened my belief that Idaho's character reflects the aspirations of our children and families from generation to generation.

And just as families are the foundation of our communities and our culture, so too can education provide a foundation for stronger families and a brighter future for all of us.

We are entrusted with the singular constitutional responsibility of providing for a "general, uniform and thorough system of public, free common schools" throughout Idaho. Frankly, I'm convinced that we would see this as our highest priority even if it wasn't in our Constitution. So promoting and constantly improving education for the people of Idaho must be the foundation of our work together.

We made promises during the Great Recession that we are duty-bound to fulfill. We have priorities for Idaho's future that require world-class K-12 schools and an advanced, responsive post-secondary education system. And now, we have the financial means.

My legislative agenda for 2016 and my budget recommendations for fiscal 2017 reflect the priority that I place on living within the people's means while making responsible, sustainable and data-driven investments in our K-through-Career education system.

My focus is on supporting student achievement by continuing to responsibly implement the 20 recommendations of our School Improvement Task Force.

Along with insisting on transparency and robust local accountability, the foundation we're building will advance our goal of ensuring that 60 percent of Idaho citizens between the ages of 25 and 34 have a college degree or professional-technical certification by 2020.

Let me impress upon you once again the urgent need to address the cornerstone of successful lifelong learning – reading proficiency. Last year in this chamber I called on Idaho's business community to help us address the clear need for improving the attainment of that basic skill among our youngest students. Pro-active parents start that process at home before kindergarten, and students refine their reading skills in those early school years.

Through the third grade, they learn to read. But from the fourth grade on, they read to learn. So if we're serious about wanting long-term improvement in school outcomes, we must intensify our efforts to provide the kind of proven support that works for students who struggle to develop reading skills.

I want to thank Idaho Business for Education and other stakeholders and practitioners who developed recommendations for addressing our early reading challenges.

My budget includes \$10.7 million to pay for intervention support for students in kindergarten through third grade who are not yet proficient on the state reading indicator. That will improve the chances for more Idaho students to succeed through high school and beyond.

Overall, I'm calling for a 7.9-percent increase in public school funding, including more than \$38 million to continue putting the teacher career ladder in place.

And I'm asking for almost \$1.8 million to move such non-instructional school staff as counselors, nurses and speech pathologists onto the career ladder. I believe implementing the career ladder – based on specific student success measures – is essential to attracting and retaining the best teachers for Idaho schools.

Success in teacher retention also means continuing investment in their professional development. I know from Miss Lori just how demanding those early years in the classroom can be. So I'm asking for an investment of \$5 million for professional development aimed specifically at mentoring new teachers.

I also support Superintendent Ybarra's request to fully restore pre-recession levels of operating funds to school districts. Our Task Force recommended a five-year plan for that process. But the timeline can be cut to three years by approving my recommendation for nearly \$30 million.

Properly applied, technology also is an increasingly necessary factor in 21st century classroom success. That's why I'm recommending that we continue investing not only in devices but also in teacher training and software to make the most of the opportunities that technology affords.

But with or without the latest technology, the most important learning resource our students have is the classroom teacher.

With that in mind, the Task Force recommended moving Idaho to a voluntary "mastery-based" education system. That's one in which teachers are encouraged to provide individualized learning focused on mastery of subject-matter content and concepts rather than classroom "seat time."

I appreciate the Legislature's investment to start implementing mastery-based education, as well as Superintendent Ybarra's focus on achieving that goal. My fiscal 2017 budget includes \$1.1 million to support up to 20 school districts in developing model programs for others to follow throughout Idaho.

I had the chance last month to experience a little of what innovative, mastery-focused learning looks like in our classrooms. I participated in an "Hour of Code" exercise with fifth-graders at Boise's Garfield Elementary. Immersing myself in that environment and watching students do the same, I saw firsthand the difference that individualized learning can make in comprehension, application and ultimately mastery.

From reading proficiency to mastering concepts and from our community colleges to our universities, our emphasis must be on going the extra mile to prepare students to succeed in a complex and competitive global economy. That preparation in turn will support and advance the economic growth and increased prosperity that we are all striving to achieve.

So let's talk for a moment about the connections we're building between "K-12" and "Career."

First, there's the STEM Action Center that's been up and running since July. An executive director, a program manager and a board of directors have been named.

Now it's ready for the next step, and our industry partners throughout Idaho are eager to join us in supporting its work.

My budget recommendation includes \$2 million in ongoing operating funds for the center, as well \$10 million in one-time funds for starting up STEM programs. Those include a K-through-Career program in computer science to help meet the high demand for those workplace skills.

Ensuring that students are college and career ready is as critical to employers as it is to Idaho's young people. I hear it every day from businesses large and small and in every industry sector.

That's why higher standards, more individualized learning, more dual-credit offerings, and more professional-technical options are high priorities in my budget recommendation.

Of course, taking the fullest advantage of the investments we're making will require students and parents to have more and better information about post-secondary and career opportunities. So I'm recommending that \$5 million go toward implementing more college and career counseling in our high schools. Local districts must have the flexibility to use that money to create systems that best fit students' needs for course counseling, career exploration and preparing for life after high school.

Indeed, Idaho offers many choices for those who “Go On.” They include enrolling at one of our technical schools to study in such subject areas as health occupations, Web design, machine tooling, welding, or aircraft maintenance. But many of those programs have long waiting lists. And with our statewide jobless rate now at a level that used to be considered “full employment,” too many of our citizens remain underemployed.

Meanwhile, Idaho businesses are struggling to find qualified workers. That’s especially true of companies in the high-tech and industrial manufacturing fields. So my budget recommendation includes \$3.8 million to address those training backlogs in industry areas where graduates will find more high-wage jobs. I’m also advancing three initiatives that hold great promise for creating a financial foundation that students can use to reach their own and our state’s post-secondary education goals.

First, I’m proposing a “tuition lock” for our colleges and universities. It will ensure the rate that Idaho undergraduates pay when they first enroll in a post-secondary program will remain constant for at least four academic years. That brings greater financial predictability for Idaho students and their families while also providing an incentive for timely completion of a degree or professional certification program.

Second, I’m recommending a \$5 million increase in funding for our Opportunity Scholarship so more Idaho students can afford to go beyond high school.

And third, I’m proposing that another \$5 million be allocated for the new “Completion Scholarship.” It’s designed to encourage Idaho citizens who have some post-secondary education to return to the classroom and finish up. It will provide a real benefit for financially strapped adults who are trying to upgrade their job skills.

The Completion Scholarship is aimed at improving access and affordability to career-oriented education programs while helping to address our pressing workforce development needs.

Ladies and gentlemen, I just can’t emphasize enough how important improving our K-through-Career education system is to providing the tens of thousands of skilled workers we need to meet the increasingly technical demands of Idaho employers. This truly is an investment in the future of all our citizens.

Talent pipelines to address the challenges ahead are being developed by the Department of Labor, the Division of Professional-Technical Education, our post-secondary schools and a number of private-sector partners. Dynamic new online resources such as the college and career Web site NextSteps.Idaho.gov and the construction trades portal WeBuildIdaho.org show the power of collaboration in achieving our shared goals.

There also is an important place for communities in this effort. Nine years ago, the Legislature approved my request to provide \$5 million in startup funds to help any counties that want to join together in establishing a community college district. With that promise of support in hand, the people of Ada and Canyon counties voted to create the College of Western Idaho. Since then, CWI has grown faster than any community college in American history.

That speaks to a huge pent-up demand for the kind of lower-cost, relevant and responsive education and training programs that have been created at CWI. Now the people of southwestern, south-central and northern Idaho have exciting, first-rate local opportunities to advance their career readiness aspirations.

So today I’d like to invite the people of eastern Idaho to advance their ongoing discussions about making Eastern Idaho Technical College a full-featured community college. I encourage serious public consideration of the benefits and opportunities that a local community college can provide to that region of Idaho. My budget recommendation includes \$5 million to support such a plan for making less-costly and more-flexible education beyond high school accessible to more citizens on that side of our state.

Overall, I’m seeking a 9.6-percent increase in funding for our community colleges and an 8.8-percent increase for our four-year institutions.

Besides additional funding for our college completion and high-demand academic and professional-technical programs, I recommend expanding Boise State University’s materials science program, the University of Idaho’s “Go On” initiative to increase enrollment, and Idaho State University’s health science programs.

That brings me to healthcare. First, from an education standpoint: I’m recommending that in the coming year we follow through on our plan for providing more physician training to meet Idaho’s needs. Adding five more seats to our medical school partnership with the University of Washington will reach the Board of Education’s 2009 goal of having 40 seats available for Idaho students.

That’s a great investment in our students and an important step toward addressing our community healthcare needs. But it also is a pipeline from which it takes years to realize benefits. There are quicker ways to address our shortage of primary care physicians. So I encourage you to keep funding our physician residency slots. And we must keep attracting healthcare professionals by providing medical loan reimbursement incentives for primary care doctors who agree to serve our rural communities.

In the meantime, I’m asking the Board of Education to work with our medical community and higher education institutions to develop a new plan for addressing future demand for healthcare providers.

Right now I want to recognize and applaud a member of my Cabinet who has worked tirelessly for years to develop meaningful Idaho-based alternatives to Medicaid expansion under the Affordable Care Act. Health and Welfare Director Dick Armstrong and his team – as well as such legislative leaders as Representative Fred Wood and Senator Lee Heider – have gone above and beyond in developing the plan we unveiled last week. I look forward to our discussions on that option.

Folks, making healthcare in our communities more accessible and affordable has been a pillar of my policy agenda since I took office in 2007. That’s why I’m so proud of the progress we’re making in addressing local crisis intervention needs for those with acute substance abuse or mental health issues.

With your support we now have behavioral health crisis centers in Idaho Falls and Coeur d'Alene. The response in those communities has been more than encouraging. During the first nine months that the Idaho Falls center was open, it had more than 1,100 admissions and diverted 47 people from more expensive in-patient psychiatric care – all while saving an estimated 860 hours of law enforcement officers' time.

I expect to see similar results from the northern Idaho crisis center. So my budget recommendation for fiscal 2017 includes funding for a third crisis center, this time in southern Idaho. I appreciate the Legislature's continued backing of our efforts to improve local access to care while reducing costs to the community. It remains our goal to engage local leaders, businesses and non-profits in supporting long-term sustainability.

I'm sure you will agree that sustainability is a significant goal and a key metric of success for much of our public policy, including our management of Idaho's precious water resources.

Mr. Speaker, Senator Bair and Chairman Chase of the Idaho Water Resource Board, I want to personally thank you for your efforts in bringing two water-user groups together to finally settle delivery calls from the Eastern Snake Plain Aquifer.

This historic settlement between the Surface Water Coalition and groundwater users will help ensure that the aquifer is a healthy and reliable resource now and well into the future. In fact, I would encourage others who are at odds over apportioning scarce resources to use this agreement as a template for addressing their own conflicts.

Sustainability is a central value throughout Idaho, from the Treasure Valley to the Rathdrum Prairie and from Bear Lake to Hells Canyon. That's why I'm proud to announce that the Water Resource Board has drafted a statewide sustainability policy. The Board will conduct public meetings throughout Idaho in the coming year to gather suggestions on incorporating its findings into our Comprehensive State Water Plan.

Preserving and protecting Idaho's water is crucial to our continued economic growth and increased prosperity. Our renewable and "green" hydroelectric resources alone make Idaho the envy of other states in the West and a magnet for businesses that put a premium on environmental sustainability.

Promoting Idaho as a place where employers can get things done because government moves at the speed of business has been a centerpiece of Commerce Director Jeff Sayer's work for the past four years.

As you know, Jeff has returned to the private sector. But the team he's built and the programs he's launched will continue to have a great impact on Idaho's bottom line. From IGEM to the Tax Reimbursement Incentive and from international trade to local economic development, Jeff has been a champion for the people of Idaho. Please join me in thanking him for helping Idaho rank first in the nation for job growth, sixth among states for economic outlook, and among the top states for starting a small business.

There is one additional responsibility that Jeff took on. He chaired my Leadership in Nuclear Energy or LINE Commission. Its continuing task is to identify how Idaho can leverage our partnership with the U.S. Department of Energy at the Idaho National Laboratory to the economic advantage of Idaho citizens. Our LINE Commission efforts are not limited to eastern Idaho. Instead, they are aimed at making the state-of-the-art facilities and research at the INL into a truly global resource.

The State of Idaho remains committed to helping the INL live up to its potential as the nation's premier research facility while building a stronger partnership with the Department of Energy based on communication, accountability and shared goals.

That's why I was encouraged in November to hear that a team at the INL will lead the new Gateway for Accelerated Innovation in Nuclear. The GAIN program will provide a one-stop-shop for private developers to find federal experts and facilities to help them create safer, cleaner and more efficient reactors to reduce the emission of greenhouse gasses.

Ladies and gentlemen, having shared goals does not eliminate the need for us to remain vigilant in protecting the health and safety of Idaho citizens. But we have spent years overcoming past challenges in our relationship with the Department of Energy, and I'm proud of our progress.

The scientists, engineers and technology experts at the Lab also run one of the world's pre-eminent cybersecurity programs. Idaho is fortunate that the INL and its higher education and industry partners are providing technical assistance to the cybersecurity task force I created last year.

Led by Lieutenant Governor Little, it is developing responses to the growing threat of hackers exploiting our State computer systems. I am committed to implementing the best strategies possible to protect the privacy of our citizens.

Our task force is working to identify what more the State can do to detect vulnerabilities, prevent cyberattacks, mitigate damages and educate the people of Idaho on how to fight this global tool of crime and terror. To help with that effort, my budget includes a request for \$1 million to establish a cybersecurity program at Boise State University in partnership with the Idaho National Laboratory.

The State also will benefit from our own Idaho military being engaged in this fight. I'm pleased to announce today that the Idaho Air National Guard recently was among 13 Guard commands nationwide to be designated as "cyber units." That means personnel trained to military standards in the latest and most advanced technology will be helping detect and stop online attacks before they damage our cyberspace capabilities.

The Idaho Cyber Operations Squadron will include 71 Air Guard personnel, including 15 who will be working full-time on this important new mission. The Squadron also will be a great resource for our efforts to protect a vital piece of our State infrastructure.

It's encouraging that we are tackling this modern threat with such unity of purpose. But there is another area of our public policy for which a united and deliberate effort must now be made for Idaho to meet its responsibilities to the rule of law.

As many of you know, the State has been sued over the constitutionality of our public defense system. The lawsuit alleges that Idaho's public defenders are overworked and under-trained. It claims that the system provides a disincentive for attorneys in less-populated counties to spend enough time with indigent clients.

Let me say that Idaho historically has been a leader in recognizing and ensuring the right to legal counsel. It was part of our territorial law and was put in the Idaho Constitution at statehood.

A legislative interim committee has been reviewing our system and considering options for three years. As a result, many of us now have a better understanding of its shortcomings and what needs to be changed. It's not a cheap or easy fix. But I stand with the Idaho Criminal Justice Commission and the State Public Defense Commission in calling on the Legislature to address the issue this year.

Please join me in a commitment to ensuring that all Idaho citizens in every one of our 44 counties can avail themselves of this fundamental constitutional right. My budget recommends \$5 million to implement the changes that you approve.

The past year saw a number of changes on the ground across Idaho as wildfire continued to wreak havoc on our forests and rangelands. A total of 742,000 acres burned, and firefighting costs reached almost \$61 million in 2015. State, federal and local authorities have identified several training, resource and coordination needs that we must address before the start of a 2016 fire season that figures to be just as bad or worse. That's why I'm advancing the Land Board's request for almost \$920,000 in additional funding to beef up the Idaho Department of Lands' wildfire program with a focus on improving initial response.

I also want to thank the Legislature for approving my past funding requests for creation of Rangeland Fire Protection Associations, which enable ranchers to help fight fires on both private and public range. We have six of them now protecting 951,000 acres of private rangeland and providing secondary protection on 4.8 million acres of federal and State land. Their knowledge of the landscape has proven to be an invaluable asset to the Department of Lands, the Bureau of Land Management and the Forest Service in quickly suppressing wildfires. Now more groups around the state are seeing the results and are ready to get involved. So I'm requesting \$140,000 to create additional RFPAs in anticipation of another rough fire season.

People all over the world – and maybe even a few in Washington, D.C. – know that wildfire is a far greater threat to Idaho's sage-grouse population than livestock grazing. But that reality has largely eluded the U.S. Department of Interior, the BLM and the Forest Service. Instead of taking the reasonable step of supporting local conservation and Idaho stewardship measures, Interior imposed harsh new restrictions on land use within the bird's habitat – in some cases where they don't even exist!

That left me with no choice but to file a lawsuit against the federal agencies last September. It's simply aimed at ensuring that sage-grouse conservation and management responsibilities remain with Idaho. I'm grateful to the Legislature for joining

me in that effort. In the meantime, we will continue working more broadly to protect the Idaho habitat on which sage-grouse depend. My budget request calls for allocating \$500,000 for fire prevention, suppression, and habitat monitoring and restoration efforts on non-federal lands. I appreciate your continued support of our collaborative efforts to put in place a reasonable, responsible and effective species protection plan – with the customs, culture and economic vitality of our citizens in mind.

Let me also express my deep and sincere appreciation to our incredible State employees throughout Idaho. I enjoy visiting our agency offices from time to time, and I'm consistently impressed with the commitment and civic virtue with which our employees do their jobs. They take great pride in being public servants and in being responsive to the needs of Idaho citizens. That's why I'm so pleased to be able to announce today that my budget request includes funding for agency directors and administrators to retain and reward their personnel. It's a step in the right direction toward attracting and keeping great public servants.

We have a lot to appreciate here in Idaho, and we are building the foundation for even better things to come. I hope you will join me in choosing gratitude for what we have and hope for our path forward over frustration and cynicism at what we have yet to achieve.

In fact, I believe Idaho now is closer than anywhere in our nation to what America was meant to be.

Finally, it is my sincere wish that we undertake our work together in this legislative session without keeping one eye on the upcoming election. Instead, let us proceed with a focused commitment to applying government's proper role to our current challenges and to improving the lives of generations to come.

Thank you for your time and attention. Godspeed in your deliberations, and may He continue to bless the great State of Idaho and the United States of America.

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 Representative Moyle, seconded by Representative 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 Representative Moyle, seconded by Representative 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.

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

Motions and Resolutions

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

AGRICULTURAL AFFAIRS (9)

Rice, Chairman
Bayer, Vice Chairman

Patrick	Ward-Engelking
Souza	Burgoyne
Lee	
Den Hartog	
Harris	

COMMERCE AND HUMAN RESOURCES (9)

Patrick, Chairman
Martin, Vice Chairman

Lakey	Schmidt
Guthrie	Ward-Engelking
Heider	
Rice	
Thayn	

EDUCATION (9)

Mortimer, Chairman
Thayn, Vice Chairman

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

FINANCE (10)

Keough, Chairman
Johnson, Vice Chairman

Bair	Schmidt
Mortimer	Lacey
Brackett	
Nuxoll	
Thayn	
Guthrie	

HEALTH AND WELFARE (9)

Heider, Chairman
Nuxoll, Vice Chairman

Lodge	Schmidt
Hagedorn	Jordan
Martin	
Lee	
Harris	

JUDICIARY AND RULES (9)

Lodge, Chairman
Nonini, Vice Chairman

Davis	Burgoyne
Johnson	Jordan
Souza	
Lee	
Anthon	

LOCAL GOVERNMENT AND TAXATION (9)

Siddoway, Chairman
Guthrie, Vice Chairman

McKenzie	Stennett
Johnson	Burgoyne
Rice	
Vick	
Bayer	

RESOURCES AND ENVIRONMENT (9)

Bair, Chairman
Vick, Vice Chairman

Siddoway	Stennett
Heider	Lacey
Nuxoll	
Bayer	
Hagedorn	

STATE AFFAIRS (9)

McKenzie, Chairman
Lodge, Vice Chairman

Davis	Stennett
Hill	Buckner-Webb
Winder	
Siddoway	
Lakey	

TRANSPORTATION (9)

Brackett, Chairman
Hagedorn, Vice Chairman

Keough	Buckner-Webb
Winder	Lacey
Nonini	
Vick	
Den Hartog	

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 Second Regular Session of the Sixty-third Idaho Legislature.

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 2:20 p.m. until the hour of 11 a.m., Tuesday, January 12, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL
OF THE
IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

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 11:30 a.m., Wednesday, January 13, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SECOND LEGISLATIVE DAY
TUESDAY, JANUARY 12, 2016

Senate Chamber

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

Roll call showed all members present.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Mallory DeFord, Page.

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

Messages from the Governor

January 11, 2016

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 2015 and 2016.

Balance as of July 1, 2014 **\$83,744.48**

No activity in fiscal year 2015

Balance as of June 30, 2015 **\$83,744.48**

No activity year-to-date in
fiscal year 2016

Balance as of December 31, 2015 **\$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.

SENATE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

**THIRD LEGISLATIVE DAY
WEDNESDAY, JANUARY 13, 2016**

Senate Chamber

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

Roll call showed all members present.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Aleena Follett, 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 January 11, 2016 and January 12, 2016, 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.

The Senate advanced to the Fourth Order of Business.

Reading of Communications

May 12, 2015

Senator Brent Hill
President Pro Tem
State Capitol

Dear President Pro Tem Hill:

On behalf of the Board of Commissioners of the Idaho State Bar, I am pleased to inform you that the Commission voted to appoint Reed W. Larsen of Pocatello to the Judicial Council, replacing Steven A. Tuft whose term expires June 30, 2015. Mr. Larsen will serve a six-year term commencing July 1, 2015 and expiring June 30, 2021. Pursuant to Idaho Code Section 1-2101, the replacement requires the consent of the Idaho State Senate.

If you have any questions, or need additional information, please let me know.

Sincerely,

/s/ Diane K. Minnich
Executive Director

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

The Idaho Judicial Council appointment was referred to the Judiciary and Rules Committee.

January 13, 2016

The Honorable Brad Little
President of the Senate
Idaho Senate

Dear Mr. President:

Pursuant to Section 67-6622, Idaho Code, I submit from the records of this office the enclosed list 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

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

Messages from the Governor

On request by Senator Davis, granted by unanimous consent, the gubernatorial appointments of Bob Geddes, Dean L. Cameron, and John H. Tippets retained their place on the calendar for one legislative day.

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Allan R. Schneider of Garden City, Idaho, was reappointed as a member of the Commission for the Blind and Visually Impaired to serve a term commencing July 1, 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 Health and Welfare Committee.

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Sue A. Payne of Boise, Idaho, was reappointed as a member of the Commission for the

Blind and Visually Impaired to serve a term commencing July 1, 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 Health and Welfare Committee.

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Cindy P. Wilson of Meridian, Idaho, was appointed as a member of the State Board of Correction to serve a term commencing April 13, 2015, and expiring January 1, 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 Judiciary and Rules Committee.

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Emma Lou Atchley of Ashton, Idaho, was reappointed as a member of the State Board of Education to serve a term commencing March 1, 2015, and expiring July 1, 2020.

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 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Neil Anderson of Blackfoot, Idaho, was reappointed as a member of the Idaho Endowment Fund Investment Board to serve a term commencing April 13, 2015, and expiring April 11, 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.

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that M. Dean Buffington of Boise, Idaho, was reappointed as a member of the Idaho Endowment Fund Investment Board to serve a term commencing April 13, 2015, and expiring April 11, 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.

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Charles L. Winder of Boise, Idaho, was reappointed as a member of the Idaho Endowment Fund Investment Board to serve a term commencing April 13, 2015, and expiring April 11, 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.

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that L.N. Nick Purdy of Picabo, Idaho, was reappointed as a member of the Board of Environmental Quality to serve a term commencing July 1, 2015, and expiring July 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 Health and Welfare Committee.

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kevin C. Boling of Coeur d'Alene, Idaho, was reappointed as a member of the Board of Environmental Quality to serve a term commencing July 1, 2015, and expiring July 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 Health and Welfare Committee.

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that John Randolph MacMillan of Buhl, Idaho, was reappointed as a member of the Board of Environmental Quality to serve a term commencing July 1, 2015, and expiring July 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 Health and Welfare 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., Thursday, January 14, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL
OF THE
IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FOURTH LEGISLATIVE DAY
THURSDAY, JANUARY 14, 2016

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.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Nina Harelson, 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, 2016, 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 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:

- Assistant to the Majority LeaderMarian Smith
Assistant to the Asst. Maj. LeaderLizzie Kukla
Assistant to the Maj. Caucus Chairman Sharon Pennington
Secretary to the Secretary of the Senate Laura McInnes
Journal Clerk Jamie Kaiser
Assistant Clerk Jessica Solberg
Sergeant at Arms Sarah Jane McDonald
Assistant Sergeant at ArmsJerry Csutoras
Doorkeeper..... Al Henderson

Committee Secretaries:

- Agricultural Affairs Carol Deis
Commerce and Human ResourcesLinda Kambeitz
EducationLeAnn Mohr
Finance Peggy Moyer
Health and WelfareKaren Westbrook
Judiciary and Rules Carol Cornwall
Local Government and TaxationJennifer Carr
Resources and EnvironmentJuanita Budell
State Affairs Twyla Melton
TransportationGaye Bennett

Majority Staff Assistants:

- Majority Staff AssistantMichael Jeppson
Majority Staff Assistant Kara Machado
Majority Staff AssistantChristy Riche
Majority Staff AssistantAnna Roser
Majority Staff Assistant Sean Schupack

Minority Staff:

- Minority Chief of Staff Diane Kelly
Minority Staff Assistant Celeste Conrad
Minority Staff AssistantJerome Filip
Minority Staff Assistant Maureen Lavelle

Pages:

- Mallory DeFord, Nampa
Aleena Follett, Boise
Nina Harelson, Pocatello
Jared Kelly, Blackfoot
Caleb Richardson, Rigby
Hayden Rogers, Boise
Liberty Stokes, Blackfoot
Hannah Sturtevant, Meridian
Marshall Toryanski, Boise

The question being, Shall the motion prevail?

Roll call resulted as follows:

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

NAYS--None.

Absent and excused--McKenzie. Total - 1.

Total - 35.

Whereupon the President declared the attaches duly elected to their respective positions.

On request by Senator Davis, granted by unanimous consent, the Sergeant at Arms escorted 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 returned to the Eighth Order of Business.

Messages from the Governor

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Daniel A. Blanco of Moscow, Idaho, was appointed as a member of the Idaho Fish and Game Commission to serve a term commencing September 10, 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 Resources and Environment Committee.

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Derick Eldon Attebury of Idaho Falls, Idaho, was appointed as a member of the Idaho Fish and Game Commission to serve a term commencing September 10, 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 Resources and Environment Committee.

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jay F. Kunze of Pocatello, Idaho, was reappointed as a member of the Hazardous Waste Facility Siting License Application Review Panel to serve a term commencing April 13, 2015, and expiring March 6, 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 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Ford Elsaesser of Priest River, Idaho, was reappointed as a member of the Lake Pend Oreille Basin Commission to serve a term commencing July 24, 2015, and expiring July 24, 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 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Linda Mitchell of Sagle, Idaho, was reappointed as a member of the Lake Pend Oreille Basin Commission to serve a term commencing July 24, 2015, and expiring July 24, 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 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Chris Charles Beck of Hayden, Idaho, was reappointed as a member of the Oil and Gas Commission to serve a term commencing July 10, 2015, and expiring July 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 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that J. Philip Reberger of Boise, Idaho, was reappointed as a member of the Idaho Judicial Council to serve a term commencing July 1, 2015, and expiring July 1, 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 Judiciary and Rules Committee.

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Louise D. Stark of Challis, Idaho, was reappointed as a member of the Idaho Outfitters and Guides Licensing Board to serve a term commencing April 20, 2015, and expiring April 20, 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 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Peter J. Black of Pocatello, Idaho, was appointed as a member of the Parks and Recreation Board to serve a term commencing July 28, 2015, and expiring June 30, 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 Resources and Environment Committee.

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Moira A. Lynch of Boise, Idaho, was appointed as a member of the Sexual Offender Management Board to serve a term commencing June 2, 2015, and expiring January 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 Judiciary and Rules Committee.

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Glen R. Gier of Twin Falls, Idaho, was appointed as a member of the State Soil and Water Conservation Commission to serve a term commencing August 4, 2015, and expiring July 1, 2020.

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 Agricultural Affairs Committee.

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Leland G. Heinrich of Cascade, Idaho, was reappointed as a member of the Board of Tax Appeals to serve a term commencing June 30, 2015, 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 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

January 13, 2016

Dear Mr. President:

I transmit herewith Enrolled [HCR 27](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [HCR 27](#) 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

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:50 a.m. until the hour of 10:45 a.m., Friday, January 15, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

**FIFTH LEGISLATIVE DAY
FRIDAY, JANUARY 15, 2016**

Senate Chamber

President Little called the Senate to order at 10:45 a.m.

Roll call showed all members present.

Prayer was offered by President Pro Tempore Brent Hill.

The Pledge of Allegiance was led by Jared Kelly, 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, 2016, 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, 2016

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 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Todd Lakey of Nampa, Idaho, was reappointed as a member of the State Insurance Fund Board to serve a term commencing April 13, 2015, and expiring December 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 Commerce and Human Resources Committee.

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Eric R. Anderson of Priest Lake, Idaho, was appointed as a member of the Public Utilities Commission to serve a term commencing December 28, 2015, and expiring January 9, 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.

January 12, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Janice E. Fulkerson of Meridian, Idaho, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing August 27, 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.

January 13, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that David E. Kinghorn of Lewisville, Idaho, was reappointed as a member of the Board of Tax Appeals to serve a term commencing April 13, 2015, and expiring June 30, 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 Local Government and Taxation Committee.

January 13, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Linda Pike of Moscow, Idaho, was reappointed as a member of the Board of Tax Appeals to serve a term commencing April 13, 2015, and expiring June 30, 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 Local Government and Taxation Committee.

January 14, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Britt Raubenheimer of Sandpoint, Idaho, was reappointed as a member of the Commission for the Blind and Visually Impaired to serve a term commencing July 1, 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 Health and Welfare Committee.

January 14, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Linda Clark of Boise, Idaho, was appointed as a member of the State Board of Education to serve a term commencing June 30, 2015, and expiring June 30, 2020.

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 14, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jeff Cilek of Boise, Idaho, was appointed as a member of the Public Employee Retirement System of Idaho Board to serve a term commencing July 1, 2015, and expiring July 1, 2020.

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 14, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Matthew Allen Thomas of Weiser, Idaho, was appointed as a member of the Sexual Offender Management Board to serve a term commencing January 1, 2016, 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 Judiciary and Rules Committee.

January 14, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Bob Geddes of Meridian, Idaho, was appointed Director of the Department of Administration to serve a term effective June 1, 2015. Under Idaho law Director Geddes serves at the pleasure of the Governor; however, pursuant to Idaho Code 59-904, under no circumstances shall his appointment extend beyond the Governor's term.

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 14, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Dean L. Cameron of Rupert, Idaho, was appointed to Director of the Department of Insurance to serve a term effective June 15, 2015. Under Idaho Code 41-202, Director Cameron serves a term of four (4) years subject to early removal by 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 Commerce and Human Resources Committee.

January 14, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that John H. Tippets of Meridian, Idaho, was appointed Director of the Department of Environmental Quality to serve a term effective July 6, 2015. Under Idaho law Director Tippets serves at the pleasure of the Governor; however, pursuant to Idaho Code 59-904, under no circumstances shall his appointment extend beyond the Governor's term.

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.

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 1194
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT
RELATING TO THE MANUFACTURED HOME RESIDENCY ACT; AMENDING SECTION 55-2003, IDAHO CODE, TO REVISE A DEFINITION AND TO REMOVE A DEFINITION; AND AMENDING SECTION 55-2004, IDAHO CODE, TO REMOVE A REFERENCE TO PARK MODEL.

[S 1194](#) 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 a.m. until the hour of 11:30 a.m., Monday, January 18, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

EIGHTH LEGISLATIVE DAY
MONDAY, JANUARY 18, 2016

Senate Chamber

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

Roll call showed all members present.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Caleb Richardson,
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, 2016, 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 132

BY MARTIN

A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND
RECOGNIZING IDAHO PEACE OFFICERS FOR THEIR
SERVICE TO THE STATE.

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

WHEREAS, the peace officers of Idaho have worked diligently and selflessly on behalf of the people of Idaho regardless of the peril or hazard to themselves; and

WHEREAS, these officers have safeguarded the lives and property of their fellow Idahoans; and

WHEREAS, by enforcing our laws, these same officers have given our great state and its citizens freedom from fear of the violence and civil disorder presently affecting our nation; and

WHEREAS, these men and women by their patriotic service and their dedication have earned the gratitude of this state; and

WHEREAS, our peace officers embody the ideals of citizenship and the idea that with our rights come responsibilities, both to ourselves and to others.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature,

the Senate and the House of Representatives concurring therein, that we salute the men and women who do the difficult, dangerous and often thankless work of safeguarding our communities.

BE IT FURTHER RESOLVED that we celebrate those who protect and serve us every minute of every day, and we honor the courageous officers who devote themselves to the full measure that they are willing to lay their lives on the line to protect us.

BE IT FURTHER RESOLVED that just as our peace officers never let down their guard, we must never let slide our gratitude to them and their families.

[SCR 132](#) 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 18, 2016

The JUDICIARY AND RULES Committee reports that [S 1194](#) has been correctly printed.

LODGE, Chairman

[S 1194](#) was referred to the Commerce and Human Resources 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 1195

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ELECTIONS; AMENDING SECTION 34-737, IDAHO CODE, TO PROVIDE THAT WRITE-IN BALLOTS SHALL NOT BE ALLOWED AND SHALL NOT BE COUNTED IN THE PRESIDENTIAL PRIMARY; AMENDING SECTION 34-904, IDAHO CODE, TO PROVIDE CONDITIONS WHEN A PRESIDENTIAL PRIMARY BALLOT NEED NOT BE PRINTED; AMENDING SECTION 34-411A, IDAHO CODE, TO REVISE PROVISIONS REGARDING PRIMARY AND PRESIDENTIAL PRIMARY ELECTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

[S 1195](#) 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 11:40 a.m. until the hour of 11:30 a.m., Tuesday, January 19, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

NINTH LEGISLATIVE DAY
TUESDAY, JANUARY 19, 2016

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.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Hayden Rogers, 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 18, 2016, 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

January 19, 2016

The JUDICIARY AND RULES Committee reports that [SCR 132](#) and [S 1195](#) have been correctly printed.

LODGE, Chairman

On request by Senator Martin, granted by unanimous consent, [SCR 132](#) was referred to the Judiciary and Rules Committee.

[S 1195](#) was referred to the State Affairs 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 1196 BY BUCKNER-WEBB AND BURGOYNE AN ACT

RELATING TO CIVIL RIGHTS; AMENDING SECTION 67-5901, IDAHO CODE, TO PROVIDE THAT FREEDOM FROM DISCRIMINATION BECAUSE OF SEXUAL ORIENTATION OR GENDER IDENTITY IS A CIVIL RIGHT; AMENDING SECTION 67-5902, IDAHO CODE, TO

PROVIDE ADDITIONAL DEFINITIONS; AND AMENDING SECTION 67-5909, IDAHO CODE, TO PROHIBIT DISCRIMINATION AGAINST A PERSON BECAUSE OF SEXUAL ORIENTATION OR GENDER IDENTITY AND TO MAKE TECHNICAL CORRECTIONS.

S 1197

BY RESOURCES AND ENVIRONMENT COMMITTEE AN ACT

RELATING TO MINES AND MINING; AMENDING SECTION 47-1509, IDAHO CODE, TO REVISE CERTAIN REQUIRED RECLAMATION ACTIVITIES; AND AMENDING SECTION 47-1512, IDAHO CODE, TO REVISE BOND AMOUNT PROVISIONS, TO PROVIDE FOR WRITTEN NOTICE BY THE STATE BOARD OF LAND COMMISSIONERS TO AN OPERATOR OF REJECTION OF A REQUEST FOR BOND RELEASE UPON THE BOARD'S DETERMINATION THAT THE REQUIREMENTS OF A RECLAMATION PLAN OR PERMANENT CLOSURE PLAN HAVE NOT BEEN MET, AND TO PROVIDE FOR CONTENT OF THE NOTICES.

S 1198

BY BURGOYNE AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-301, IDAHO CODE, TO PROVIDE FOR DRIVING PRIVILEGE CARDS; AMENDING SECTION 49-303, IDAHO CODE, TO PROVIDE FOR DRIVING PRIVILEGE CARDS, TO PROVIDE A CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-306, IDAHO CODE, TO PROVIDE FOR DRIVING PRIVILEGE CARDS AND TO PROVIDE THAT A PERSON WITHOUT A SOCIAL SECURITY NUMBER MAY APPLY FOR A DRIVING PRIVILEGE CARD; AMENDING SECTION 49-306, IDAHO CODE, AS AMENDED BY SECTION 6, CHAPTER 54, LAWS OF 2015, TO PROVIDE FOR DRIVING PRIVILEGE CARDS AND TO PROVIDE THAT A PERSON WITHOUT A SOCIAL SECURITY NUMBER MAY APPLY FOR A DRIVING PRIVILEGE CARD; AMENDING CHAPTER 3, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-307B, IDAHO CODE, TO DEFINE TERMS, TO AUTHORIZE THE DEPARTMENT TO ISSUE DRIVING PRIVILEGE CARDS TO CERTAIN INDIVIDUALS, TO PROVIDE ELIGIBILITY REQUIREMENTS, TO PROVIDE CRITERIA FOR DRIVING PRIVILEGE CARDS, TO PROVIDE LIMITATIONS AND TO PROVIDE RULEMAKING AUTHORITY; AMENDING SECTION 49-313, IDAHO CODE, TO PROVIDE FOR DRIVING PRIVILEGE CARDS; AND PROVIDING AN EFFECTIVE DATE.

[S 1196](#), [S 1197](#), and [S 1198](#) 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

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., Wednesday, January 20, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

**TENTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 20, 2016**

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 Senator Keough, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Liberty Stokes, 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, 2016, 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 Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, President Little appointed a committee consisting of Senator Rice, Chairman, and Senators Nonini and Burgoyne to escort Chief Justice Jim Jones into the Senate Chamber where he delivered the following **State of the Judiciary Address**:

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

It is a privilege and pleasure to appear before you today to report on the state of the Idaho judiciary. I must admit to having a warm spot in my heart for this august body, because I served as legal counsel for the Idaho Legislature for 8 years in the 1980s. You were never, well let's say rarely, a difficult client. But, be that as it may, I can tell you that the Idaho judiciary is doing well and looking forward to continuing improvement in the future.

One of the exciting developments since my good friend Roger Burdick addressed you last year, is the implementation of the Odyssey case management system. As you will recall, in 2014 the Court presented you with a comprehensive five-year business plan to replace the existing and outmoded ISTARS case management system with a state of the art system from Tyler Technologies. With legislative approval and funding, the Court

has been working with Tyler on a pilot project to implement the system in Twin Falls County.

The system went live in Twin Falls on June 22. It was a massive undertaking because it not only required transition of the entire computerized management system, but also entailed a tremendous amount of extra work in scanning existing and incoming records. According to Tyler, the Twin Falls County pilot implementation was one of the smoothest in the company's history. Twin Falls County now has a modern 24/7 web-based case management system for use by judges, court clerks, and numerous governmental agencies, such as the adult misdemeanor probation office, the State Police, and juvenile corrections.

In addition, a portal was deployed with the system to replace the Supreme Court's data repository, which will allow users to make case, party and hearing searches, as well as electronic payments.

Starting on November 9, voluntary electronic filing was made available to all attorneys in Twin Falls County. That allows parties to submit electronic documents to the court at any time, from any place, resulting in significant efficiencies for attorneys, clerks and judges. Electronic filing was made mandatory for Twin Falls County on January 11 and it appears to be working very well.

Along with the transition to electronic filing, the courts will implement a service that simplifies the filing process for self-represented litigants. Idaho's Court Assistance Office has been recognized nationally for its interactive forms and hands-on assistance to pro se litigants. The new service is being developed for pilot, and in conjunction with Odyssey, will guide the increasing number of self-represented individuals through the process of filing divorce, civil protection, small claims, child support and custody, and other common types of pro se cases.

The success of the Twin Falls pilot project was accomplished by a dedicated IT staff at the Supreme Court, led by Kevin Iwersen, as well as truly remarkable work by the Twin Falls County Clerk's office. This was all made possible by the action of this body in funding \$4.85 million in FY15 and \$2.18 million in FY16. This year, the Court is asking for an additional \$2 million, which will be the third of five one-time appropriations for Odyssey.

The other source of revenue you provided for the Odyssey transition was an increase of the court filing fees going into the technology fund. We are carefully monitoring the implementation and operational aspects of the project to make sure that the ongoing funding is adequate to meet the needs of the new system. That is because the FY15 revenue received by the technology fund from filing fees was 1.8% below projections and it appears projections will not be met in FY16.

The Court is preparing for the delivery of Odyssey to Ada County in the early summer of this year. Because of the lessons learned in Twin Falls County and the substantially greater scale and complexities involved with Ada County, deployment was extended by several months. Subsequent deployments throughout the rest of the State will greatly benefit from lessons learned in Twin Falls and Ada Counties.

Thanks to the support of the Legislature, Idaho's problem-solving courts are functioning well and have the capacity to expand. These courts are operated by magistrate and district judges, who dedicate after-hours service to assist defendants in addressing drug, alcohol, mental health, and domestic abuse issues. By treating the causes of these problems,

research shows that we can reduce crime rates, and the attendant costs of recidivism on families and society.

I would like to share a typical problem-solving court intervention with you.

One graduate noted that she had entered Mental Health Court from jail several years ago. She said: "I was a very bitter and angry person and set out to make everyone around me the same way. I was my own worst enemy. I was a hard case. . . . I hated everyone on the ACT team. They were all out to get me, all they wanted was to see me fail." She related that she eventually came around to an understanding that the various members of the team were actually concerned about her well-being and working to help her be successful. She said: "The most frightening thing was standing in front of the judge every week. . . . I never thought I would stand in front of a judge and know he actually cares about me and my well-being, know he is looking out for what is best for me as a person." She related how she completed the program, got back with her husband, kids and family, gained self-respect and got a good job that she enjoys. She said, "None of this would have been possible without each of the team member's dedication to my recovery."

An area of expanding coverage for problem-solving courts is providing help to veterans. There are now Veterans Treatment Courts in six of Idaho's seven judicial districts. With our all-volunteer military, many people do not realize the serious problems faced by some returning veterans. When I was attending a public meeting during my tenure as Attorney General, I was approached by a young man who looked like he had been through really tough times. He said he had seen me on television, saying something to the effect that I was proud to be a Vietnam veteran. He had served in Vietnam but it never occurred to him that it was anything to be proud of. He said that he never told people about having served in Vietnam because he was ashamed of it. He told me he finally understood that he should take pride in having served his country. It brought home the alienation and despair experienced by some of my fellow vets.

Returning veterans of each war have their own sets of experiences and problems. However, they generally involve drug or alcohol abuse, abuse of family members, suicidal thoughts or actions, and the like. Veterans Treatment Courts are addressing these issues and there has been an increasing need for those courts. They don't condone criminal conduct by veterans, but give them the guidance and support they need to get their lives back on track.

Problem-solving courts have made an impact. From 1998 through the end of FY15, problem-solving courts have graduated sixty-six hundred individuals. During that same timeframe, 344 drug-free babies were born to female participants.

There is one thing that the Court would like to have addressed in the current session regarding drug court funding. The drug court fund is a dedicated fund that was established in 2003 as an ongoing source of funding for the problem-solving courts. During the height of the financial crisis several years ago, the judiciary participated in funding reductions, which included shifting some other court services to this fund to reduce the burden on the State budget. One such expense was the shift of \$865,000 for senior judge costs to the drug court fund.

Now that State finances have stabilized, it is prudent to transfer the funding responsibility for senior judges back out of the drug court fund, and we are asking that you do so. That will stop the drain on the fund for functions not related to drug and

mental health courts and assure a stable source of revenue to operate the senior judge program.

During FY15, senior judges worked a total of 3,040 days, which is the equivalent of approximately 14 additional judgeships. Utilization of senior judges allows the court system to call on experienced and talented judges to fill in in areas where they are needed. This gives the Court flexibility and it saves the taxpayers a great deal of money. Senior judges are compensated only for the days that they actual serve and they receive 85% of the daily salary of an active judge. Continuation of the program with a sound funding base is essential to the administration of justice through the court system.

In 2014, the Legislature increased judicial salaries, particularly for district judges. This was in response to a relatively small salary differential between magistrate judges and district judges and difficulty in recruiting candidates for district judge positions. Within the next five years, more than half of our district judges will be eligible to retire. That will require a significant number of new judicial appointments, so we will need to continue aggressive recruitment efforts.

When a vacancy occurs in a district judgeship, the Idaho Judicial Council considers applications from those seeking the position and submits a list of 2 to 4 names of qualified candidates to the Governor for appointment. From 2000 to 2013, the Judicial Council acted on 43 vacancies, sending a list of 4 names to the Governor for 13 of the vacancies, 3 names for 19 vacancies, and 2 names for 11 vacancies. Those numbers indicated a rather lukewarm interest in district judgeships. Survey information disclosed that experienced lawyers were reluctant to apply for district judgeships because of the low salary and grueling workload. District judges are often required to work nights and weekends to keep up with their caseload and to perform additional functions such as operating problem-solving courts.

From July 1, 2014, the effective date of the salary increase, to January 7, 2016, the Judicial Council has acted on 6 district judgeships. That produced 4 names for 3 vacancies and 3 names for the other 3. As Chief Justice, I participated in the last 2 interview sessions and I can tell you that we had a number of good candidates for both. In fact, there were more qualified candidates than we could submit to the Governor for a vacancy in Canyon County. I can't say that this increased interest in district judge positions can be attributed entirely to the salary increase, but I do believe it played a large part.

In appreciation of the 2014 salary adjustment, the Court did not request a change in compensation last year. This year, we have included a 1% salary increase placeholder in our budget for calculation purposes, and are requesting an increase commensurate with the percentage level of CEC other state employees receive, both for judges and court personnel.

In 2013 the Legislature began consideration of means to fulfill the State's responsibility to provide an adequate defense for indigent persons accused of crime. As Justice Burdick noted in his address to this Chamber last year, the Idaho Supreme Court ruled in 1923 that indigent defendants in Idaho are entitled to adequate counsel to defend them from criminal charges at public expense.

You have established a Public Defense Reform Interim Committee to consider means to fulfill this responsibility, as well as providing for a Public Defense Commission. Both the Interim Committee and the Commission have devoted efforts to arriving at an appropriate answer to this serious problem.

The design of the system and the means for funding it are within the discretion of the Legislature. I was pleased last week to hear Governor Otter propose that the State commit significant financial resources to providing an appropriate answer. The Court stands ready to assist in any reasonable manner. We do not want to appear to be advocating how public defenders should be selected and managed, since they are persons who necessarily appear before the courts on a frequent basis. Therefore, the Court's role must be advisory in nature.

And, I can provide some advice based on my experience as Attorney General in the 1980s. Then, as now, the Attorney General's office handled virtually all criminal appeals for the State. Unlike now, when virtually all appeals by indigent criminal defendants are handled by the State Appellate Public Defender, in the 1980s such appeals were handled by contracted county public defenders or in some areas by private attorneys appointed by the judiciary. I can tell you it was less than ideal. Some defendants received an adequate defense at trial, and on appeal, while others clearly did not. The Appellate Public Defender has remedied the problem at the appellate level, but the problems still exist in places at the trial court level. Consequently, a number of cases come before the appellate courts where errors have occurred in the trial court, issues were missed, the defense was inadequate, and deficiencies must be remedied by sending cases back for further proceedings. This is an unnecessary drain on the criminal justice system. In order to ensure uniformity and a consistent level of competence at the trial court level, it appears to me that a regional or statewide approach is prudent. The appellate defender system works well in that regard and it should be considered as a model at the trial court level. However, this is a matter within the purview of the Legislature and I wish you well in providing an appropriate response.

The Idaho Courts continue to make strides in enhancing protections for some of Idaho's most vulnerable—those under court-ordered guardianship or conservatorship. These are cases in which the court grants an individual or entity the authority and obligation to make personal or financial decisions for a minor child or incapacitated adult. In FY15, more than 2,600 financial reports, reflecting over \$367 million in assets under the care of a conservator, were reviewed for signs of fraud or mismanagement. In addition, this past year the judiciary launched a pilot guardianship monitoring program to develop effective practices for court monitoring of guardianship cases. These efforts have already resulted in a 20% increase in the number of annual guardianship reports filed with the courts in participating districts, greatly improving the courts' ability to monitor and protect minor children and incapacitated adults.

The Idaho Constitution and other laws require that courts be open and accessible to every person. As part of this obligation, Idaho courts have to provide language access services for non-English speakers. Additionally, the state, and local governments, must communicate effectively with people who have communication disabilities.

In order to comply with the law, the Court is seeking funding for a state-wide language access manager to provide language access services to all Idaho courts. The Court is also asking for funding to supplement certified court interpreter services in the Third and Fourth Districts, as well as funding for video remote interpreting services to provide interpretation by laptop computer, thereby avoiding the cost of having to have interpreters appear in person in court proceedings.

The court system in Idaho has provided remarkable service to Idaho citizens in the past and is looking forward to continually improving those services into the future. That has been made possible by the help we have received from the Legislature and I would particularly like to thank Senator Patti Anne Lodge and Representative Rich Wills, and their committees, for their dedicated help. I also extend great thanks to interim Administrative Director of the Courts, senior Justice Linda Copple Trout, and her deputy director, senior judge Barry Wood, for their tireless efforts. I should tell you that the Court is in the process of commencing a nation-wide search for a replacement for Justice Trout, as we have no intention of confining her to involuntary servitude long into the future, although we appreciate the fine work she has been doing for the courts. Thanks to all of you for maintaining a good and mutually beneficial relationship with your court system.

The President thanked Chief Justice Jones for his remarks and Senator Rice, Chairman, and Senators Nonini and Burgoyne escorted Chief Justice Jones from the Chamber, and the Committee was discharged.

Senator Keough was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the State of the Judiciary Address was ordered spread upon the pages of the Journal.

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

Reports of Standing Committees

January 20, 2016

The JUDICIARY AND RULES Committee reports that [S 1196](#), [S 1197](#), and [S 1198](#) have been correctly printed.

LODGE, Chairman

[S 1196](#) was referred to the State Affairs Committee.

[S 1197](#) was referred to the Resources and Environment Committee.

[S 1198](#) was referred to the Transportation Committee.

January 19, 2016

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:

Allan R. Schneider to the Commission for the Blind and Visually Impaired, term to expire July 1, 2018.

Britt Raubenheimer to the Commission for the Blind and Visually Impaired, term to expire July 1, 2018.

Sue A. Payne to the Commission for the Blind and Visually Impaired, term to expire July 1, 2018.

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.

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

Messages from the Governor

January 13, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that William Dale Crawford of Middleton, Idaho, was appointed as a member of the Sexual Offender Management Board to serve a term commencing July 1, 2015, and expiring January 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 Judiciary and Rules Committee.

January 18, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Megan Ronk of Meridian, Idaho, was appointed as the Director of the Department of Commerce effective January 8, 2016. Under Idaho law, Director Ronk serves at the pleasure of the Governor; however, pursuant to Idaho Code 59-904, under no circumstances shall her appointment extend beyond the Governor's term.

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.

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 1199
BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING ADDITIONAL MONEYS TO THE MEDICAL BOARDS FOR FISCAL YEAR 2016; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2016; AND DECLARING AN EMERGENCY.

**S 1200
BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF LANDS; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; AND DECLARING AN EMERGENCY.

**S 1201
BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING AND TRANSFERRING MONEYS FROM THE CATASTROPHIC HEALTH CARE COST FUND TO THE GENERAL FUND FOR FISCAL YEAR 2016; AND DECLARING AN EMERGENCY.

**S 1202
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
AN ACT**

RELATING TO THE STATE PERSONNEL SYSTEM; AMENDING SECTION 67-5303, IDAHO CODE, TO PROVIDE THAT ALL EMPLOYEES OF THE STEM ACTION CENTER, THE OFFICE OF SPECIES CONSERVATION, THE OFFICE OF DRUG POLICY AND THE OFFICE OF ENERGY RESOURCES SHALL BE NONCLASSIFIED EMPLOYEES.

[S 1199](#), [S 1200](#), [S 1201](#), and [S 1202](#) 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

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:35 a.m. until the hour of 11:30 a.m., Thursday, January 21, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

ELEVENTH LEGISLATIVE DAY
THURSDAY, JANUARY 21, 2016

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 Lodge, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Hannah Sturtevant, 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, 2016, 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 Lodge was recorded present at this order of business.

January 21, 2016

The JUDICIARY AND RULES Committee reports that [S 1199](#), [S 1200](#), [S 1201](#), and [S 1202](#) have been correctly printed.

LODGE, Chairman

[S 1199](#), [S 1200](#), and [S 1201](#) were referred to the Finance Committee.

[S 1202](#) was referred to the Commerce and Human Resources Committee.

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 Health and Welfare Committee report relative to the Gubernatorial appointment of Allan R. Schneider was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Schmidt, seconded by Senator Martin, the Gubernatorial appointment of Allan R. Schneider 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 President announced that the Health and Welfare Committee report relative to the Gubernatorial appointment of Britt Raubenheimer 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 Britt Raubenheimer 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 President announced that the Health and Welfare Committee report relative to the Gubernatorial appointment of Sue A. Payne was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Hagedorn, seconded by Senator Jordan, the Gubernatorial appointment of Sue A. Payne 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.

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 11:50 a.m. until the hour of 10:45 a.m., Friday, January 22, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

TWELFTH LEGISLATIVE DAY
FRIDAY, JANUARY 22, 2016

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:45 a.m.

Roll call showed all members present except Senator Ward-Engelking, absent and formally excused by the Chair; and Senator McKenzie, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Marshall Toryanski, 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, 2016, 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 133 BY BUCKNER-WEBB, BURGOYNE, LACEY, WARD-ENGELKING

A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND
COMMEMORATING AND RECOGNIZING THE MONTH
OF FEBRUARY AS BLACK HISTORY MONTH IN IDAHO.

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

WHEREAS, just ninety years ago, in 1926, Dr. Carter G. Woodson, a scholar and historian who was the son of former slaves, founded Negro History Week as an educational initiative to bring attention to the history and contributions of Black people throughout American history; and

WHEREAS, the second week of February was chosen because it marks the birthdays of Frederick Douglass and Abraham Lincoln, two men who greatly influenced the course of history of Black Americans; and

WHEREAS, the month of February is also significant in the history of African Americans for being the month when the National Association for the Advancement of Colored People (NAACP) was founded; when the 15th Amendment to the United States Constitution was passed, granting African American men the right to vote; when the first Black U.S. Senator Hiram R. Revels took his oath of office; and when Bernard A. Harris, Jr. became the first Black astronaut to walk in space; and

WHEREAS, while the number of Black people in Idaho has never exceeded one percent of the total population, they have nevertheless made significant contributions to Idaho; and

WHEREAS, the first recorded Black American in Idaho was York, the manservant of Captain William Clark, arriving in 1805 during the Lewis and Clark Expedition to the Pacific; and

WHEREAS, in 1867, Elvina Moulton, a former slave, followed the Oregon Trail to Boise. She stayed in Boise and undertook sewing and laundry work, saving her money and eventually buying her own home on Idaho Street next door to Boise Mayor James H. Hawley. She was also the only Black member among the prominent women who were charter members of Boise's First Presbyterian Church; and

WHEREAS, the 25th Infantry Regiment (known as the Buffalo Soldiers) risked their lives to save hundreds of men, women and children in the towns of Avery and Wallace, Idaho, during the Bitterroot Range wildfires in 1910. They built trails for fire crews, escorted families out of town to safety, helped keep the peace, evacuated towns and helped to light backfires when the great firestorm surrounded the community of Avery, and helped to retrieve the bodies of the townspeople and firefighters who didn't survive the conflagration; and

WHEREAS, in the latter part of the 19th century and the first half of the 20th century, African Americans arrived in Idaho to work in the mines, on the railroads, and eventually on the military bases located in Boise and Pocatello during World War II; and

WHEREAS, during this era, Black Idahoans faced restrictions as to where they were permitted to live, what work they were permitted to engage in, and whether they could join unions, eat in restaurants or attend theaters and churches; and

WHEREAS, the federal Civil Rights Act of 1964 was passed after being co-sponsored by U.S. Senator Frank Church from Idaho; and

WHEREAS, seven hundred Black and White Idahoans rallied on the Capitol steps in April 1968 to call for a stronger state civil rights law and better enforcement through creation of a state human rights commission; and

WHEREAS, under the leadership of then-Senator Phil Batt, the Idaho Human Rights Act was passed in 1969, prohibiting discrimination in employment, education, real estate transactions and public accommodations on the basis of race, sex, color, national origin and religion; and

WHEREAS, during the civil rights movement, Negro History Week was redesignated as Black History Week; and

WHEREAS, in 1976, as part of the nation's bicentennial, Black History Week was expanded and established as Black History Month with the hope that through this special observance, all Americans would be reminded of their ethnic roots and develop a mutual respect for the contributions of all racial groups in America; and

WHEREAS, Les Purce was the first Black elected official in Idaho, voted onto the Pocatello City Council and then becoming the city's mayor three years later in 1976; and

WHEREAS, Cherie Buckner-Webb was the first Black person to be elected in the Idaho State House of Representatives in 2010 and to the Idaho State Senate in 2012; and

WHEREAS, history teaches us that Black citizens in Idaho have struggled against slavery, prejudice and discrimination in

employment, housing, public accommodations and education over the course of our nation's history; and

WHEREAS, history also reveals that Black Idahoans have met these struggles bravely and contributed their many talents, achievements and contributions to their communities in Idaho; and

WHEREAS, Black History Month is an opportunity for all Idahoans to commemorate the struggles and victories of Black Americans in our history and to recognize their valuable contributions to society and to the state and nation's defense in war and peace.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we do hereby commemorate and recognize the month of February 2016 as Black History Month in Idaho and encourage Idaho citizens to reflect on the complex history of minorities in Idaho and the United States, and to look to the future and strive to continue to improve society so that we live up to the ideals of freedom, equality and justice for all.

SCR 134

BY EDUCATION COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND SUPPORTING THE STATE BOARD OF EDUCATION'S GOAL THAT 60 PERCENT OF IDAHO CITIZENS AGES 25-34 EARN A POSTSECONDARY DEGREE OR CERTIFICATE BY 2020 TO MEET THE STATE'S WORKFORCE NEEDS.

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

WHEREAS, Idaho must grow talent within the state to fuel innovation and competitiveness to support a robust economy; and

WHEREAS, increased education attainment improves the quality of life for Idahoans by providing access to jobs with higher wages that support families and create opportunities for personal financial security; and

WHEREAS, the jobs of the future are increasingly automated and technology driven; and

WHEREAS, the state must support an education system in which students graduate with the knowledge and skills that maximize their potential for success in the workforce while providing businesses with the necessary talent to thrive; and

WHEREAS, there will continue to be a shortage of Idahoans with postsecondary degrees, certificates and education credentials to meet future workforce needs; and

WHEREAS, bolstering postsecondary academic and career technical education opportunities in high demand fields, such as health care, information technology, advanced manufacturing and transportation are increasingly important in meeting workforce needs; and

WHEREAS, the State Board of Education has set a goal that 60 percent of citizens ages 25-34 attain a postsecondary degree or certificate by 2020; and

WHEREAS, currently only 40 percent of citizens have a postsecondary degree or certificate; and

WHEREAS, Idaho must increase the number of citizens ages 25-34 with a postsecondary degree or a certificate by at least five percentage points a year in order to reach the 60 percent goal; and

WHEREAS, 52 percent of Idaho's high school graduates are pursuing higher education within one year of high school graduation; and

WHEREAS, the Legislature enacted local college and career advising programs and dual credit, career technical and advanced

placement programs to help students jump-start their higher education by setting college and career goals and earning college credit while in high school; and

WHEREAS, the State Board of Education has implemented the Direct Admissions initiative to provide Idaho high school graduates the opportunity to enroll in an Idaho public higher education institution; and

WHEREAS, 28 percent of Idaho adults over the age of 25 have attended college but have not completed a degree; and

WHEREAS, Idaho's colleges and universities have undertaken initiatives to address college access, affordability, retention and graduation; and

WHEREAS, it is imperative that Idaho commit to efficiently and effectively increasing postsecondary degrees and certificates; and

WHEREAS, the State Board of Education has joined the Complete College American Alliance of States to become a recognized leader in talent creation and workforce development; and

WHEREAS, Idaho must encourage families to prepare our children for educational attainment by helping them prepare for school, encouraging them to read and value education.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that Idaho's education system kindergarten through career should focus on ensuring that Idaho students are prepared for success at the postsecondary level and in the workforce.

BE IT FURTHER RESOLVED that parents, the State Board of Education, the State Department of Education, the Division of Professional-Technical Education, the public higher education institutions, the Department of Labor and the Department of Commerce work with educators, representatives from business and industry, the Governor and the Legislature to promote policies and programs that ensure Idaho is making progress toward the "60 by 20" goal and that the State Board of Education will report annually to the Legislature on such progress.

[SCR 133](#) and [SCR 134](#) 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

January 21, 2016

The FINANCE Committee reports out [S 1199](#), [S 1200](#), and [S 1201](#) with the recommendation that they do pass.

KEOUGH, Chairman

[S 1199](#), [S 1200](#), and [S 1201](#) were filed for second 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 1203

BY JORDAN AND BUCKNER-WEBB

AN ACT

RELATING TO PRIMARY ELECTIONS; REPEALING SECTION 34-411A, IDAHO CODE, RELATING TO CHANGING OR SELECTING PARTY AFFILIATION FOR A PRIMARY ELECTION; AMENDING CHAPTER 4, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-411A, IDAHO CODE, TO PROVIDE FOR CHANGING

OR SELECTING PARTY AFFILIATION FOR A PRIMARY ELECTION; AND DECLARING AN EMERGENCY.

S 1204
BY SCHMIDT
AN ACT

RELATING TO MEDICAID; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-267, IDAHO CODE, TO PROVIDE THAT THE STATE SHALL AMEND ITS STATE PLAN TO EXPAND MEDICAID ELIGIBILITY TO CERTAIN PERSONS AND TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND WELFARE IS REQUIRED AND AUTHORIZED TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION; AMENDING SECTION 56-262, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND DECLARING AN EMERGENCY.

S 1205
BY SCHMIDT
AN ACT

RELATING TO MEDICAL ASSISTANCE; AMENDING SECTION 56-254, IDAHO CODE, TO CLARIFY ELIGIBILITY FOR THE BENCHMARK PLAN FOR PERSONS WITH DISABILITIES OR SPECIAL HEALTH NEEDS, TO PROVIDE ELIGIBILITY STANDARDS FOR THE BENCHMARK PLAN FOR CERTAIN LOW-INCOME INDIVIDUALS, TO PROVIDE ELIGIBILITY STANDARDS AND ASSISTANCE FOR OTHER LOW-INCOME INDIVIDUALS AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 56-255, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE CORRECT CODE REFERENCES; AND AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-255A, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND WELFARE WILL IMPLEMENT PERSONAL ACCOUNTABILITY REQUIREMENTS FOR CERTAIN INDIVIDUALS, REIMBURSE THE CATASTROPHIC HEALTH CARE COST FUND FOR CERTAIN CLAIMS AND PURSUE FEDERAL WAIVERS TO IMPLEMENT COVERAGE FOR CERTAIN INDIVIDUALS; DECLARING AN EMERGENCY; AND PROVIDING THAT THIS ACT SHALL BE NULL, VOID AND OF NO FORCE AND EFFECT UNDER CERTAIN CIRCUMSTANCES.

S 1206
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DOMESTIC VIOLENCE COUNCIL AND INDIRECT SUPPORT SERVICES FOR FISCAL YEAR 2016; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2016; AND DECLARING AN EMERGENCY.

S 1207
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR STATE HOSPITAL SOUTH FOR FISCAL YEAR 2016; AND DECLARING AN EMERGENCY.

S 1208
BY EDUCATION COMMITTEE
AN ACT

RELATING TO SCHOLARSHIPS; AMENDING SECTION 33-4302, IDAHO CODE, TO SPECIFY THE TYPE OF HOUSING PROVIDED TO ELIGIBLE INDIVIDUALS, TO SPECIFY WHEN A PUBLIC SAFETY OFFICER IS CONSIDERED TOTALLY AND PERMANENTLY DISABLED FOR PURPOSES OF AN ARMED FORCES AND PUBLIC SAFETY OFFICER SCHOLARSHIP AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-4303, IDAHO CODE, TO ADD PROVISIONS REGARDING THE INVESTMENT OF SURPLUS MONEYS IN THE OPPORTUNITY SCHOLARSHIP PROGRAM ACCOUNT; AND AMENDING SECTION 63-3067D, IDAHO CODE, TO PROVIDE CORRECT CODE CITATIONS.

S 1209
BY EDUCATION COMMITTEE
AN ACT

RELATING TO GENERAL POWERS OF THE BOARD OF TRUSTEES OF COMMUNITY COLLEGE DISTRICTS; AMENDING SECTION 33-2107, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY, TO CLARIFY CERTAIN POWERS OF THE BOARD OF TRUSTEES OF EACH COMMUNITY COLLEGE DISTRICT AND TO MAKE TECHNICAL CORRECTIONS.

S 1210
BY EDUCATION COMMITTEE
AN ACT

RELATING TO CAREER TECHNICAL EDUCATION; AMENDING SECTION 5-343, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 15-12-213, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 18-3309, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-107B, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-107D, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-123, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-1002G, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO REMOVE OBSOLETE LANGUAGE; AMENDING SECTION 33-1252, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1629, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-2110, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE

TECHNICAL CORRECTIONS; AMENDING SECTION 33-2202, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2203, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2204, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-2205, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-2206, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-2207, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-2208, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2209, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-2210, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-2211, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2212, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-2303, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2306, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-3726, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-3727, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-4303, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-4603, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-4803, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-4901, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-4902, IDAHO CODE, TO REPLACE REFERENCES

TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-4903, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-4904, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-4905, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-4906, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-5202A, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 33-5215, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 39-5002, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 39-5009, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 46-314, IDAHO CODE, TO REPLACE A REFERENCE TO VOCATIONAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 49-304, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 49-313, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 49-314, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1007, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-5003, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-5303, IDAHO CODE, TO REPLACE REFERENCES TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AMENDING SECTION 72-501A, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION; AND AMENDING SECTION 72-1347B, IDAHO CODE, TO REPLACE A REFERENCE TO PROFESSIONAL-TECHNICAL EDUCATION WITH CAREER TECHNICAL EDUCATION AND TO MAKE TECHNICAL CORRECTIONS.

S 1211
BY LOCAL GOVERNMENT AND TAXATION
COMMITTEE
 AN ACT

RELATING TO THE CATASTROPHIC HEALTH CARE COST PROGRAM; AMENDING SECTION 31-3517, IDAHO CODE, TO AUTHORIZE REIMBURSEMENT FOR COUNTY COMMISSIONER MEMBERS OF THE CATASTROPHIC

HEALTH CARE COST PROGRAM BOARD AND TO MAKE A CODIFIER'S CORRECTION.

S 1212
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE EMERGENCY COMMUNICATIONS ACT; AMENDING SECTION 31-4801, IDAHO CODE, TO ESTABLISH THE IDAHO PUBLIC SAFETY COMMUNICATIONS COMMISSION AND TO PROVIDE FOR CERTAIN DUTIES AND SERVICES; AMENDING SECTION 31-4802, IDAHO CODE, TO PROVIDE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-4804, IDAHO CODE, TO EXPAND THE USE OF THE EMERGENCY COMMUNICATIONS FEE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-4804A, IDAHO CODE, TO AUTHORIZE THE ESTABLISHMENT OF NEXT GENERATION CONSOLIDATED EMERGENCY SYSTEMS; AMENDING SECTION 31-4815, IDAHO CODE, TO PROVIDE FOR THE MEMBERSHIP OF THE IDAHO PUBLIC SAFETY COMMUNICATIONS COMMISSION; AMENDING SECTION 31-4816, IDAHO CODE, TO PROVIDE FOR THE RESPONSIBILITIES OF THE IDAHO PUBLIC SAFETY COMMUNICATIONS COMMISSION; AMENDING SECTION 31-4817, IDAHO CODE, TO PROVIDE FOR MEDIATION REGARDING INTEROPERABLE PUBLIC SAFETY COMMUNICATIONS AND DATA SYSTEMS; AMENDING SECTION 31-4819, IDAHO CODE, TO PROVIDE FOR THE BUDGETING AND USE OF THE ENHANCED EMERGENCY COMMUNICATIONS GRANT FUNDS; AMENDING CHAPTER 48, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-4820, IDAHO CODE, TO ESTABLISH THE IDAHO PUBLIC SAFETY INTEROPERABLE COMMUNICATIONS AND DATA SYSTEMS FUND; AMENDING CHAPTER 48, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-4821, IDAHO CODE, TO AUTHORIZE ADMINISTRATIVE SUPPORT FOR THE COMMISSION; AND REPEALING CHAPTER 12, TITLE 46, IDAHO CODE, RELATING TO STATEWIDE COMMUNICATIONS INTEROPERABILITY.

[S 1203](#), [S 1204](#), [S 1205](#), [S 1206](#), [S 1207](#), [S 1208](#), [S 1209](#), [S 1210](#), [S 1211](#), and [S 1212](#) 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

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11 a.m. until the hour of 11:30 a.m., Monday, January 25, 2016.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIFTEENTH LEGISLATIVE DAY
MONDAY, JANUARY 25, 2016

Senate Chamber

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

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Mallory DeFord, 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, 2016, 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

January 25, 2016

The JUDICIARY AND RULES Committee reports that [SCR 133](#), [SCR 134](#), [S 1203](#), [S 1204](#), [S 1205](#), [S 1206](#), [S 1207](#), [S 1208](#), [S 1209](#), [S 1210](#), [S 1211](#), and [S 1212](#) have been correctly printed.

LODGE, Chairman

On request by Senator Buckner-Webb, granted by unanimous consent, [SCR 133](#) was referred to the State Affairs Committee.

On request by Senator Mortimer, granted by unanimous consent, [SCR 134](#) was referred to the Education Committee.

[S 1203](#) was referred to the State Affairs Committee.

[S 1204](#) and [S 1205](#) were referred to the Health and Welfare Committee.

[S 1206](#) and [S 1207](#) were referred to the Finance Committee.

[S 1208](#), [S 1209](#), and [S 1210](#) were referred to the Education Committee.

[S 1211](#) was referred to the Local Government and Taxation Committee.

[S 1212](#) was referred to the State Affairs Committee.

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

Second Reading of Bills

[S 1199](#), [S 1200](#), and [S 1201](#), 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 11:45 a.m. until the hour of 11:30 a.m., Tuesday, January 26, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SIXTEENTH LEGISLATIVE DAY
TUESDAY, JANUARY 26, 2016

Senate Chamber

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

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Aleena Follett, 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 25, 2016, 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

January 25, 2016

The RESOURCES AND ENVIRONMENT Committee reports out [S 1197](#) with the recommendation that it do pass.

BAIR, Chairman

[S 1197](#) was filed for second reading.

January 26, 2016

The FINANCE Committee reports out [S 1206](#) and [S 1207](#) with the recommendation that they do pass.

KEOUGH, Chairman

[S 1206](#) and [S 1207](#) 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, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Rayelle Anderson of Rathdrum, Idaho, was reappointed as a member of the Bingo-Raffle Advisory Board to serve a term commencing January 7, 2016, and expiring January 7, 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.

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 1213

BY RESOURCES AND ENVIRONMENT COMMITTEE AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-1101, IDAHO CODE, TO PROHIBIT THE USE OF UNMANNED AIRCRAFT SYSTEMS FOR HUNTING, MOLESTING OR LOCATING GAME ANIMALS, GAME BIRDS AND FURBEARING ANIMALS.

S 1214

BY AGRICULTURAL AFFAIRS COMMITTEE AN ACT

RELATING TO LIVESTOCK; AMENDING CHAPTER 2, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-239, IDAHO CODE, TO DEFINE TERMS; AND AMENDING CHAPTER 2, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-240, IDAHO CODE, TO PROVIDE LIVESTOCK REMOVAL REQUIREMENTS.

S 1215

BY AGRICULTURAL AFFAIRS COMMITTEE AN ACT

RELATING TO THE COMMISSION ON PESTICIDE MANAGEMENT; REPEALING CHAPTER 18, TITLE 22, IDAHO CODE, RELATING TO THE COMMISSION ON PESTICIDE MANAGEMENT; AMENDING SECTION 67-450D, IDAHO CODE, TO REMOVE REFERENCE TO THE COMMISSION ON PESTICIDE MANAGEMENT; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR THE TRANSFER OF CERTAIN MONEYS.

[S 1213](#), [S 1214](#), and [S 1215](#) 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

[S 1199](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking. Total - 34.

NAYS—None.

Absent and excused—Winder. Total - 1.

Total - 35.

Whereupon the President declared [S 1199](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1200](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Vick, Ward-Engelking. Total - 32.

NAYS—Hagedorn, Siddoway. Total - 2.

Absent and excused—Winder. Total - 1.

Total - 35.

Whereupon the President declared [S 1200](#) 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 11:50 a.m. until the hour of 11:30 a.m., Wednesday, January 27, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

**SEVENTEENTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 27, 2016**

Senate Chamber

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

Roll call showed all members present except Senators McKenzie and Winder, absent and formally excused by the Chair.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Nina Harelson, 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, 2016, 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

January 27, 2016

The JUDICIARY AND RULES Committee reports that [S 1213](#), [S 1214](#), and [S 1215](#) have been correctly printed.

LODGE, Chairman

[S 1213](#) was referred to the Resources and Environment Committee.

[S 1214](#) and [S 1215](#) were referred to the Agricultural Affairs Committee.

January 26, 2016

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:

Dean L. Cameron as the Director of the Department of Insurance, term to continue at the pleasure of the Governor.

PATRICK, 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

January 25, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Joe B. McNeal of Mountain Home, Idaho, was reappointed as a member of the Idaho Commission on Human Rights to serve a term commencing July 1, 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 State Affairs Committee.

January 25, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kevin Coyne Settles of Boise, Idaho, was reappointed as a member of the Idaho Commission on Human Rights to serve a term commencing July 1, 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 State Affairs Committee.

January 25, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Mike H. Matthews of Declo, Idaho, was reappointed as a member of the Commission

on Pardons and Parole to serve a term commencing January 1, 2016, 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 Judiciary and Rules Committee.

January 25, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Michael David Johnston of Boise, Idaho, was reappointed as a member of the Sexual Offender Management Board to serve a term commencing January 1, 2016, 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 Judiciary and Rules Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 26, 2016

Dear Mr. President:

I transmit herewith [H 342](#) and [H 349](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 342](#) and [H 349](#) 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 1216 BY FINANCE COMMITTEE AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED FOR FISCAL YEAR 2016; AND DECLARING AN EMERGENCY.

S 1217 BY FINANCE COMMITTEE AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE PURCHASING PROGRAM FOR FISCAL YEAR 2016; APPROPRIATING AND TRANSFERRING MONEYS FROM THE IDAHO EDUCATION NETWORK FUND TO THE PUBLIC INSTRUCTION FUND FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE INFORMATION TECHNOLOGY PROGRAM FOR FISCAL YEAR 2016; AND DECLARING AN EMERGENCY.

S 1218 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO CODIFIER'S CORRECTIONS; AMENDING SECTION 19-853, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION; AMENDING SECTION 19-860, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 26-106, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 26-3203, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 26-3205, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTIONS 30-2003 THROUGH 30-2009, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 30-21-804, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-709, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-1021, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 310, LAWS OF 2011, TO REDESIGNATE THE SECTION; AMENDING SECTION 33-1630, IDAHO CODE, AS ENACTED BY SECTION 2, CHAPTER 289, LAWS OF 2015, TO REDESIGNATE THE SECTION; AMENDING SECTION 33-1630, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 68, LAWS OF 2015, TO REDESIGNATE THE SECTION; AMENDING SECTION 34-439A, IDAHO CODE, TO MAKE CODIFIER'S CORRECTIONS; AMENDING SECTION 34-616, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION; AMENDING SECTION 36-1402, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 47-319, IDAHO CODE, TO MAKE CODIFIER'S CORRECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-102, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION; AMENDING SECTION 49-402, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION; AMENDING SECTION 49-420N, IDAHO CODE, AS ENACTED BY SECTION 2, CHAPTER 8, LAWS OF 2015, TO REDESIGNATE THE SECTION; AMENDING THE HEADING FOR CHAPTER 56, TITLE 54, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 121, LAWS OF 2015, TO REDESIGNATE THE CHAPTER; AMENDING SECTIONS 54-5601 THROUGH 54-5606, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 121, LAWS OF 2015, TO REDESIGNATE THE SECTIONS; AMENDING SECTION 54-5607, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 121, LAWS OF 2015, TO REDESIGNATE THE SECTION AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTIONS 54-5608 THROUGH 54-5613, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 121, LAWS OF 2015, TO REDESIGNATE

THE SECTIONS; AMENDING SECTION 59-1604, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 61-1702, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-2345A, IDAHO CODE, AS ENACTED BY SECTION 2, CHAPTER 271, LAWS OF 2015, TO REDESIGNATE THE SECTION, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-2601A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 67-4740, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 67-7441, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

S 1219**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO PUBLIC WORKS CONTRACTS; AMENDING SECTION 54-4511, IDAHO CODE, TO PROVIDE FOR COMPENSATION OF CONSTRUCTION MANAGERS AND GENERAL CONTRACTORS, TO PROVIDE THAT CERTAIN COSTS MAY BE INCORPORATED INTO A CONTRACT, TO PROVIDE THAT CERTAIN BIDS SHALL BE HANDLED IN A PARTICULAR MANNER, TO CLARIFY HOW CONSTRUCTION MANAGERS AND GENERAL CONTRACTORS MAY BID, TO PROVIDE THAT CERTAIN TERMS SHALL BE INCLUDED IN CERTAIN CONTRACTS AND TO REMOVE A PROVISION RELATING TO COMPENSATION.

S 1220**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO THE RACING COMMISSION; AMENDING CHAPTER 25, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2507A, IDAHO CODE, TO DIRECT THE COMMISSION TO MAKE CERTAIN PAYMENT TO THE IDAHO HORSE COUNCIL UNDER SPECIFIED CONDITIONS; DECLARING AN EMERGENCY; AND PROVIDING A SUNSET DATE.

S 1221**BY COMMERCE AND HUMAN RESOURCES COMMITTEE**

AN ACT

RELATING TO INSURANCE PRODUCER LICENSING; AMENDING SECTION 41-1016, IDAHO CODE, TO REVISE PROVISIONS REGARDING SUSPENSION OR REVOCATION OF NONRESIDENT LICENSES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 41-1026, IDAHO CODE, TO REVISE PROVISIONS REGARDING LICENSURE AFTER REVOCATION OF OR REFUSAL TO CONTINUE A LICENSE AND TO PROVIDE THAT A LICENSE SHALL NOT BE ISSUED WITHIN A CERTAIN PERIOD OF TIME TO A PERSON WHOSE APPLICATION FOR A LICENSE WAS PREVIOUSLY DENIED; AND AMENDING SECTION 41-1108, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS.

[S 1216](#), [S 1217](#), [S 1218](#), [S 1219](#), [S 1220](#), and [S 1221](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 342](#) and [H 349](#), 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

S 1197 by Resources and Environment Committee, was read the second time at length and filed for third reading.

S 1206 and S 1207 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

[S 1201](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking. Total - 33.

NAYS—None.

Absent and excused—McKenzie, Winder. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [S 1201](#) 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., Thursday, January 28, 2016.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

EIGHTEENTH LEGISLATIVE DAY
THURSDAY, JANUARY 28, 2016

Senate Chamber

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

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Jared Kelly, 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, 2016, 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

January 28, 2016

The JUDICIARY AND RULES Committee reports that [S 1216](#), [S 1217](#), [S 1218](#), [S 1219](#), [S 1220](#), and [S 1221](#) have been correctly printed.

LODGE, Chairman

[S 1216](#) and [S 1217](#) were referred to the Finance Committee.

[S 1218](#) was referred to the State Affairs Committee.

[S 1219](#) was referred to the Commerce and Human Resources Committee.

[S 1220](#) was referred to the State Affairs Committee.

[S 1221](#) was referred to the Commerce and Human Resources Committee.

January 27, 2016

The FINANCE Committee reports out [H 342](#) and [H 349](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 342](#) and [H 349](#) were filed for second reading.

January 27, 2016

The EDUCATION Committee reports out [S 1209](#) and [S 1210](#) with the recommendation that they do pass.

MORTIMER, Chairman

[S 1209](#) and [S 1210](#) 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

January 27, 2016

Dear Mr. President:

I transmit herewith [H 363](#), [H 364](#), and [H 365](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 363](#), [H 364](#), and [H 365](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Dean L. Cameron was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heider, seconded by Senator Burgoyne, the Gubernatorial appointment of Dean L. Cameron as the Director of the Department of Insurance 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 1222

BY RESOURCES AND ENVIRONMENT COMMITTEE AN ACT

RELATING TO GROUND WATER DISTRICTS; AMENDING SECTION 42-5245, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE CONTENT OF PETITIONS FOR ANNEXATION INTO A DISTRICT; AND AMENDING SECTION 42-5248, IDAHO CODE, TO REVISE PROVISIONS REGARDING ASSESSMENTS AGAINST ANNEXED LANDS.

S 1223

BY RESOURCES AND ENVIRONMENT COMMITTEE AN ACT

RELATING TO GROUND WATER DISTRICTS; AMENDING SECTION 42-5259, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PARTICIPATION OF NONMEMBERS IN GROUND WATER DISTRICTS FOR MITIGATION PURPOSES, TO REMOVE A PROVISION REGARDING INTERPRETATION OF SPECIFIED LAW, TO REMOVE PROVISIONS REGARDING NONMEMBERS DEEMED PARTICIPANTS IN DISTRICTS IF SO PROVIDED BY

LAW AND TO REMOVE PROVISIONS REGARDING THE COLLECTION OF A PROPORTIONAL SHARE OF COSTS.

S 1224

**BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT**

RELATING TO GROUND WATER DISTRICTS; AMENDING SECTION 42-5232, IDAHO CODE, TO PROVIDE AN ALTERNATIVE MEANS OF DETERMINING A MEMBER'S PROPORTIONATE SHARE OF THE TOTAL OF ALL AMOUNTS TO BE ASSESSED; AMENDING SECTION 42-5233, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE TOTAL DOLLAR AMOUNT OF CERTAIN WARRANTS; AND AMENDING SECTION 42-5234, IDAHO CODE, TO PROVIDE AN ALTERNATIVE MEANS OF DETERMINING CERTAIN AGGREGATE GROUND WATER RIGHTS.

S 1225

**BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT**

RELATING TO GROUND WATER DISTRICTS; AMENDING SECTION 42-5233, IDAHO CODE, TO PROVIDE THAT CERTAIN ASSESSMENTS TO REPAY DEBT MUST BE APPROVED AT AN ELECTION; AMENDING SECTION 42-5234, IDAHO CODE, TO PROVIDE THAT CERTAIN OBLIGATIONS OR CONTRACT INDEBTEDNESS MUST BE SUBMITTED TO A VOTE OF QUALIFIED ELECTORS IN THE DISTRICT; AND AMENDING SECTION 42-5235, IDAHO CODE, TO REVISE PROVISIONS REGARDING JUDICIAL EXAMINATION PRIOR TO INCURRING INDEBTEDNESS.

S 1226

**BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT**

RELATING TO FISH AND GAME; AMENDING SECTION 36-1404, IDAHO CODE, TO INCREASE CERTAIN PENALTIES FOR THE ILLEGAL KILLING, POSSESSION OR WASTE OF CERTAIN GAME ANIMALS.

[S 1222](#), [S 1223](#), [S 1224](#), [S 1225](#), and [S 1226](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 363](#), [H 364](#), and [H 365](#), by Appropriations Committee, were 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

[S 1197](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Siddoway. Total - 1.

Total - 35.

Whereupon the President declared [S 1197](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1206](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Siddoway. Total - 1.

Total - 35.

Whereupon the President declared [S 1206](#) 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 in recognition of Dean L. Cameron's commendable service at 12:05 p.m. until the hour of 10:45 a.m., Friday, January 29, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

NINETEENTH LEGISLATIVE DAY
FRIDAY, JANUARY 29, 2016

Senate Chamber

President Little called the Senate to order at 10:45 a.m.

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Caleb Richardson, 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, 2016, 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

January 29, 2016

The JUDICIARY AND RULES Committee reports that [S 1222](#), [S 1223](#), [S 1224](#), [S 1225](#), and [S 1226](#) have been correctly printed.

LODGE, Chairman

[S 1222](#), [S 1223](#), [S 1224](#), [S 1225](#), and [S 1226](#) were referred to the Resources and Environment Committee.

January 28, 2016

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:

Jeff Cilek to the Public Employee Retirement System of Idaho Board, term to expire July 1, 2020.

PATRICK, 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.

January 28, 2016

The FINANCE Committee reports out [H 363](#), [H 364](#), [H 365](#), [S 1216](#), and [S 1217](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 363](#), [H 364](#), [H 365](#), [S 1216](#), and [S 1217](#) 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

January 28, 2016

Dear Mr. President:

I transmit herewith [H 344](#), which has passed the House.

ALEXANDER, Chief Clerk

[H 344](#) 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 1227

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO ANNUAL REPORTS OF BENEFIT CORPORATIONS; AMENDING SECTION 30-2013, IDAHO CODE, TO REMOVE THE REQUIREMENT OF FILING A BENEFIT CORPORATION'S BENEFIT REPORT WITH THE SECRETARY OF STATE.

S 1228

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-428, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DISPLAY OF LICENSE PLATES.

S 1229

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING CHAPTER 10, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1004B, IDAHO CODE, TO PROVIDE THAT FOR SPECIFIED PURPOSES, THE INTERSTATE SYSTEM, WHICH SHALL BE CONSIDERED TO CONSIST OF SPECIFIED ROUTES, IN IDAHO IS DEEMED A NONINTERSTATE HIGHWAY AND TO PROVIDE THAT FOR SPECIFIED PURPOSES, THE INTERSTATE SYSTEM, WHICH SHALL BE CONSIDERED TO CONSIST OF SPECIFIED ROUTES, IN IDAHO IS DEEMED A DESIGNATED STATE ROUTE.

S 1230

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO THE HIGHWAY DISTRIBUTION ACCOUNT; AMENDING SECTION 40-701, IDAHO CODE, TO REVISE APPORTIONMENT PROVISIONS REGARDING THE HIGHWAY DISTRIBUTION ACCOUNT, TO REMOVE PROVISIONS REGARDING APPORTIONMENT TO THE

LAW ENFORCEMENT ACCOUNT AND TO MAKE A TECHNICAL CORRECTION.

S 1231

BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO CHIROPRACTIC PRACTICE; AMENDING SECTION 54-704, IDAHO CODE, TO REVISE RESTRICTIONS RELATING TO PRESCRIBING, DISPENSING, INDEPENDENTLY ADMINISTERING, DISTRIBUTING, DIRECTING OR SUGGESTING TO PATIENTS CERTAIN DRUGS, SUBSTANCES OR PRODUCTS AND TO MAKE TECHNICAL CORRECTIONS.

S 1232

BY EDUCATION COMMITTEE
AN ACT

RELATING TO VOCATIONAL REHABILITATION; AMENDING SECTION 33-2301, IDAHO CODE, TO REVISE A REFERENCE TO A FEDERAL ACT.

[S 1227](#), [S 1228](#), [S 1229](#), [S 1230](#), [S 1231](#), and [S 1232](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Lodge was recorded present at this order of business.

[H 344](#), 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 342](#) and [H 349](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1209](#) and [S 1210](#), 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

[S 1207](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Thayne, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—McKenzie, Siddoway, Stennett. Total - 3.

Total - 35.

Whereupon the President declared [S 1207](#) 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 Buckner-Webb, by voice vote, the Senate adjourned at 11:05 a.m. until the hour of 11:30 a.m., Monday, February 1, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

TWENTY-SECOND LEGISLATIVE DAY
MONDAY, FEBRUARY 1, 2016

Senate Chamber

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

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Hayden Rogers, 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, 2016, 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

SJR 101

BY STATE AFFAIRS COMMITTEE

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 10, ARTICLE IV, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO VETOES BY THE GOVERNOR, TO PROVIDE THAT UPON THE VETO OF A BILL FOLLOWING THE ADJOURNMENT OF THE LEGISLATURE, THE GOVERNOR, UPON THE JOINT REQUEST OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE, SHALL CALL THE LEGISLATURE BACK INTO SESSION TO RECONSIDER THE VETOED BILL AS PROVIDED BY LAW; STATING THE QUESTION TO BE SUBMITTED

TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

[SJR 101](#) was introduced, read the first time 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 1, 2016

The JUDICIARY AND RULES Committee reports that [S 1227](#), [S 1228](#), [S 1229](#), [S 1230](#), [S 1231](#), and [S 1232](#) have been correctly printed.

LODGE, Chairman

[S 1227](#) was referred to the Commerce and Human Resources Committee.

[S 1228](#), [S 1229](#), and [S 1230](#) were referred to the Transportation Committee.

[S 1231](#) was referred to the Health and Welfare Committee.

[S 1232](#) was referred to the Education Committee.

February 1, 2016

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:

Bob Geddes as the Director of the Department of Administration, term to continue at the pleasure of the Governor.

Eric R. Anderson to the Public Utilities Commission, term to expire January 9, 2019.

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 1, 2016

The STATE AFFAIRS Committee reports out [SCR 133](#) with the recommendation that it do pass.

MCKENZIE, Chairman

[SCR 133](#) 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 27, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Erwin L. Sonnenberg of Boise, Idaho, was appointed as a member of the Sexual Offender Management Board to serve a term commencing June 2, 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.

January 29, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Terry Gestrin of Donnelly, Idaho, was reappointed as a member of the State Insurance Fund Board to serve a term commencing April 13, 2015, and expiring December 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 Commerce and Human Resources Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 29, 2016

Dear Mr. President:

I transmit herewith [H 425](#), which has passed the House.

ALEXANDER, Chief Clerk

[H 425](#) was filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Jeff Cilek was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heider, seconded by Senator Burgoyne, the Gubernatorial appointment of Jeff Cilek as a member of the Public Employee Retirement System of Idaho 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 Senate advanced to the Eleventh Order of Business.

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

S 1233

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF JUVENILE CORRECTIONS FOR THE COMMUNITY, OPERATIONS, AND PROGRAM SERVICES PROGRAM FOR FISCAL YEAR 2016; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF JUVENILE CORRECTIONS FOR THE INSTITUTIONS PROGRAM FOR FISCAL YEAR 2016; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF JUVENILE CORRECTIONS FOR THE COMMUNITY-BASED SUBSTANCE ABUSE TREATMENT SERVICES PROGRAM FOR FISCAL YEAR 2016; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF JUVENILE CORRECTIONS FOR THE INSTITUTIONS PROGRAM FOR FISCAL YEAR 2016; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF JUVENILE CORRECTIONS FOR THE COMMUNITY-BASED SUBSTANCE ABUSE TREATMENT SERVICES PROGRAM FOR FISCAL YEAR 2016; AND DECLARING AN EMERGENCY.

S 1234

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE IDAHO ADMINISTRATIVE PROCEDURE ACT; AMENDING SECTION 67-5205, IDAHO CODE, TO REMOVE REFERENCE TO CERTAIN ELECTRONIC COPIES.

[S 1233](#) and [S 1234](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 425](#), 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 363](#), [H 364](#), and [H 365](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1216](#) and [S 1217](#), 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

[H 342](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Den Hartog, Siddoway. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 342](#) passed, title was approved, and the bill ordered returned to the House.

[H 349](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Den Hartog, Siddoway. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 349](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [S 1209](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1210](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Hill. Total - 1.

Absent and excused—Den Hartog, Siddoway. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [S 1210](#) 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 11:15 a.m., Tuesday, February 2, 2016.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

TWENTY-THIRD LEGISLATIVE DAY
TUESDAY, FEBRUARY 2, 2016

Senate Chamber

President Pro Tempore Hill called the Senate to order at 11:15 a.m.

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Liberty Stokes, 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 1, 2016, 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 135

BY RESOURCES AND ENVIRONMENT COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE SUPPORTING THE SETTLEMENT AGREEMENT ENTERED INTO ON JUNE 30, 2015, BETWEEN PARTICIPATING MEMBERS OF THE SURFACE WATER COALITION AND PARTICIPATING MEMBERS OF THE IDAHO GROUND WATER APPROPRIATORS, INC. TO RESOLVE LITIGATION, AVOID CURTAILMENT, MAINTAIN SUSTAINABLE GROUND AND SURFACE WATER SUPPLIES ON THE ESPA AND MINIMIZE HARM TO IDAHO'S ECONOMY, SUPPORTING STATE MANAGEMENT TO ENSURE ESPA WATER SUPPLY ISSUES ARE TIMELY ADDRESSED, AND SUPPORTING THE GOAL OF STABILIZING AND REVERSING THE TREND OF DECLINING ESPA WATER LEVELS IN THE EASTERN SNAKE PLAIN AQUIFER.

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

WHEREAS, the Eastern Snake Plain Aquifer (ESPA) supplies ground water to approximately one million irrigated

acres and to numerous cities, businesses, dairies, factories and homes; and

WHEREAS, the ESPA is hydraulically connected to the Snake River and discharges to the Snake River via tributary springs, which supply surface water for multiple beneficial uses, including aquaculture, hydropower, and the irrigation of approximately one million acres; and

WHEREAS, since 1952 the total volume of water stored in the ESPA has decreased due to increasing direct diversions of ground water, increasingly efficient surface water irrigation practices, and other factors; and

WHEREAS, discharge from the ESPA to the Snake River is the most significant contribution of water to the Snake River between Milner Dam and the Murphy Gage; and

WHEREAS, Policy 4A of the 2012 Idaho State Water Plan requires that the Murphy minimum stream flow water right be administered in priority; and

WHEREAS, the declines in ESPA storage content have decreased surface water supplies available for irrigation, aquaculture, municipal, industrial and other uses on land overlying the Eastern Snake Plain, resulting in multiple water delivery calls, protracted litigation, and curtailment notices issued by the Idaho Department of Water Resources; and

WHEREAS, current ESPA water levels and total storage content, after more than six decades of decline, are inadequate to provide a reasonably safe supply of water for sustainable surface and ground water irrigation, hydropower, aquaculture, municipal and industrial uses, the curtailment of which would cause severe economic harm to the State of Idaho; and

WHEREAS, if the Thousand Springs discharges continue to decline, junior water rights will be required to curtail to sustain the Murphy minimum stream flow; and

WHEREAS, on June 30, 2015, a historic settlement agreement was entered into between the following surface water right holders: A & B Irrigation District, American Falls Reservoir District #2, Burley Irrigation District, Milner Irrigation District, Minidoka Irrigation District, North Side Canal Company and Twin Falls Canal Company, collectively known as the Surface Water Coalition (SWC); and the following ground water right holders: Aberdeen American Falls Ground Water District, Bingham Ground Water District, Bonneville-Jefferson Ground Water District, Carey Valley Ground Water District, Jefferson-Clark Ground Water District, Madison Ground Water District, Magic Valley Ground Water District, Fremont-Madison Irrigation District, Anheuser-Busch, United Water, Glanbia Foods, City of Blackfoot, City of American Falls, City of Jerome, City of Rupert, City of Heyburn, City of Paul, City of Chubbuck and City of Hazelton, collectively known as the Idaho Ground Water Appropriators, Inc. (IGWA); for the purpose of resolving pending water delivery calls and to provide for ongoing management of the ESPA; and

WHEREAS, the IGWA-SWC settlement agreement seeks to stabilize and ultimately reverse the trend of declining ESPA water levels in the ESPA; and

WHEREAS, the participating ground water users committed to reduce ground water diversions from the ESPA necessary to meet the ground water level goal and benchmarks identified in the settlement agreement; and

WHEREAS, implementation of the settlement agreement is expected to lead to a sustainable water supply and minimize harm to Idaho's economy arising from water supply shortages.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the State of Idaho supports the settlement agreement entered into on June 30, 2015, between participating members of the

Surface Water Coalition and participating members of the Idaho Ground Water Appropriators, Inc. to resolve litigation, avoid curtailment, maintain sustainable ground and surface water supplies on the ESPA and minimize harm to Idaho's economy, and further supports state management to ensure ESPA water supply issues are timely addressed.

BE IT FURTHER RESOLVED that the State of Idaho supports the goal of stabilizing and reversing the trend of declining ESPA water levels in the Eastern Snake Plain Aquifer.

SCR 136

BY RESOURCES AND ENVIRONMENT COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE RECOGNIZING THE NEED FOR MANAGED RECHARGE OF THE EASTERN SNAKE PLAIN AQUIFER, AND RESOLVING THAT THE STATE OF IDAHO ESTABLISH A MANAGED RECHARGE GOAL OF 250,000 ACRE-FEET ON AN AVERAGE ANNUAL BASIS ACROSS THE ESPA, DEVELOP THE CAPACITY TO ACHIEVE 250,000 ACRE-FEET OF AVERAGE ANNUAL MANAGED RECHARGE ON OR BEFORE DECEMBER 31, 2024, AND INCREASE THE 100,000 ACRE-FEET AVERAGE ANNUAL ESPA CAMP PHASE I TARGET FOR STATE FUNDED MANAGED RECHARGE TO 250,000 ACRE-FEET OF AVERAGE ANNUAL RECHARGE ACROSS THE ESPA.

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

WHEREAS, Policy 11 of the 2012 Idaho State Water Plan provides that "aquifer recharge should be promoted and encouraged, consistent with state law"; and

WHEREAS, the Eastern Snake Plain Aquifer (ESPA) supplies ground water to nearly one million irrigated acres and to numerous cities, businesses, dairies, factories and homes; and

WHEREAS, the ESPA is hydraulically connected to the Snake River and discharges to the Snake River via tributary springs, which supply surface water for multiple beneficial uses, including aquaculture, hydropower, and the irrigation of nearly one million acres; and

WHEREAS, since 1952 the total volume of water stored in the ESPA has decreased by an average of 216,000 acre-feet annually due to increasing diversions of ground water, increasingly efficient surface water irrigation practices, and other factors; and

WHEREAS, as a result of declines to ESPA water levels and total storage content, there is currently an insufficient water supply for some water users leading to water delivery calls, protracted litigation, and curtailment notices issued by the Idaho Department of Water Resources; and

WHEREAS, sustaining the spring flows in the Thousand Spring reach of the Snake River is essential to maintaining the Murphy minimum stream flows; and

WHEREAS, failure to maintain the Murphy minimum stream flows will require curtailment of water rights junior to October 25, 1984; and

WHEREAS, current ESPA water levels and total storage content are inadequate to provide a reasonably safe supply of water for sustainable surface and ground water irrigation, aquaculture, hydropower, municipal and industrial uses, the curtailment of which would cause severe economic harm to the State of Idaho; and

WHEREAS, Policy 4D of the 2012 Idaho State Water Plan provides that "[t]he Eastern Snake Plain Aquifer and the Snake River below Milner Dam should be conjunctively managed to

provide a sustainable water supply for all existing and future beneficial uses within and downstream of the ESPA"; and

WHEREAS, Policy 4E provides that "[d]evelopment of new ... aquifer storage is in the public interest"; and

WHEREAS, a 2009 Eastern Snake Plain Aquifer Comprehensive Aquifer Management Plan ("ESPA CAMP") goal is to "[s]ustain the economic viability and social and environmental health of the Eastern Snake Plain by adaptively managing a balance between water use and supplies"; and

WHEREAS, the ESPA CAMP established a long-term goal of 600,000 acre-feet average annual change to the ESPA aquifer budget by 2030; and

WHEREAS, the ESPA CAMP established a long-term hydrologic target for managed aquifer recharge of 150,000 to 250,000 acre-feet on an average annual basis; and

WHEREAS, Phase I of the ESPA CAMP established a 100,000 acre-feet average annual managed hydrologic target; and

WHEREAS, a 2009 Memorandum of Agreement between the Idaho Water Resource Board and Idaho Power Company provides that "[i]f the Board proposes to increase the 100,000 acre-feet average annual ESPA CAMP Phase I target for managed aquifer recharge by more than 75,000 acre-feet prior to January 1, 2019, the Board must obtain legislative approval for such increase"; and

WHEREAS, stabilizing and enhancing the ESPA water level is in the public interest because it will lead to a sustainable water supply for consumptive and nonconsumptive uses and minimize harm to Idaho's economy arising from water supply shortages; and

WHEREAS, the state funding of the implementation of 250,000 acre-feet average annual managed recharge is consistent with the 2012 Idaho State Water Plan and the ESPA CAMP, and will help to alleviate the current water supply conflicts and ESPA sustainability issues.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the State of Idaho recognizes the need for managed recharge of the Eastern Snake Plain Aquifer and resolves that the State of Idaho establish a managed recharge goal of 250,000 acre-feet on an average annual basis across the ESPA.

BE IT FURTHER RESOLVED that the state develop the capacity to achieve 250,000 acre-feet of average annual managed recharge on or before December 31, 2024.

BE IT FURTHER RESOLVED that the State of Idaho increase the 100,000 acre-feet average annual ESPA CAMP Phase I target for state funded managed recharge to 250,000 acre-feet of average annual recharge across the ESPA.

SCR 137

BY RESOURCES AND ENVIRONMENT COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REQUESTING THAT THE IDAHO WATER RESOURCE BOARD ADDRESS STATEWIDE AQUIFER STABILIZATION AND SUSTAINABILITY PROJECTS INCLUDING MANAGED RECHARGE, CONDUCT AQUIFER RECHARGE STUDIES AND DEVELOP A GROUND WATER MODEL, WITH ALL NECESSARY MEASUREMENT NETWORKS, FOR THE TREASURE VALLEY AQUIFER, PARTNER IN STUDIES WITH LOCAL ENTITIES TO FIND ALTERNATE WATER SUPPLIES FOR MOUNTAIN HOME, PARTICIPATE IN DISCUSSIONS WITH THE SURFACE WATER USERS, THE GROUND WATER USERS, AND OTHER PARTIES IN THE BIG AND LITTLE WOOD RIVER

BASINS AND ATTEMPT TO FIND RESOLUTION TO THE WATER DELIVERY CALLS, PARTNER IN STUDIES WITH LOCAL ENTITIES TO FIND ALTERNATE WATER SUPPLIES FOR THE PALOUSE BASIN, UNDERTAKE STUDIES OF THE DEEP REGIONAL AQUIFER IN THE LEWISTON AREA IN ORDER TO DEFINE ITS GEOGRAPHIC EXTENT AND SUSTAINABLE YIELD AND EVALUATE OTHER AQUIFERS ACROSS THE STATE AND TAKE MANAGEMENT ACTIONS AS NECESSARY.

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

WHEREAS, Policy 11 of the 2012 Idaho State Water Plan provides that "aquifer recharge should be promoted and encouraged, consistent with state law"; and

WHEREAS, ground water supplies across Idaho have been declining; and

WHEREAS, in select areas of the Treasure Valley, aquifer water levels are declining; and

WHEREAS, various studies predict significant population increases in the Treasure Valley over the next 50 years, placing additional demand on the aquifer; and

WHEREAS, the Mountain Home Aquifer is currently being over-drafted by approximately 30,000 acre-feet per year. While the Idaho Water Resource Board has acquired surface water rights and is cooperating with Mountain Home Air Force Base to supply alternative surface water to the base, additional aquifer management projects must be constructed and implemented to restore aquifer equilibrium; and

WHEREAS, conjunctive water administration delivery calls have been filed in the Big and Little Wood River Basins alleging that senior, surface water irrigation water rights have been injured by upstream junior-priority ground water pumping resulting from water supply issues; and

WHEREAS, the deep aquifer in the Palouse Basin, which supplies water to the City of Moscow and the University of Idaho in addition to communities in Washington, has been declining for many decades despite conservation measures implemented by the Palouse Basin communities; and

WHEREAS, the Department of Water Resources recently created the Lewiston Plateau Ground Water Management Area (GWMA) in response to declining water levels in the shallow perched aquifers of the area. While the management plan for the GWMA requires that most future development in the GWMA must divert water from the deep regional aquifer, the geographic extent and sustainable yield of the deep aquifer is unknown and the studies and models necessary to accurately characterize the aquifer do not exist; and

WHEREAS, ground water declines are also occurring in the Big Lost, Raft River, Malad and other aquifers across the state; and

WHEREAS, ground water levels and aquifer storage in some aquifers are inadequate to sustain a supply of water for surface and ground water irrigation, hydropower, municipal, industrial uses, and other uses, the curtailment of which would cause severe economic harm to the State of Idaho; and

WHEREAS, stabilizing and enhancing aquifer water levels is in the public interest and will sustain the water supply for consumptive and nonconsumptive uses and minimize harm to Idaho's economy arising from water supply shortages.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature requests that the Idaho Water Resource Board address statewide aquifer stabilization and sustainability projects including managed recharge.

BE IT FURTHER RESOLVED that the Idaho Water Resource Board conduct aquifer recharge studies and develop a ground water model, with all necessary measurement networks, for the Treasure Valley Aquifer.

BE IT FURTHER RESOLVED that the Idaho Water Resource Board partner in studies with local entities to find alternate water supplies for Mountain Home.

BE IT FURTHER RESOLVED that the Idaho Water Resource Board participate in discussions with the surface water users, the ground water users, and other parties in the Big and Little Wood River Basins and attempt to find resolution to the water delivery calls.

BE IT FURTHER RESOLVED that the Idaho Water Resource Board partner in studies with local entities to find alternate water supplies for the Palouse Basin.

BE IT FURTHER RESOLVED that the Idaho Water Resource Board undertake studies of the deep regional aquifer in the Lewiston area in order to define its geographic extent and sustainable yield.

BE IT FURTHER RESOLVED that the Idaho Water Resource Board evaluate other aquifers across the state and take management actions as necessary.

[SCR 135](#), [SCR 136](#), and [SCR 137](#) 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 2, 2016

The JUDICIARY AND RULES Committee reports that [SJR 101](#), [S 1233](#), and [S 1234](#) have been correctly printed.

LODGE, Chairman

[SJR 101](#) was referred to the State Affairs Committee.

[S 1233](#) was referred to the Finance Committee.

[S 1234](#) was referred to the State Affairs Committee.

February 1, 2016

The RESOURCES AND ENVIRONMENT Committee reports out [S 1213](#) with the recommendation that it do pass.

BAIR, Chairman

[S 1213](#) was filed for second reading.

February 1, 2016

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:

Daniel A. Blanco to the Idaho Fish and Game Commission, term to expire June 30, 2019.

Derick Eldon Attebury to the Idaho Fish and Game Commission, term to expire June 30, 2019.

Louise D. Stark to the Idaho Outfitters and Guides Licensing Board, term to expire April 20, 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.

February 1, 2016

The EDUCATION Committee reports out [SCR 134](#) with the recommendation that it do pass.

MORTIMER, Chairman

[SCR 134](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 2, 2016

The AGRICULTURAL AFFAIRS Committee reports out [S 1215](#) with the recommendation that it do pass.

RICE, Chairman

[S 1215](#) 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

February 1, 2016

Dear Mr. President:

I transmit herewith [H 345](#), [H 350](#), [H 351](#), [H 347](#), [H 352](#), [H 353](#), [H 358](#), [H 332](#), [H 333](#), [H 334](#), [H 341](#), [H 366](#), [H 348](#), and [H 361](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 345](#), [H 350](#), [H 351](#), [H 347](#), [H 352](#), [H 353](#), [H 358](#), [H 332](#), [H 333](#), [H 334](#), [H 341](#), [H 366](#), [H 348](#), and [H 361](#) were filed for first reading.

February 1, 2016

Dear Mr. President:

I return herewith [S 1199](#) and [S 1200](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1199](#) and [S 1200](#) 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 appointment confirmation of Bob Geddes retained its place on the calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Eric R. Anderson retained its place on the calendar for one legislative day.

The President Pro Tempore announced that [SCR 133](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Lodge, [SCR 133](#) 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 1235

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO JUVENILE CORRECTIONS; AMENDING SECTION 20-511, IDAHO CODE, TO REMOVE REFERENCE TO AN ADMISSION OR DENIAL HEARING, TO REMOVE REFERENCE TO AN APPLICATION BY A JUVENILE OFFENDER AND TO REVISE TERMINOLOGY.

S 1236

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-408, IDAHO CODE, TO REQUIRE THE ANNUAL ISSUANCE OF CERTAIN GOVERNOR'S WILDLIFE PARTNERSHIP TAGS.

S 1237

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO ENVIRONMENTAL QUALITY; AMENDING SECTION 39-3609, IDAHO CODE, TO REVISE PRIORITY CLASSIFICATIONS FOR CERTAIN WATER BODIES IN REGARD TO THE DEVELOPMENT OF TOTAL MAXIMUM DAILY LOAD OR EQUIVALENT PROCESSES.

S 1238

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO PUBLIC RECORDS; AMENDING SECTION 74-114, IDAHO CODE, TO AUTHORIZE INSPECTION AND COPYING OF CERTAIN RECORDS RELATING TO WATER QUALITY AND TO MAKE TECHNICAL CORRECTIONS.

S 1239

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO ENVIRONMENTAL QUALITY; AMENDING CHAPTER 1, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-175D, IDAHO CODE, TO REQUIRE PUBLIC NOTICE AND OPPORTUNITY TO COMMENT ON TENTATIVE DECISIONS BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY REGARDING IDAHO POLLUTANT DISCHARGE ELIMINATION SYSTEM (IPDES) PERMITS, TO PROVIDE FOR AN ADMINISTRATIVE RECORD, TO PROVIDE THAT CERTAIN PROVISIONS OF LAW SHALL NOT APPLY TO FINAL DECISIONS, TO PROVIDE FOR APPEALS OF CERTAIN FINAL DECISIONS, TO PROHIBIT CERTAIN CONFLICTS OF INTEREST, TO PROVIDE FOR JUDICIAL REVIEW AND TO PROVIDE FOR THE ADOPTION OF RULES; AND AMENDING CHAPTER 1, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-175E, IDAHO CODE, TO PROVIDE THAT SPECIFIED PROVISIONS OF LAW SHALL APPLY TO THE IPDES PROGRAM AND TO PROVIDE FOR THE ENFORCEMENT OF PRETREATMENT STANDARDS.

S 1240

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO IRRIGATION; AMENDING SECTION 42-2201, IDAHO CODE, TO INCREASE THE MAXIMUM

AMOUNT OF CERTAIN ADMINISTRATIVE CHARGES THAT MAY BE LEVIED.

S 1241

**BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT**

RELATING TO IRRIGATION; AMENDING SECTION 43-707, IDAHO CODE, TO REVISE PROVISIONS REGARDING DELINQUENCY OF ASSESSMENTS.

S 1242

**BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT**

RELATING TO IRRIGATION; AMENDING SECTION 43-715, IDAHO CODE, TO CLARIFY WHEN PERSONS SHALL BE ENTITLED TO BECOME PURCHASERS OF THE RIGHTS OF THE DISTRICT IN UNREDEEMED DELINQUENCY ENTRIES AND TO MAKE TECHNICAL CORRECTIONS.

S 1243

**BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT**

RELATING TO IRRIGATION DISTRICTS; AMENDING CHAPTER 3, TITLE 43, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 43-344, IDAHO CODE, TO PROVIDE THAT CERTAIN IRRIGATION DISTRICTS SHALL HAVE THE POWER TO ENTER INTO CONTRACTS TO CONSTRUCT OR DEEPEN WELLS, TO PROVIDE CONDITIONS AND TO PROVIDE FOR THE APPLICABILITY OF SPECIFIED LAW.

S 1244

**BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT**

RELATING TO UNDERGROUND STORAGE TANKS; AMENDING SECTION 39-8802, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE FUNDING OF THE STATE UNDERGROUND STORAGE TANK PROGRAM AND TO PROVIDE FOR REPORTING; AMENDING SECTION 39-8807, IDAHO CODE, TO REMOVE A PROVISION THAT CERTAIN TRAINING BY THE DEPARTMENT SHALL BE OFFERED AT NO COST; AND AMENDING SECTION 39-8808, IDAHO CODE, TO REVISE A PROVISION REGARDING FEES FOR DEPARTMENT INSPECTIONS.

[S 1235](#), [S 1236](#), [S 1237](#), [S 1238](#), [S 1239](#), [S 1240](#), [S 1241](#), [S 1242](#), [S 1243](#), and [S 1244](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 345](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 350](#) and [H 351](#), by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 347](#), [H 352](#), [H 353](#), and [H 358](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 332](#), [H 333](#), [H 334](#), and [H 341](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 366](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 348](#) and [H 361](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation 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 Souza, granted by unanimous consent, [S 1209](#) was recommitted back to the Education Committee.

[H 363](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—McKenzie, Siddoway. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 363](#) passed, title was approved, and the bill ordered returned to the House.

[H 364](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—McKenzie, Siddoway. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [H 364](#) 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 12:05 p.m. until the hour of 11 a.m., Wednesday, February 3, 2016.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

TWENTY-FOURTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 3, 2016

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.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Hannah Sturtevant, 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, 2016, 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 3, 2016

The JUDICIARY AND RULES Committee reports that [SCR 135](#), [SCR 136](#), [SCR 137](#), [S 1235](#), [S 1236](#), [S 1237](#), [S 1238](#), [S 1239](#), [S 1240](#), [S 1241](#), [S 1242](#), [S 1243](#), and [S 1244](#) have been correctly printed.

LODGE, Chairman

On request by Senator Bair, granted by unanimous consent, [SCR 135](#), [SCR 136](#), and [SCR 137](#) were referred to the Resources and Environment Committee.

[S 1235](#) was referred to the Judiciary and Rules Committee.

[S 1236](#), [S 1237](#), [S 1238](#), [S 1239](#), [S 1240](#), [S 1241](#), [S 1242](#), [S 1243](#), and [S 1244](#) were referred to the Resources and Environment Committee.

February 2, 2016

The JUDICIARY AND RULES Committee reports that [S 1199](#) and [S 1200](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1199](#) and [S 1200](#) and ordered them transmitted to the House for the signature of the Speaker.

February 2, 2016

The TRANSPORTATION Committee reports out [S 1229](#) with the recommendation that it do pass.

BRACKETT, Chairman

[S 1229](#) was filed for second reading.

February 2, 2016

The FINANCE Committee reports out [S 1233](#) with the recommendation that it do pass.

KEOUGH, Chairman

[S 1233](#) was filed for second reading.

February 2, 2016

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:

Megan Ronk as the Director of the Department of Commerce, term to continue at the pleasure of the Governor.

PATRICK, 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 2, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1202](#) with the recommendation that it do pass.

PATRICK, Chairman

[S 1202](#) was filed for second reading.

February 2, 2016

The EDUCATION Committee reports out [S 1208](#) with the recommendation that it do pass.

MORTIMER, Chairman

[S 1208](#) was filed for second reading.

February 2, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1211](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[S 1211](#) was filed for second reading.

February 2, 2016

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:

David E. Kinghorn to the Board of Tax Appeals, term to expire June 30, 2016.

Leland G. Heinrich to the Board of Tax Appeals, term to expire June 30, 2018.

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.

February 3, 2016

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

Linda Pike to the Board of Tax Appeals, term to expire June 30, 2017.

SIDDOWAY, 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

February 2, 2016

Dear Mr. President:

I transmit herewith [H 384](#), [H 362](#), [H 379](#), [H 359](#), and [H 360](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 384](#), [H 362](#), [H 379](#), [H 359](#), and [H 360](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Mortimer, granted by unanimous consent, [SCR 134](#) retained its place on the calendar for one legislative day.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Bob Geddes 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 Bob Geddes as the Director of the Department of Administration 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 committee report of the Gubernatorial appointment confirmation of Eric R. Anderson retained its place on the calendar for Monday, February 8, 2016.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Daniel A. Blanco 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 appointment of Daniel A. Blanco 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 Derick Eldon Attebury was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lacey, seconded by Senator Mortimer, the Gubernatorial appointment of Derick Eldon Attebury 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 Louise D. Stark was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Stennett, seconded by Senator Lakey, the Gubernatorial appointment of Louise D. Stark as a member of the Idaho Outfitters and Guides Licensing 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 Senate advanced to the Eleventh Order of Business.

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

S 1245

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO EMINENT DOMAIN; AMENDING SECTION 7-712, IDAHO CODE, TO PROVIDE THAT THE VALUE OF THE PROPERTY TO BE TAKEN IN AN EMINENT DOMAIN PROCEEDING SHALL NOT INCLUDE CERTAIN INCREASES OR DECREASES IN VALUE AND TO PROVIDE A CORRECT CODE REFERENCE.

S 1246

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO THE IDAHO TRANSPORTATION DEPARTMENT; AMENDING SECTION 40-503, IDAHO CODE, TO DELETE PROVISIONS REGARDING BASES

FOR THE REMOVAL OF THE DIRECTOR OF THE IDAHO TRANSPORTATION DEPARTMENT BY THE IDAHO TRANSPORTATION BOARD.

S 1247

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1602, IDAHO CODE, TO PROVIDE AN EXCEPTION TO A TESTING REQUIREMENT AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

S 1248

BY EDUCATION COMMITTEE

AN ACT

RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING SECTION 33-5206, IDAHO CODE, TO REVISE REQUIREMENTS REGARDING CERTAIN WRITTEN CONTRACTS.

S 1249

BY EDUCATION COMMITTEE

AN ACT

RELATING TO THE STEM ACTION CENTER BOARD; AMENDING CHAPTER 8, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-825, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE STEM ACTION CENTER BOARD'S MEETINGS, HONORARIUM AND EXPENSES, AND ORGANIZATION.

S 1250

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO NURSES; AMENDING CHAPTER 14, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1419, IDAHO CODE, TO ENACT THE ADVANCED PRACTICE REGISTERED NURSE COMPACT.

S 1251

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO THE NURSE LICENSURE COMPACT; REPEALING SECTION 54-1418, IDAHO CODE, RELATING TO THE NURSE LICENSURE COMPACT; AMENDING CHAPTER 14, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1418, IDAHO CODE, TO ENACT THE NURSE LICENSURE COMPACT; AND PROVIDING AN EFFECTIVE DATE.

S 1252

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO NURSES; AMENDING SECTION 54-1402, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS.

[S 1245](#), [S 1246](#), [S 1247](#), [S 1248](#), [S 1249](#), [S 1250](#), [S 1251](#), and [S 1252](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 384](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 362](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 379](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 359](#) and [H 360](#), 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

[S 1213](#), by Resources and Environment Committee, was read the second time at length and filed for third reading.

[S 1215](#), by Agricultural 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

[H 365](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

Whereupon the President declared [H 365](#) passed, title was approved, and the bill ordered returned to the House.

[S 1216](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

Whereupon the President declared [S 1216](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1217](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

Whereupon the President declared [S 1217](#) 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 11:50 a.m. until the hour of 10:45 a.m., Thursday, February 4, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

TWENTY-FIFTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 4, 2016

Senate Chamber

President Little called the Senate to order at 10:45 a.m.

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Marshall Toryanski, 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, 2016, 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 Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 4, 2016

The JUDICIARY AND RULES Committee reports that [S 1245](#), [S 1246](#), [S 1247](#), [S 1248](#), [S 1249](#), [S 1250](#), [S 1251](#), and [S 1252](#) have been correctly printed.

LODGE, Chairman

[S 1245](#) was referred to the Local Government and Taxation Committee.

[S 1246](#) was referred to the Transportation Committee.

[S 1247](#), [S 1248](#), and [S 1249](#) were referred to the Education Committee.

[S 1250](#), [S 1251](#), and [S 1252](#) were referred to the Health and Welfare Committee.

February 3, 2016

The FINANCE Committee reports out [H 384](#) with the recommendation that it do pass.

KEOUGH, Chairman

[H 384](#) was filed for second reading.

February 3, 2016

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:

Cindy P. Wilson to the State Board of Correction, term to expire January 1, 2021.

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 3, 2016

The JUDICIARY AND RULES Committee reports out [SCR 132](#) with the recommendation that it do pass.

LODGE, Chairman

[SCR 132](#) 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, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 344](#), [H 345](#), [H 347](#), and [H 425](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 344](#), [H 345](#), [H 347](#), and [H 425](#) 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 3, 2016

Dear Mr. President:

I transmit herewith [H 372](#), [H 376](#), [H 403](#), [H 335](#), [H 336](#), [H 337](#), [H 338](#), [H 339](#), and [H 380](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 372](#), [H 376](#), [H 403](#), [H 335](#), [H 336](#), [H 337](#), [H 338](#), [H 339](#), and [H 380](#) were filed for first reading.

February 3, 2016

Dear Mr. President:

I transmit herewith Enrolled [H 342](#) and [H 349](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 342](#) and [H 349](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Megan Ronk 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 Megan Ronk 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 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 Rice was recorded present at this order of business.

The President announced that the Local Government and Taxation Committee report relative to the Gubernatorial appointment of David E. Kinghorn was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Siddoway, seconded by Senator Stennett, the Gubernatorial appointment of David E. Kinghorn as a member of the Board of Tax Appeals 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 Local Government and Taxation Committee report relative to the Gubernatorial appointment of Leland G. Heinrich was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Thayn, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Leland G. Heinrich as a member of the Board of Tax Appeals 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 Local Government and Taxation Committee report relative to the Gubernatorial appointment of Linda Pike was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Schmidt, seconded by Senator Burgoyne, the Gubernatorial appointment of Linda Pike as a member of the Board of Tax Appeals 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 134](#) was before the Senate for final consideration.

Moved by Senator Mortimer, seconded by Senator Ward-Engelking, that [SCR 134](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Davis, McKenzie. Total - 2.

Total - 35.

Whereupon the President declared [SCR 134](#) 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 1253

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO CHILD PROTECTION; AMENDING SECTION 16-1602, IDAHO CODE, TO DEFINE TERMS; AMENDING CHAPTER 16, TITLE 16, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 16-1644, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE THAT CAREGIVERS SHALL EXERCISE CERTAIN STANDARDS OF CARE IN DECIDING WHETHER TO ALLOW A FOSTER CHILD TO PARTICIPATE IN ACTIVITIES, TO LIMIT LIABILITY AND TO PROVIDE THAT THIS SECTION DOES NOT AFFECT LIABILITY PROTECTIONS OTHERWISE PROVIDED BY LAW; AND AMENDING SECTION 16-2002, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

S 1254

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-2426, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN GOVERNMENT VEHICLES THAT ARE EXEMPT FROM CERTAIN MARKINGS; AND AMENDING SECTION 49-2427, IDAHO CODE, TO REVISE A PROVISION REGARDING LIGHTING ON STATE POLICE VEHICLES, TO PROVIDE AN EXEMPTION FOR CERTAIN VEHICLES AND TO MAKE TECHNICAL CORRECTIONS.

S 1255

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE ATTORNEY GENERAL; AMENDING SECTION 31-2002, IDAHO CODE, TO REVISE THE DUTIES OF THE ATTORNEY GENERAL REGARDING

INVESTIGATIONS AND ACTIONS AGAINST COUNTY ELECTED OFFICERS IN CERTAIN CRIMINAL LAW MATTERS AND TO PROVIDE A CORRECT CODE REFERENCE.

S 1256

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLE FINANCIAL RESPONSIBILITY; AMENDING SECTION 49-236, IDAHO CODE, TO INCREASE A FINE AMOUNT; AMENDING SECTION 49-1229, IDAHO CODE, TO INCREASE A FINE AMOUNT; AND AMENDING SECTION 49-1428, IDAHO CODE, TO INCREASE A FINE AMOUNT.

S 1257

BY EDUCATION COMMITTEE

AN ACT

RELATING TO SCHOOL DISTRICT BOARD OF TRUSTEES; AMENDING SECTION 33-502B, IDAHO CODE, TO REVISE PROVISIONS REGARDING ELECTIONS FOR SCHOOL DISTRICT BOARD TRUSTEES.

S 1258

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-107, IDAHO CODE, TO REMOVE REFERENCE TO THE UNIVERSITY OF IDAHO CAINE VETERINARY TEACHING AND RESEARCH CENTER AND TO PROVIDE FOR THE ANNUAL TRANSFER OF CERTAIN MONEYS TO THE UNIVERSITY OF IDAHO COLLEGE OF AGRICULTURAL AND LIFE SCIENCES, DEPARTMENT OF ANIMAL AND VETERINARY SCIENCE.

S 1259

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO THE IDAHO DAIRY PRODUCTS COMMISSION; AMENDING SECTION 25-3102, IDAHO CODE, TO REMOVE PROVISIONS REGARDING EX OFFICIO MEMBERS OF THE COMMISSION; AND AMENDING SECTION 25-3107, IDAHO CODE, TO REVISE PROVISIONS REGARDING NOMINATING COMMITTEES, TO REVISE A PROVISION REGARDING PETITIONS FOR NOMINATION OF PRODUCER MEMBERS, TO PROVIDE THAT BALLOTS FOR ELECTING MEMBERS WILL BE MAILED BY THE COMMISSION AND TO MAKE TECHNICAL CORRECTIONS.

S 1260

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO ANIMALS AND THE ENVIRONMENT; AMENDING SECTION 22-4902, IDAHO CODE, TO REVISE A DECLARATION OF POLICY AND STATEMENT OF LEGISLATIVE INTENT AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 22-4903, IDAHO CODE, TO REVISE THE AUTHORITIES AND DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE REGARDING BEEF CATTLE ANIMAL FEEDING OPERATIONS, TO PROVIDE THAT CERTAIN SPECIFIED LAW SHALL NOT AFFECT THE AUTHORITY OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO ADMINISTER AND ENFORCE AN IDAHO NATIONAL POLLUTANT DISCHARGE ELIMINATION

SYSTEM (NPDES) PROGRAM, TO PROVIDE FOR THE ESTABLISHMENT OF AN AGREEMENT BETWEEN THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF ENVIRONMENTAL QUALITY REGARDING THE ADMINISTRATION OF AN IDAHO NPDES PROGRAM AND TO PROVIDE FOR THE DELEGATION OF CERTAIN AUTHORITY; AMENDING SECTION 22-4904, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 22-4907, IDAHO CODE, TO REVISE INSPECTION PROVISIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-4909A, IDAHO CODE, TO REVISE PROVISIONS REGARDING AUTHORIZATION TO ADMINISTER LAWS RELATING TO WATER QUALITY WITHIN CERTAIN OPERATIONS; REPEALING SECTION 37-602, IDAHO CODE, RELATING TO LEGISLATIVE INTENT; AMENDING CHAPTER 6, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-602, IDAHO CODE, TO PROVIDE LEGISLATIVE FINDINGS AND PURPOSES; AMENDING SECTION 37-603, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE AUTHORITY OF THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE, TO PROVIDE FOR AGENCY COORDINATION, TO PROVIDE THAT CERTAIN SPECIFIED LAW SHALL NOT AFFECT THE AUTHORITY OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO ADMINISTER AND ENFORCE AN IDAHO NPDES PROGRAM AND TO PROVIDE FOR THE ESTABLISHMENT OF AN AGREEMENT BETWEEN THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF ENVIRONMENTAL QUALITY REGARDING THE ADMINISTRATION OF AN IDAHO NPDES PROGRAM; AMENDING SECTION 37-604, IDAHO CODE, TO REVISE DEFINITIONS, TO DEFINE TERMS AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 37-605, IDAHO CODE, RELATING TO DESIGN AND CONSTRUCTION; AMENDING CHAPTER 6, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-605, IDAHO CODE, TO PROVIDE FOR DAIRY STORAGE AND CONTAINMENT FACILITY DESIGN AND CONSTRUCTION, TO PROVIDE THAT DESIGN, CONSTRUCTION, OPERATION AND MAINTENANCE IN ACCORDANCE WITH CERTAIN CRITERIA SHALL BE CONSIDERED A BEST MANAGEMENT PRACTICE, TO REQUIRE APPROVAL OF FACILITIES BY THE DEPARTMENT OF AGRICULTURE, TO PROVIDE THAT STORAGE AND CONTAINMENT FACILITIES CRITERIA SHALL BE IMPLEMENTED BY THE DAIRY FARM AND ENFORCED BY THE DEPARTMENT AND TO PROVIDE THAT THE DEPARTMENT'S REVIEW AND APPROVAL OF PLANS SHALL SUPERSEDE OTHER SPECIFIED ACTION; AMENDING SECTION 37-606, IDAHO CODE, TO REVISE PROVISIONS REGARDING DAIRY NUTRIENT MANAGEMENT PLANS; AMENDING CHAPTER 6, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-606A, IDAHO CODE, TO PROVIDE FOR DAIRY ENVIRONMENTAL MANAGEMENT PLANS; AMENDING SECTION 37-607, IDAHO CODE, TO REVISE INSPECTION PROVISIONS AND TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION 37-608, IDAHO CODE, RELATING TO UNAUTHORIZED DISCHARGES; AMENDING CHAPTER 6, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-608, IDAHO CODE, TO PROVIDE FOR UNAUTHORIZED DISCHARGES AND UNAUTHORIZED RELEASES; REPEALING SECTION

37-609, IDAHO CODE, RELATING TO SAFE HARBOR; AND AMENDING CHAPTER 6, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-609, IDAHO CODE, TO PROVIDE THAT CERTAIN DAIRY FARMS SHALL NOT BE SUBJECT TO ENFORCEMENT, TO CLARIFY THE RESPECTIVE AUTHORITIES OF THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF ENVIRONMENTAL QUALITY, TO PROVIDE THE MANNER IN WHICH THE DEPARTMENT OF AGRICULTURE SHALL ADDRESS NONCOMPLIANCE, TO PROVIDE FOR CIVIL PENALTIES, TO PROVIDE CONDITIONS UNDER WHICH CERTAIN PENDING ADMINISTRATIVE OR CIVIL ENFORCEMENT ACTIONS SHALL BE DEEMED VOID AND TO PROVIDE THAT CERTAIN ORDERS SHALL REMAIN IN FULL FORCE AND EFFECT.

[S 1253](#), [S 1254](#), [S 1255](#), [S 1256](#), [S 1257](#), [S 1258](#), [S 1259](#), and [S 1260](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 372](#), by Business Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 376](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 403](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 335](#), [H 336](#), [H 337](#), [H 338](#), and [H 339](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 380](#), 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 1229](#), by Transportation Committee, was read the second time at length and filed for third reading.

[S 1233](#), by Finance Committee, was read the second time at length and filed for third reading.

[S 1202](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[S 1208](#), by Education Committee, was read the second time at length and filed for third reading.

[S 1211](#), 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

[S 1213](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—None.

Absent and excused—Davis, McKenzie, Nonini, Schmidt. Total - 4.

Total - 35.

Whereupon the President declared [S 1213](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1215](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—None.

Absent and excused—Davis, McKenzie, Nonini, Schmidt. Total - 4.

Total - 35.

Whereupon the President declared [S 1215](#) 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 11:55 a.m. until the hour of 10:45 a.m., Friday, February 5, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

TWENTY-SIXTH LEGISLATIVE DAY
FRIDAY, FEBRUARY 5, 2016

Senate Chamber

President Little called the Senate to order at 10:45 a.m.

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Mallory DeFord, 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, 2016, 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 5, 2016

The JUDICIARY AND RULES Committee reports that [S 1253](#), [S 1254](#), [S 1255](#), [S 1256](#), [S 1257](#), [S 1258](#), [S 1259](#), and [S 1260](#) have been correctly printed.

LODGE, Chairman

[S 1253](#), [S 1254](#), [S 1255](#), and [S 1256](#) were referred to the Judiciary and Rules Committee.

[S 1257](#) was referred to the Education Committee.

[S 1258](#), [S 1259](#), and [S 1260](#) were referred to the Agricultural Affairs Committee.

February 4, 2016

The TRANSPORTATION Committee reports out [S 1230](#) with the recommendation that it do pass.

BRACKETT, Chairman

[S 1230](#) was filed for second reading.

February 4, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1219](#) with the recommendation that it do pass.

PATRICK, Chairman

[S 1219](#) was filed for second reading.

February 4, 2016

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:

Janice E. Fulkerson to the Idaho Health Insurance Exchange Board, term to expire April 10, 2017.

Todd Lakey to the State Insurance Fund Board, term to expire December 1, 2016.

PATRICK, 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 4, 2016

The FINANCE Committee reports out [H 403](#) with the recommendation that it do pass.

KEOUGH, Chairman

[H 403](#) was filed for second reading.

February 4, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 348](#), [H 353](#), [H 358](#), and [H 361](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 348](#), [H 353](#), [H 358](#), and [H 361](#) 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

February 4, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Anna Jane "Janie" Dressen of Coeur d'Alene, Idaho, was reappointed as a member of the Commission on Pardons and Parole to serve a term commencing January 1, 2016, 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 Judiciary and Rules Committee.

February 4, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Cortney C. Dennis of Emmett, Idaho, was appointed as a member of the Commission on Pardons and Parole to serve a term commencing February 4, 2016, and expiring January 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 Judiciary and Rules Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 4, 2016

Dear Mr. President:

I transmit herewith [H 340](#) and [H 387](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 340](#) and [H 387](#) were filed for first reading.

February 4, 2016

Dear Mr. President:

I transmit herewith Enrolled [H 363](#) and [H 364](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 363](#) and [H 364](#) and ordered them returned to the House.

February 4, 2016

Dear Mr. President:

I return herewith Enrolled [S 1199](#) and [S 1200](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1199](#) and [S 1200](#) 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 Cindy P. Wilson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Jordan, seconded by Senator Stennett, the Gubernatorial appointment of Cindy P. Wilson 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 [SCR 132](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Martin, seconded by Senator Lee, [SCR 132](#) 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 1261

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO VEHICLES; AMENDING SECTION 49-1010, IDAHO CODE, TO REVISE PROVISIONS REGARDING ALLOWABLE LENGTHS OF CERTAIN VEHICLES AND TO REVISE PROVISIONS REGARDING OVERHANGS AND EXTENSIONS OF LOADS.

S 1262

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLE SERVICE CONTRACTS; AMENDING SECTION 49-2802, IDAHO CODE, TO PROVIDE THAT CERTAIN AGREEMENTS SHALL NOT BE CONSIDERED MOTOR VEHICLE SERVICE CONTRACTS OR CONTRACTS OF INSURANCE.

S 1263

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO HIGHWAY TRANSPORTATION PROJECTS; APPROVING BONDING AUTHORITY TO FINANCE CERTAIN HIGHWAY TRANSPORTATION PROJECTS; PROVIDING A DESCRIPTION OF PROJECTS TO BE FINANCED WITH BOND PROCEEDS; LIMITING THE SCOPE OF THE PROJECTS; PROVIDING A REQUIREMENT REGARDING A GARVEE PROGRAM MANAGEMENT SERVICES AGREEMENT; PROVIDING FOR ISSUANCE OF GARVEE BONDS; AND PROVIDING THAT BONDS BE ISSUED WHEN NECESSARY.

S 1264

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO THE IDAHO PHARMACY ACT; AMENDING SECTION 54-1705, IDAHO CODE, TO ADD A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING

SECTION 54-1719, IDAHO CODE, TO CLARIFY THE PHARMACY BOARD'S AUTHORITY OVER DURABLE MEDICAL SUPPLIES; AMENDING SECTION 54-1729, IDAHO CODE, TO ESTABLISH ADDITIONAL REGISTRATION REQUIREMENTS FOR DURABLE MEDICAL EQUIPMENT SUPPLIERS; AMENDING SECTION 37-3201, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 54-1761, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 54-4702, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

S 1265

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

RELATING TO INSURANCE PREMIUM TAX FUNDING FOR THE IDAHO INDIVIDUAL HIGH RISK REINSURANCE POOL; AMENDING SECTION 41-406, IDAHO CODE, TO APPROPRIATE ONE-QUARTER OF THE INSURANCE PREMIUM TAX EXCEEDING FORTY-FIVE MILLION DOLLARS TO THE IDAHO INDIVIDUAL HIGH RISK REINSURANCE POOL; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

S 1266

**BY EDUCATION COMMITTEE
AN ACT**

RELATING TO LEADERSHIP PREMIUMS; AMENDING SECTION 33-1004J, IDAHO CODE, TO INCREASE THE AMOUNT OF MONEYS DISTRIBUTED TO SCHOOL DISTRICTS FOR LEADERSHIP ACTIVITIES AND TO MAKE A TECHNICAL CORRECTION.

S 1267

**BY EDUCATION COMMITTEE
AN ACT**

RELATING TO MASTERY-BASED EDUCATION; AMENDING SECTION 33-1630, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 68, LAWS OF 2015, TO REDESIGNATE THE SECTION, TO CLARIFY THE NUMBER OF LOCAL EDUCATION AGENCIES IDENTIFIED FOR A CERTAIN INITIAL COHORT AND TO ALLOW THE STATE DEPARTMENT OF EDUCATION TO EXPEND OR DISTRIBUTE CERTAIN MONEYS.

S 1268

**BY HEALTH AND WELFARE COMMITTEE
AN ACT**

RELATING TO THE COUNCIL ON DEVELOPMENTAL DISABILITIES; AMENDING SECTION 67-6704, IDAHO CODE, TO REVISE PROVISIONS REGARDING COUNCIL MEMBERSHIP AND TO MAKE TECHNICAL CORRECTIONS.

S 1269

**BY HEALTH AND WELFARE COMMITTEE
AN ACT**

RELATING TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 39-107C, IDAHO CODE, TO PROVIDE THAT CERTAIN MONEYS SHALL BE HELD IN THE ENVIRONMENTAL PROTECTION TRUST, TO PROVIDE FOR THE PAYMENT OF COSTS AND

EXPENSES, TO REVISE PROVISIONS RELATING TO THE INVESTMENT OF SURPLUS MONEYS AND TO REVISE PROVISIONS RELATING TO THE PAYMENT OF INTEREST RECEIVED.

[S 1261](#), [S 1262](#), [S 1263](#), [S 1264](#), [S 1265](#), [S 1266](#), [S 1267](#), [S 1268](#), and [S 1269](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 340](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 387](#), by State Affairs 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

[H 384](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[H 344](#), [H 345](#), [H 347](#), and [H 425](#), 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

[S 1229](#) 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?"

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

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—Burgoyne, Jordan, Keough. Total - 3.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [S 1229](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1233](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [S 1233](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1202](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [S 1202](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1208](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [S 1208](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1211](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Rice. Total - 1.

Absent and excused—Davis, Nonini. Total - 2.

Total - 35.

Whereupon the President declared [S 1211](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [H 425](#) was placed at the head of the Third Reading Calendar, followed by remaining 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 11:55 a.m. until the hour of 11 a.m., Monday, February 8, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

TWENTY-NINTH LEGISLATIVE DAY
MONDAY, FEBRUARY 8, 2016

Senate Chamber

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

Roll call showed all members present except Senators Johnson and Keough, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Aleena Follett, 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, 2016, 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 Johnson and Keough 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 8, 2016

The JUDICIARY AND RULES Committee reports that [S 1261](#), [S 1262](#), [S 1263](#), [S 1264](#), [S 1265](#), [S 1266](#), [S 1267](#), [S 1268](#), and [S 1269](#) have been correctly printed.

LODGE, Chairman

[S 1261](#), [S 1262](#), and [S 1263](#) were referred to the Transportation Committee.

[S 1264](#) and [S 1265](#) were referred to the Commerce and Human Resources Committee.

[S 1266](#) and [S 1267](#) were referred to the Education Committee.

[S 1268](#) was referred to the Health and Welfare Committee.

[S 1269](#) was referred to the State Affairs Committee.

February 5, 2016

The JUDICIARY AND RULES Committee reports that Enrolled [S 1199](#) and [S 1200](#) were delivered to the Office of the Governor at 2:13 p.m., February 5, 2016.

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 Ninth Order of Business.

Messages from the House

February 5, 2016

Dear Mr. President:

I transmit herewith [H 371](#), [H 378](#), [H 377](#), [H 392](#), [H 386](#), [H 391](#), [H 346](#), and [H 373](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 371](#), [H 378](#), [H 377](#), [H 392](#), [H 386](#), [H 391](#), [H 346](#), and [H 373](#) were filed for first reading.

February 5, 2016

Dear Mr. President:

I transmit herewith Enrolled [H 365](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 365](#) 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 1270 BY FINANCE COMMITTEE AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE BENEFIT PAYMENTS PROGRAM FOR FISCAL YEAR 2016; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE HEALTHCARE POLICY INITIATIVES PROGRAM FOR FISCAL YEAR 2016; AND DECLARING AN EMERGENCY.

S 1271 BY FINANCE COMMITTEE AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF MEDICAID FOR FISCAL YEAR 2016; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF MEDICAID FOR FISCAL YEAR 2016; AND DECLARING AN EMERGENCY.

S 1272**BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO THE SCHOOL DISTRICT BOND CREDIT ENHANCEMENT PROGRAM; AMENDING SECTION 57-728, IDAHO CODE, TO RAISE THE AGGREGATE GUARANTEE LIMIT OF THE CREDIT ENHANCEMENT PROGRAM FOR SCHOOL DISTRICT BONDS, TO RAISE THE PER DISTRICT GUARANTEE LIMIT UNDER THE CREDIT ENHANCEMENT PROGRAM FOR SCHOOL DISTRICT BONDS, TO PROVIDE APPLICATION AND TO PROVIDE CORRECT TERMINOLOGY; AND DECLARING AN EMERGENCY.

S 1273**BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO SCHOOL DISTRICT TRUSTEES; AMENDING SECTION 33-504, IDAHO CODE, TO PROVIDE REQUIREMENTS REGARDING VACANCIES ON A BOARD OF TRUSTEES WHEN SCHOOL DISTRICT TRUSTEES ARE SUBJECT TO A RECALL ELECTION; AND DECLARING AN EMERGENCY.

S 1274**BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO ABSENTEE VOTING; AMENDING SECTION 34-1002, IDAHO CODE, TO REVISE A CERTAIN APPLICATION DEADLINE AND TO MAKE TECHNICAL CORRECTIONS.

S 1275**BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO ABSENTEE VOTING; AMENDING SECTION 34-1012, IDAHO CODE, TO REVISE PROVISIONS REGARDING EARLY VOTING AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

[S 1270](#), [S 1271](#), [S 1272](#), [S 1273](#), [S 1274](#), and [S 1275](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 371](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 378](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 377](#), by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 392](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 386](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 391](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 346](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 373](#), 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 1230](#), by Transportation Committee, was read the second time at length and filed for third reading.

[S 1219](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 403](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[H 348](#), [H 353](#), [H 358](#), and [H 361](#), 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

[H 425](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Jordan, Nuxoll. Total - 2.

Total - 35.

Whereupon the President declared [H 425](#) 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

The President announced that the State Affairs Committee report relative to the gubernatorial appointment of Eric R. Anderson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

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

On motion by Senator Keough, seconded by Senator Stennett, the gubernatorial appointment of Eric R. Anderson 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 Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Janice E. Fulkerson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Lakey, the Gubernatorial appointment of Janice E. Fulkerson 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 Todd Lakey was before the Senate for final consideration, the question being, "Shall the report be adopted?"

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

On motion by Senator Martin, seconded by Senator Jordan, the Gubernatorial appointment of Todd Lakey 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 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 returned to the Ninth Order of Business.

Messages from the House

February 8, 2016

Dear Mr. President:

I transmit herewith Enrolled [H 425](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 425](#) 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

[H 384](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 384](#) passed, title was approved, and the bill ordered returned to the House.

[H 344](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 344](#) 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 9, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

THIRTIETH LEGISLATIVE DAY
TUESDAY, FEBRUARY 9, 2016

Senate Chamber

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

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Jared Kelly, 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 8, 2016, 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 9, 2016

The JUDICIARY AND RULES Committee reports that [S 1270](#), [S 1271](#), [S 1272](#), [S 1273](#), [S 1274](#), and [S 1275](#) have been correctly printed.

LODGE, Chairman

[S 1270](#) and [S 1271](#) were referred to the Finance Committee.

[S 1272](#), [S 1273](#), [S 1274](#), and [S 1275](#) were referred to the State Affairs Committee.

February 8, 2016

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:

Charles L. Winder to the Idaho Endowment Fund Investment Board, term to expire April 11, 2019.

M. Dean Buffington to the Idaho Endowment Fund Investment Board, term to expire April 11, 2019.

Neil Anderson to the Idaho Endowment Fund Investment Board, term to expire April 11, 2019.

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 8, 2016

The RESOURCES AND ENVIRONMENT Committee reports out [SCR 135](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BAIR, Chairman

See Senate Rule 12 and Joint Rule 6.

On request by Senator Bair, granted by unanimous consent, [SCR 135](#) was recommitted to the Resources and Environment Committee.

February 8, 2016

The RESOURCES AND ENVIRONMENT Committee reports out [SCR 136](#) and [SCR 137](#) with the recommendation that they do pass.

BAIR, Chairman

[SCR 136](#) and [SCR 137](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 9, 2016

The AGRICULTURAL AFFAIRS Committee reports out [S 1259](#) with the recommendation that it do pass.

RICE, Chairman

[S 1259](#) 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

February 8, 2016

Dear Mr. President:

I transmit herewith [H 436](#), [HCR 31](#), [H 367](#), [H 368](#), [H 369](#), [H 385](#), [H 396](#), [H 397](#), and [H 357](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 436](#), [HCR 31](#), [H 367](#), [H 368](#), [H 369](#), [H 385](#), [H 396](#), [H 397](#), and [H 357](#) 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 1276 BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO THE CIVIL RIGHTS OF PERSONS
CONVICTED OF CRIME; AMENDING SECTION 18-310,

IDAHO CODE, TO PROVIDE THAT THE RIGHT TO SHIP, TRANSPORT, POSSESS OR RECEIVE A FIREARM SHALL NOT BE RESTORED FOLLOWING FELONY CONVICTIONS FOR CERTAIN CRIMES.

S 1277

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO SEX CRIMES; AMENDING CHAPTER 9, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-924, IDAHO CODE, TO DEFINE TERMS, TO PROHIBIT SEXUAL BATTERY OF AN ADULT AND TO PROVIDE A PUNISHMENT; AMENDING SECTION 18-6101, IDAHO CODE, TO REVISE TERMINOLOGY, TO PROVIDE A CIRCUMSTANCE WHERE RAPE CAN OCCUR AND TO PROVIDE THAT BOTH MALES AND FEMALES ARE CAPABLE OF COMMITTING RAPE; AMENDING SECTION 18-6107, IDAHO CODE, TO REVISE A CODE REFERENCE; REPEALING SECTION 18-6108, IDAHO CODE, RELATING TO MALE RAPE; REPEALING SECTION 18-6109, IDAHO CODE, RELATING TO PUNISHMENT FOR MALE RAPE; AMENDING SECTION 18-8304, IDAHO CODE, TO PROVIDE THAT THE SEXUAL OFFENDER REGISTRATION NOTIFICATION AND COMMUNITY RIGHT-TO-KNOW ACT SHALL APPLY TO CERTAIN PERSONS WHO COMMIT SEXUAL BATTERY OF AN ADULT, TO REMOVE OBSOLETE CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 16-1602, IDAHO CODE, TO REMOVE AN OBSOLETE CODE REFERENCE; AMENDING SECTION 16-2005, IDAHO CODE, TO REMOVE AN OBSOLETE CODE REFERENCE; AMENDING SECTION 18-310, IDAHO CODE, TO REMOVE AN OBSOLETE CODE REFERENCE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-8303, IDAHO CODE, TO REMOVE OBSOLETE CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-8502, IDAHO CODE, TO REMOVE AN OBSOLETE CODE REFERENCE; AMENDING SECTION 19-401, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO REMOVE AN OBSOLETE CODE REFERENCE; AMENDING SECTION 19-5307, IDAHO CODE, TO REMOVE AN OBSOLETE CODE REFERENCE; AMENDING SECTION 20-509, IDAHO CODE, TO REMOVE AN OBSOLETE CODE REFERENCE; AMENDING SECTION 20-525A, IDAHO CODE, TO REMOVE AN OBSOLETE CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-1208, IDAHO CODE, TO REMOVE AN OBSOLETE CODE REFERENCE; AMENDING SECTION 39-1113, IDAHO CODE, TO REMOVE AN OBSOLETE CODE REFERENCE; AND AMENDING SECTION 72-1025, IDAHO CODE, TO REMOVE AN OBSOLETE CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS.

S 1278

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO WATER; AMENDING SECTION 42-201, IDAHO CODE, TO PROVIDE THAT A PERSON OR ENTITY OPERATING A CANAL OR CONDUIT FOR IRRIGATION OR OTHER BENEFICIAL USES AUTHORIZED BY A WATER RIGHT THAT PERMITS WATER TO BE DIVERTED FROM A NATURAL WATERCOURSE FOR SUCH PURPOSES SHALL NOT BE REQUIRED TO OBTAIN AN ADDITIONAL WATER RIGHT FOR THE

INCIDENTAL USE OF THAT SAME WATER WHERE THE WATER IS DIVERTED FOR IRRIGATION OR OTHER BENEFICIAL USE AND THEREAFTER USED TO GENERATE HYDROELECTRICITY IN THE CANAL OR CONDUIT, TO PROVIDE CONDITIONS, TO PROVIDE THAT THE INCIDENTAL HYDROPOWER USE SHALL BE JUNIOR TO AND FULLY SUBORDINATED TO ALL EXISTING AND FUTURE USES AND SHALL BE NONCONSUMPTIVE AND TO PROVIDE FOR CERTAIN WRITTEN NOTICE.

S 1279

BY EDUCATION COMMITTEE

AN ACT

RELATING TO THE STEM EDUCATION FUND; AMENDING CHAPTER 8, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-824, IDAHO CODE, TO PROVIDE FOR THE STEM EDUCATION FUND AND RELATED PROVISIONS.

S 1280

BY EDUCATION COMMITTEE

AN ACT

RELATING TO IDAHO PUBLIC INSTITUTIONS OF HIGHER EDUCATION AND RESIDENCY REQUIREMENTS; AMENDING SECTION 33-3717B, IDAHO CODE, TO REVISE A DEFINITION, TO REVISE PROVISIONS RELATING TO RESIDENCY REQUIREMENTS FOR STUDENTS OF AN IDAHO PUBLIC INSTITUTION OF HIGHER EDUCATION AND TO MAKE TECHNICAL CORRECTIONS.

S 1281

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO EMERGENCY MEDICAL SERVICES; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 56-1013B THROUGH 56-1013Q, IDAHO CODE, TO ENACT THE EMS PERSONNEL LICENSURE INTERSTATE COMPACT, TO STATE THE PURPOSE OF THE COMPACT, TO DEFINE TERMS, TO ESTABLISH PROVISIONS REGARDING HOME STATE LICENSURE, TO ESTABLISH PRACTICE PRIVILEGES UNDER THE COMPACT, TO PROVIDE CONDITIONS FOR PRACTICE IN A REMOTE STATE, TO PROVIDE THAT THE EMERGENCY MANAGEMENT ASSISTANCE COMPACT SHALL TAKE PRECEDENCE OVER THIS COMPACT UNDER CERTAIN CIRCUMSTANCES, TO ESTABLISH LICENSURE PROVISIONS FOR VETERANS, SERVICE MEMBERS AND THEIR SPOUSES, TO ESTABLISH THAT ADVERSE ACTION MAY BE TAKEN AGAINST AN INDIVIDUAL'S LICENSE UNDER CERTAIN CIRCUMSTANCES AND TO ESTABLISH THE CONSEQUENCES OF ADVERSE ACTION, TO PROVIDE ADDITIONAL POWERS TO A MEMBER STATE'S EMS AUTHORITY UNDER THE COMPACT, TO ESTABLISH AN INTERSTATE COMMISSION, TO PROVIDE FOR A COORDINATED DATABASE, TO PROVIDE RULEMAKING AUTHORITY, TO PROVIDE FOR OVERSIGHT OF THE COMPACT AND TO ESTABLISH PROVISIONS REGARDING DEFAULT, DISPUTE RESOLUTION AND ENFORCEMENT OF THE COMPACT, TO PROVIDE FOR IMPLEMENTATION OF THE COMPACT, TO PROVIDE THAT THE COMPACT

SHALL BE CONSTRUED LIBERALLY AND TO PROVIDE SEVERABILITY.

[S 1276](#), [S 1277](#), [S 1278](#), [S 1279](#), [S 1280](#), and [S 1281](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Keough was recorded present at this order of business.

[H 436](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[HCR 31](#), by Education Committee, was introduced, read at length, and referred to the Education Committee.

[H 367](#), [H 368](#), and [H 369](#), by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 385](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 396](#) and [H 397](#), by Commerce and Human Resources Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 357](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation 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, [S 1230](#) retained its place on the Third Reading Calendar for Monday, February 15, 2016.

[H 345](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 345](#) passed, title was approved, and the bill ordered returned to the House.

[H 347](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 347](#) passed, title was approved, and the bill ordered returned to the House.

[S 1219](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [S 1219](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 403](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 403](#) passed, title was approved, and the bill ordered returned to the House.

[H 348](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 348](#) passed, title was approved, and the bill ordered returned to the House.

[H 353](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 353](#) passed, title was approved, and the bill ordered returned to the House.

[H 358](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 358](#) passed, title was approved, and the bill ordered returned to the House.

[H 361](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Johnson. Total - 1.

Total - 35.

Whereupon the President declared [H 361](#) 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., Wednesday, February 10, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

**THIRTY-FIRST LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 10, 2016**

Senate Chamber

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

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

Prayer was offered by Senator Stennett.

The Pledge of Allegiance was led by Nina Harelson, 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, 2016, 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 10, 2016

The JUDICIARY AND RULES Committee reports that [S 1276](#), [S 1277](#), [S 1278](#), [S 1279](#), [S 1280](#), and [S 1281](#) have been correctly printed.

LODGE, Chairman

[S 1276](#) and [S 1277](#) were referred to the Judiciary and Rules Committee.

[S 1278](#) was referred to the Resources and Environment Committee.

[S 1279](#) and [S 1280](#) were referred to the Education Committee.

[S 1281](#) was referred to the Health and Welfare Committee.

February 9, 2016

The TRANSPORTATION Committee reports out [S 1246](#), [S 1261](#), and [S 1263](#) with the recommendation that they do pass.

BRACKETT, Chairman

[S 1246](#), [S 1261](#), and [S 1263](#) were filed for second reading.

February 9, 2016

The FINANCE Committee reports out [S 1270](#) and [S 1271](#) with the recommendation that they do pass.

KEOUGH, Chairman

[S 1270](#) and [S 1271](#) were filed for second reading.

February 9, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 352](#), [H 359](#), [H 360](#), and [H 376](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 352](#), [H 359](#), [H 360](#), and [H 376](#) were filed for second reading.

February 9, 2016

The EDUCATION Committee reports out [S 1232](#), [S 1249](#), and [S 1248](#) with the recommendation that they do pass.

MORTIMER, Chairman

[S 1232](#), [S 1249](#), and [S 1248](#) were filed for second reading.

February 10, 2016

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:

Linda Clark to the State Board of Education, term to expire June 30, 2020.

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 10, 2016

The STATE AFFAIRS Committee reports out [H 362](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, [H 362](#) 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 9, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jeffrey A. Betts of Boise, Idaho, was reappointed as a member of the Sexual Offender Management Board to serve a term commencing January 1, 2016, 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 Judiciary and Rules Committee.

February 10, 2016

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 1199](#) and [S 1200](#)

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 9, 2016

Dear Mr. President:

I transmit herewith [H 431](#), [H 374](#), [H 375](#), and [H 405](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 431](#), [H 374](#), [H 375](#), and [H 405](#) were 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, the committee report of the Gubernatorial reappointment confirmation of Charles L. Winder retained its place on the calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, [SCR 136](#) and [SCR 137](#) retained their place on the calendar for Tuesday, February 16, 2016.

The President Pro Tempore announced that the State Affairs Committee report relative to the Gubernatorial reappointment of M. Dean Buffington was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Jordan, seconded by Senator Lakey, the Gubernatorial reappointment of M. Dean Buffington as a member of the Idaho Endowment Fund Investment 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 reappointment of Neil Anderson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bair, seconded by Senator Stennett, the Gubernatorial reappointment of Neil Anderson as a member of the Idaho Endowment Fund Investment 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 Senate advanced to the Eleventh Order of Business.

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

S 1282

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-428, IDAHO CODE, TO PROVIDE THAT A MOTOR VEHICLE THAT WAS ORIGINALLY MANUFACTURED WITHOUT A BRACKET, DEVICE OR OTHER MEANS TO DISPLAY AND SECURE A FRONT LICENSE PLATE SHALL BE ALLOWED TO DISPLAY ONE PLATE ATTACHED TO THE REAR OF THE VEHICLE.

S 1283

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLE INSURANCE; AMENDING SECTION 49-1234, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ONLINE INSURANCE VERIFICATION SYSTEM, TO PROVIDE THAT THE IDAHO TRANSPORTATION DEPARTMENT SHALL PROMULGATE RULES TO PROVIDE INSURERS AN ALTERNATIVE METHOD FOR VERIFYING MOTOR VEHICLE INSURANCE POLICY DATA AND TO REVISE PROVISIONS REGARDING THE METHODS OF VERIFICATION; AND AMENDING CHAPTER 13, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1338, IDAHO CODE, TO PROVIDE THAT FAILURE TO COMPLY WITH SPECIFIED LAW REGARDING UNINSURED VEHICLE TRACKING SHALL CONSTITUTE A WRONGFUL PRACTICE AND SUBJECT AN INSURER TO CERTAIN PENALTIES.

S 1284

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO PLATS AND SURVEYS; AMENDING SECTION 50-1304, IDAHO CODE, TO PROVIDE THAT THE BOARD OF LICENSURE OF PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS SHALL PROMULGATE CERTAIN RULES; AND AMENDING SECTION 55-1906, IDAHO CODE, TO PROVIDE THAT THE BOARD OF LICENSURE OF PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS SHALL

PROMULGATE CERTAIN RULES AND TO PROVIDE THAT RECORDS OF SURVEY SHALL HAVE CERTAIN MINIMUM REQUIREMENTS.

S 1285
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE

AN ACT

RELATING TO ENGINEERS AND SURVEYORS; AMENDING SECTION 54-1214, IDAHO CODE, TO REVISE PROVISIONS REGARDING EXAMINATIONS THAT ARE OFFERED, TO REVISE PROVISIONS REGARDING A CANDIDATE WHO FAILS AN EXAMINATION AND TO PROVIDE THAT THE BOARD MAY ISSUE A CONTINGENT LICENSE TO ENGINEERING FACULTY UNDER CERTAIN CONDITIONS.

S 1286
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE

AN ACT

RELATING TO ENGINEERS AND SURVEYORS; AMENDING SECTION 54-1202, IDAHO CODE, TO DEFINE A TERM.

S 1287
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE

AN ACT

RELATING TO ENGINEERS AND SURVEYORS; AMENDING SECTION 54-1222, IDAHO CODE, TO PROVIDE A CODE REFERENCE, TO PROVIDE THAT CERTAIN ACTIONS SHALL BE A VIOLATION AND TO PROVIDE A CIVIL PENALTY.

S 1288
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE

AN ACT

RELATING TO EMPLOYMENT SECURITY LAW; AMENDING SECTION 72-1347B, IDAHO CODE, TO REMOVE LANGUAGE FOR TRANSFERRING TRAINING FUNDS TO THE EMPLOYMENT SECURITY RESERVE FUND, TO REVISE LANGUAGE DESCRIBING APPROPRIATE USES FOR THE TRAINING FUND, TO EXTEND THE SUNSET PROVISION, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE A TECHNICAL CORRECTION.

S 1289
BY EDUCATION COMMITTEE

AN ACT

RELATING TO THE EDUCATIONAL SUPPORT PROGRAM; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE EDUCATIONAL SUPPORT PROGRAM CALCULATION, TO MAKE CODIFIER'S CORRECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1002, IDAHO CODE, AS AMENDED BY SECTION 2, CHAPTER 229, LAWS OF 2015, TO REVISE PROVISIONS REGARDING THE EDUCATIONAL SUPPORT PROGRAM CALCULATION, TO MAKE CODIFIER'S CORRECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AND PROVIDING AN EFFECTIVE DATE.

S 1290
BY EDUCATION COMMITTEE

AN ACT

RELATING TO TEACHERS; AMENDING SECTION 33-1212A, IDAHO CODE, TO REVISE A CATCHLINE, TO REVISE PROVISIONS REGARDING COLLEGE AND CAREER ADVISORS AND TO REVISE REPORTING REQUIREMENTS.

S 1291
BY EDUCATION COMMITTEE

AN ACT

RELATING TO SCHOLARSHIPS; AMENDING CHAPTER 43, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-4305, IDAHO CODE, TO PROVIDE FOR THE ADULT DEGREE COMPLETION SCHOLARSHIP AND RELATED PROVISIONS AND TO REQUIRE THE STATE BOARD OF EDUCATION TO PROMULGATE CERTAIN RULES.

S 1292
BY EDUCATION COMMITTEE

AN ACT

RELATING TO THE TUITION LOCK PLAN; AMENDING CHAPTER 37, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-3717D, IDAHO CODE, TO PROVIDE THE TUITION LOCK PLAN FOR UNDERGRADUATE STUDENTS AND RELATED PROVISIONS AND TO REQUIRE THE STATE BOARD OF EDUCATION TO PROMULGATE CERTAIN RULES; AMENDING SECTION 33-3726, IDAHO CODE, TO ESTABLISH THE TUITION LOCK STABILIZATION ACCOUNT IN THE HIGHER EDUCATION STABILIZATION FUND; AND PROVIDING A SUNSET DATE.

S 1293
BY EDUCATION COMMITTEE

AN ACT

RELATING TO PARENTAL RIGHTS IN EDUCATION; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 56, TITLE 33, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO PARENTAL RIGHTS IN EDUCATION AND TO PROVIDE FOR AN ANNUAL NOTICE OF PARENTAL RIGHTS.

S 1294
BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO THE PRACTICE OF PHARMACY; AMENDING SECTION 54-1704, IDAHO CODE, TO PROVIDE THAT PHARMACISTS MAY PRESCRIBE IMMUNIZATIONS FOR PERSONS WHO ARE SIX YEARS OF AGE OR OLDER.

S 1295
BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO PUBLIC ASSISTANCE; AMENDING SECTION 56-209h, IDAHO CODE, TO REVISE PROVISIONS REGARDING CIVIL MONETARY PENALTIES FOR PROVIDERS AND TO MAKE TECHNICAL CORRECTIONS.

S 1296**BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO BACKGROUND CHECKS; AMENDING SECTION 56-1004A, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE REGARDING A FEDERAL PILOT PROJECT.

S 1297**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO ELECTIONS; AMENDING CHAPTER 4, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-409, IDAHO CODE, TO PROVIDE FOR ELECTRONIC REGISTRATION; AMENDING SECTION 49-321, IDAHO CODE, TO PROVIDE ADDITIONAL DUTIES OF THE IDAHO TRANSPORTATION DEPARTMENT UPON REQUEST OF THE OFFICE OF THE SECRETARY OF STATE; AND DECLARING AN EMERGENCY.

S 1298**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO THE RACING COMMISSION; AMENDING CHAPTER 25, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2507A, IDAHO CODE, TO DIRECT THE COMMISSION TO MAKE CERTAIN PAYMENT TO THE IDAHO HORSE COUNCIL UNDER SPECIFIED CONDITIONS; DECLARING AN EMERGENCY; AND PROVIDING A SUNSET DATE.

S 1299**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES; AMENDING SECTION 67-6602, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING CHAPTER 66, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6631, IDAHO CODE, TO REQUIRE REPORTING IN ALL STATE AND LOCAL ELECTIONS AND BALLOT MEASURES IN THIS STATE AND TO PROVIDE THAT REPORTS SHALL BE MADE TO CERTAIN PERSONS; AMENDING SECTION 33-503, IDAHO CODE, TO REMOVE A CERTAIN EXCEPTION REGARDING ELECTIONS OF SCHOOL DISTRICT TRUSTEES; AND DECLARING AN EMERGENCY.

[S 1282](#), [S 1283](#), [S 1284](#), [S 1285](#), [S 1286](#), [S 1287](#), [S 1288](#), [S 1289](#), [S 1290](#), [S 1291](#), [S 1292](#), [S 1293](#), [S 1294](#), [S 1295](#), [S 1296](#), [S 1297](#), [S 1298](#), and [S 1299](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 431](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 374](#) and [H 375](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 405](#), by Local Government 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 1259](#), by Agricultural 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 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 a.m., Thursday, February 11, 2016.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

**THIRTY-SECOND LEGISLATIVE DAY
THURSDAY, FEBRUARY 11, 2016**

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 Senator Brackett, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Caleb Richardson, 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, 2016, 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 Brackett was recorded present at this order of business.

SCR 138

BY RESOURCES AND ENVIRONMENT COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE SUPPORTING THE SETTLEMENT AGREEMENT ENTERED INTO ON JUNE 30, 2015, BETWEEN PARTICIPATING MEMBERS OF THE SURFACE WATER COALITION AND PARTICIPATING MEMBERS OF THE IDAHO GROUND WATER APPROPRIATORS, INC. TO RESOLVE LITIGATION, AVOID CURTAILMENT, MAINTAIN SUSTAINABLE GROUND AND SURFACE WATER SUPPLIES ON THE ESPA AND MINIMIZE HARM TO IDAHO'S ECONOMY, SUPPORTING STATE MANAGEMENT TO ENSURE ESPA WATER SUPPLY ISSUES ARE TIMELY ADDRESSED, AND SUPPORTING THE GOAL OF STABILIZING AND REVERSING THE TREND OF DECLINING ESPA WATER LEVELS IN THE EASTERN SNAKE PLAIN AQUIFER.

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

WHEREAS, the Eastern Snake Plain Aquifer (ESPA) supplies ground water to approximately one million irrigated acres and to numerous cities, businesses, dairies, factories and homes; and

WHEREAS, the ESPA is hydraulically connected to the Snake River and discharges to the Snake River via tributary springs, which supply surface water for multiple beneficial uses, including aquaculture, hydropower, and the irrigation of approximately one million acres; and

WHEREAS, since 1952 the total volume of water stored in the ESPA has decreased due to increasing direct diversions of ground water, increasingly efficient surface water irrigation practices, and other factors; and

WHEREAS, discharge from the ESPA to the Snake River is the most significant contribution of water to the Snake River between Milner Dam and the Murphy Gage; and

WHEREAS, Policy 4A of the 2012 Idaho State Water Plan requires that the Murphy minimum stream flow water right be administered in priority; and

WHEREAS, the declines in ESPA storage content have decreased surface water supplies available for irrigation, aquaculture, municipal, industrial and other uses on land overlying the Eastern Snake Plain, resulting in multiple water delivery calls, protracted litigation, and curtailment notices issued by the Idaho Department of Water Resources; and

WHEREAS, current ESPA water levels and total storage content, after more than six decades of decline, are inadequate to provide a reasonably safe supply of water for sustainable surface and ground water irrigation, hydropower, aquaculture, municipal and industrial uses, the curtailment of which would cause severe economic harm to the State of Idaho; and

WHEREAS, if the Thousand Springs discharges continue to decline, junior water rights will be required to curtail to sustain the Murphy minimum stream flow; and

WHEREAS, on June 30, 2015, a historic settlement agreement was entered into between the following surface water right holders: A & B Irrigation District, American Falls Reservoir District #2, Burley Irrigation District, Milner Irrigation District, Minidoka Irrigation District, North Side Canal Company and Twin Falls Canal Company, collectively known as the Surface Water Coalition (SWC); and the following ground water right holders: Aberdeen American Falls Ground Water District, Bingham Ground Water District, Bonneville-Jefferson Ground Water District, Carey Valley Ground Water District, North Side Ground Water District, Jefferson-Clark Ground Water District, Madison Ground Water District, Magic Valley Ground Water District, Fremont-Madison Irrigation District, Anheuser-Busch, United Water, Glanbia Foods, City of Blackfoot, City of American Falls, City of Jerome, City of Rupert, City of Heyburn, City of Paul, City of Chubbuck and City of Hazelton, collectively known as the Idaho Ground Water Appropriators, Inc. (IGWA); for the purpose of resolving pending water delivery calls and to provide for ongoing management of the ESPA; and

WHEREAS, the IGWA-SWC settlement agreement seeks to stabilize and ultimately reverse the trend of declining ESPA water levels in the ESPA; and

WHEREAS, the participating ground water users committed to reduce ground water diversions from the ESPA necessary to meet the ground water level goal and benchmarks identified in the settlement agreement; and

WHEREAS, implementation of the settlement agreement is expected to lead to a sustainable water supply and minimize harm to Idaho's economy arising from water supply shortages.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein,

that the State of Idaho supports the settlement agreement entered into on June 30, 2015, between participating members of the Surface Water Coalition and participating members of the Idaho Ground Water Appropriators, Inc. to resolve litigation, avoid curtailment, maintain sustainable ground and surface water supplies on the ESPA and minimize harm to Idaho's economy, and further supports state management to ensure ESPA water supply issues are timely addressed.

BE IT FURTHER RESOLVED that the State of Idaho supports the goal of stabilizing and reversing the trend of declining ESPA water levels in the Eastern Snake Plain Aquifer.

SJM 104

BY RESOURCES AND ENVIRONMENT COMMITTEE

A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES, THE SECRETARY OF THE ARMY, THE SECRETARY OF THE INTERIOR, 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.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the Second 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, Dreissenid mussels, specifically quagga mussels (*Dreissena rostriformis bugensis*) and zebra mussels (*Dreissena polymorpha*), are aquatic invasive species that 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 annual cost to address established populations of Dreissenids in the Pacific Northwest Economic Region is almost \$0.5 billion annually; and

WHEREAS, the Water Resources Reform and Development Act was signed in June 2014. Section 1039 of the act authorizes \$20 million for Columbia River Basin watercraft inspection stations to prevent introduction of Dreissenid mussels and other aquatic invasive species through the Secretary of the Army; and

WHEREAS, the fiscal year 2016 budget for the United States Army Corps of Engineers includes \$4 million in funding for watercraft inspection stations as authorized by the Water Resources Reform and Development Act, and the State of Idaho and Pacific Northwest Economic Region are grateful for the Corps' recognition of the severity of the threat of aquatic invasive species to the region and dedication to assist the region in enhancing prevention efforts.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we respectfully request that Congress ensure the continued appropriation of these funds in the fiscal year 2017 budget to significantly enhance aquatic invasive species prevention efforts and to implement the intent of the Water Resources Reform and Development 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, the Secretary of the Army, the Secretary of the Interior, 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 104](#) and [SCR 138](#) 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 11, 2016

The JUDICIARY AND RULES Committee reports that [S 1282](#), [S 1283](#), [S 1284](#), [S 1285](#), [S 1286](#), [S 1287](#), [S 1288](#), [S 1289](#), [S 1290](#), [S 1291](#), [S 1292](#), [S 1293](#), [S 1294](#), [S 1295](#), [S 1296](#), [S 1297](#), [S 1298](#), and [S 1299](#) have been correctly printed.

LODGE, Chairman

[S 1282](#) and [S 1283](#) were referred to the Transportation Committee.

[S 1284](#), [S 1285](#), [S 1286](#), [S 1287](#), and [S 1288](#) were referred to the Commerce and Human Resources Committee.

[S 1289](#), [S 1290](#), [S 1291](#), [S 1292](#), and [S 1293](#) were referred to the Education Committee.

[S 1294](#), [S 1295](#), and [S 1296](#) were referred to the Health and Welfare Committee.

[S 1297](#), [S 1298](#), and [S 1299](#) were referred to the State Affairs Committee.

February 10, 2016

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:

Joe B. McNeal to the Idaho Commission on Human Rights, term to expire July 1, 2018.

Kevin Coyne Settles to the Idaho Commission on Human Rights, term to expire July 1, 2018.

Rayelle Anderson to the Bingo-Raffle Advisory Board, term to expire January 7, 2019.

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 10, 2016

The RESOURCES AND ENVIRONMENT Committee reports out [S 1222](#), [S 1223](#), [S 1224](#), [S 1225](#), and [S 1244](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1222](#), [S 1223](#), [S 1224](#), [S 1225](#), and [S 1244](#) were filed for second reading.

February 11, 2016

The AGRICULTURAL AFFAIRS Committee reports out [S 1214](#) and [S 1258](#) with the recommendation that they do pass.

RICE, Chairman

[S 1214](#) and [S 1258](#) were filed for second reading.

February 11, 2016

The AGRICULTURAL 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:

Glen R. Gier to the State Soil and Water Conservation Commission, term to expire July 1, 2020.

RICE, 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

February 10, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Janice B. Vassar of Lewiston, Idaho, was reappointed as a member of the Idaho Transportation Board to serve a term commencing February 1, 2016, and expiring January 31, 2022.

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 Transportation Committee.

February 10, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Daniel Scott of McCall, Idaho, was reappointed as a member of the Aeronautics Advisory Board to serve a term commencing January 31, 2016, and expiring January 31, 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 Transportation Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 10, 2016

Dear Mr. President:

I transmit herewith [H 381](#), [H 382](#), [H 417](#), [H 389](#), [H 390](#), [H 428](#), [H 445](#), and [H 446](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 381](#), [H 382](#), [H 417](#), [H 389](#), [H 390](#), [H 428](#), [H 445](#), and [H 446](#) were filed for first reading.

February 10, 2016

Dear Mr. President:

I transmit herewith Enrolled [H 384](#) and [H 344](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 384](#) and [H 344](#) 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 reappointment of Charles L. Winder was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lakey, seconded by Senator Stennett, the Gubernatorial reappointment of Charles L. Winder as a member of the Idaho Endowment Fund Investment 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 Education Committee report relative to the Gubernatorial appointment of Linda Clark was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Martin, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Linda Clark 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 1300

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO ESTATES; AMENDING SECTION 15-2-802, IDAHO CODE, TO CLARIFY PERSONS WHO DO NOT QUALIFY AS A SURVIVING SPOUSE; AND AMENDING CHAPTER 2, TITLE 15, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 15-2-804, IDAHO CODE, PROVIDING FOR THE REVOCATION OF CERTAIN PROBATE AND NONPROBATE TRANSFERS BY DIVORCE.

S 1301

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO COMMUNITY PROPERTY; AMENDING CHAPTER 6, TITLE 15, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 15-6-114, IDAHO CODE, TO CLARIFY THE CHARACTERIZATION OF PROPERTY AS COMMUNITY PROPERTY OR JOINT PROPERTY.

S 1302

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO ESTATES; AMENDING SECTION 15-2-203, IDAHO CODE, TO REMOVE REFERENCE TO A FAMILY ALLOWANCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 15-2-206, IDAHO CODE, TO REMOVE REFERENCE TO A FAMILY ALLOWANCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 15-2-208, IDAHO CODE, TO REMOVE REFERENCE TO A FAMILY ALLOWANCE; AMENDING SECTION 15-3-906, IDAHO CODE, TO REMOVE REFERENCE TO A FAMILY ALLOWANCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 15-3-1004, IDAHO CODE, TO REMOVE REFERENCE TO A FAMILY ALLOWANCE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 68-10-201, IDAHO CODE, TO REMOVE REFERENCE TO A FAMILY ALLOWANCE.

S 1303

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE REVISED 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 PROVIDE FOR AN INDIVIDUAL'S DIRECTION FOR DISCLOSURE OF DIGITAL ASSETS, TO PRESERVE RIGHTS IN A TERMS OF SERVICE AGREEMENT, TO PROVIDE A PROCEDURE FOR DISCLOSING DIGITAL ASSETS, TO AUTHORIZE DISCLOSURE OF THE CONTENT OF ELECTRONIC COMMUNICATIONS OF A DECEASED USER, TO AUTHORIZE DISCLOSURE OF OTHER DIGITAL ASSETS OF A DECEASED USER, TO AUTHORIZE DISCLOSURE OF THE CONTENT OF ELECTRONIC COMMUNICATIONS OF A PRINCIPAL, TO AUTHORIZE DISCLOSURE OF OTHER DIGITAL ASSETS OF A PRINCIPAL, TO AUTHORIZE DISCLOSURE OF

DIGITAL ASSETS HELD IN TRUST WHEN A TRUSTEE IS THE ORIGINAL USER, TO AUTHORIZE DISCLOSURE OF CONTENT OF ELECTRONIC COMMUNICATIONS HELD IN TRUST WHEN THE TRUSTEE IS NOT AN ORIGINAL USER, TO AUTHORIZE DISCLOSURE OF OTHER DIGITAL ASSETS HELD IN TRUST WHEN A TRUSTEE IS NOT AN ORIGINAL USER, TO AUTHORIZE DISCLOSURE OF DIGITAL ASSETS TO A CONSERVATOR OF A PROTECTED PERSON, TO PROVIDE FOR FIDUCIARY DUTY AND AUTHORITY, TO PROVIDE FOR CUSTODIAN COMPLIANCE AND IMMUNITY, 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 1304

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO IRRIGATION DISTRICTS; AMENDING SECTION 43-314, IDAHO CODE, TO PROVIDE THAT NO ELECTION AND NO CONFIRMATION PROCEEDINGS SHALL BE REQUIRED WHEN THE CONTRACT FOR CONSTRUCTION OF A HYDROELECTRIC PLANT BY THE DISTRICT DOES NOT INVOLVE QUESTIONS OF INDEBTEDNESS INCURRED BY THE DISTRICT.

S 1305

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-104, IDAHO CODE, TO REVISE PROVISIONS REGARDING CONTROLLED HUNTS; AND AMENDING CHAPTER 1, TITLE 36, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 36-104A, IDAHO CODE, TO PROVIDE FOR CONTRACTS WITH PRIVATE ENTITIES TO CONDUCT DRAWINGS FOR CONTROLLED HUNT PERMITS, TO PROVIDE A PROCEDURE AND TO PROVIDE FOR RULEMAKING.

S 1306

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO OIL AND GAS; AMENDING SECTION 47-317, IDAHO CODE, TO REMOVE PROVISIONS REGARDING EMPLOYMENT OF PERSONNEL AND CONTRACTING FOR SERVICES, TO PROVIDE FOR THE AUTHORITY OF THE DEPARTMENT OF LANDS, TO REMOVE CERTAIN PROVISIONS REGARDING HEARINGS, TO REMOVE PROVISIONS RELATING TO THE DESIGNATION OF HEARING OFFICERS AND CONTESTED HEARINGS AND TO PROVIDE THAT THE COMMISSION SHALL FOLLOW CERTAIN PROCEDURES; AMENDING SECTION 47-318, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 47-320, IDAHO CODE, TO PROVIDE A PROCEDURE REGARDING APPLICATIONS FOR PERMITS OR CERTAIN AUTHORIZATIONS TO DRILL OR TREAT WELLS AND TO PROVIDE THAT THE DEPARTMENT OF LANDS SHALL COLLECT SPECIFIED FEES; AMENDING SECTION 47-321, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT SHALL HAVE SPECIFIED RESPONSIBILITIES ASSOCIATED WITH SPACING UNITS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 47-322, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT SHALL

HAVE SPECIFIED RESPONSIBILITIES REGARDING INTEGRATION, TO REVISE PROVISIONS REGARDING INTEGRATION, TO PROVIDE FOR THE DESIGNATION OF OPERATORS FOR INTEGRATED UNITS, TO PROVIDE FOR OPTIONS TO BE SET FORTH IN INTEGRATION ORDERS, TO PROVIDE FOR APPLICATIONS FOR ORDERS OF INTEGRATION, TO PROVIDE FOR NOTICE TO CERTAIN OWNERS, TO PROVIDE FOR THE CONFIDENTIALITY OF CERTAIN INFORMATION AND TO PROVIDE THAT APPLICATIONS SHALL BE SUBJECT TO SPECIFIED PROCEDURES; AMENDING SECTION 47-323, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT SHALL HAVE SPECIFIED RESPONSIBILITIES REGARDING UNIT OPERATIONS AND TO REVISE PROVISIONS REGARDING APPLICATIONS FOR UNIT OPERATIONS; AMENDING SECTION 47-324, IDAHO CODE, TO REVISE AND TO SET FORTH PROVISIONS AND PROCEDURES ASSOCIATED WITH RULEMAKING, COMPLAINTS, APPLICATION FOR ORDERS, PETITIONS, ORDERS AND APPEALS AND TO PROVIDE FOR JUDICIAL REVIEW OF ACTIONS; AND DECLARING AN EMERGENCY.

S 1307

BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-501, IDAHO CODE, TO REVISE CERTAIN DATES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-503, IDAHO CODE, TO REVISE THE ELECTION DATE FOR SCHOOL DISTRICT TRUSTEES AND TO PROVIDE A TERM EXPIRATION DATE FOR INCUMBENT TRUSTEES; AMENDING SECTION 33-505, IDAHO CODE, TO REVISE A CERTAIN DATE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 33-510, IDAHO CODE, TO REVISE A CERTAIN DATE AND TO MAKE TECHNICAL CORRECTIONS.

S 1308

BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-405, IDAHO CODE, TO REMOVE A CERTAIN QUALIFICATION REQUIREMENT OF SCHOOL ELECTORS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-501, IDAHO CODE, TO REMOVE REFERENCE TO ELECTED AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 33-503, IDAHO CODE, TO REVISE PROVISIONS REGARDING ELECTIONS OF TRUSTEES.

S 1309

BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO ANIMALS; AMENDING SECTION 25-3520A, IDAHO CODE, TO PROVIDE THAT THE COURT MAY ORDER PRESENTENCE PSYCHOLOGICAL EVALUATIONS PRIOR TO SENTENCING FOR VIOLATIONS OF SPECIFIED LAW.

S 1300, S 1301, S 1302, S 1303, S 1304, S 1305, S 1306, S 1307, S 1308, and S 1309 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 381, H 382, and H 417, by Agricultural Affairs Committee, were introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 389 and H 390, by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 428, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 445 and H 446, 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

S 1246, S 1261, and S 1263, by Transportation Committee, were read the second time at length and filed for third reading.

S 1270 and S 1271, by Finance Committee, were read the second time at length and filed for third reading.

H 352, H 359, H 360, and H 376, by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

S 1232, S 1249, and S 1248, 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

S 1259 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

Whereupon the President declared S 1259 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 10:45 a.m., Friday, February 12, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

THIRTY-THIRD LEGISLATIVE DAY
FRIDAY, FEBRUARY 12, 2016

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:45 a.m.

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Hannah Sturtevant, 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, 2016, 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 139

BY EDUCATION 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 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 docket 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 Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein,

that IDAPA 08.02.03, Rules of the State Board of and State Department of Education, Rules Governing Thoroughness, adopted as a pending rule under Docket Number 08-0203-1503, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

SCR 140

BY EDUCATION 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 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 docket 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 Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 08.02.03, Rules of the State Board of and State Department of Education, Rules Governing Thoroughness, adopted as a pending rule under Docket Number 08-0203-1506, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

SCR 141

BY EDUCATION 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 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 docket 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 Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 08.02.03, Rules of the State Board of and State Department of Education, Rules Governing Thoroughness, adopted as a pending rule under Docket Number 08-0203-1511, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

[SCR 139](#), [SCR 140](#), and [SCR 141](#) 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 12, 2016

The JUDICIARY AND RULES Committee reports that [SCR 138](#), [SJM 104](#), [S 1300](#), [S 1301](#), [S 1302](#), [S 1303](#), [S 1304](#), [S 1305](#), [S 1306](#), [S 1307](#), [S 1308](#), and [S 1309](#) have been correctly printed.

LODGE, Chairman

[SCR 138](#) and [SJM 104](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1300](#), [S 1301](#), [S 1302](#), and [S 1303](#) were referred to the Judiciary and Rules Committee.

[S 1304](#), [S 1305](#), and [S 1306](#) were referred to the Resources and Environment Committee.

[S 1307](#) and [S 1308](#) were referred to the Education Committee.

[S 1309](#) was referred to the Agricultural Affairs Committee.

Senator Lodge was recorded present at this order of business.

February 11, 2016

The FINANCE Committee reports out [H 445](#) and [H 446](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 445](#) and [H 446](#) were filed for second reading.

February 11, 2016

The TRANSPORTATION Committee reports out [H 385](#) and [S 1262](#) with the recommendation that they do pass.

BRACKETT, Chairman

[H 385](#) and [S 1262](#) were filed for second reading.

February 11, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1265](#) with the recommendation that it do pass.

PATRICK, Chairman

[S 1265](#) was filed for second reading.

February 11, 2016

The HEALTH AND WELFARE Committee reports out [S 1231](#) with the recommendation that it do pass.

HEIDER, Chairman

[S 1231](#) was filed for second reading.

February 12, 2016

The STATE AFFAIRS Committee reports out [SJR 101](#) with the recommendation that it do pass.

MCKENZIE, Chairman

[SJR 101](#) 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

February 11, 2016

Dear Mr. President:

I transmit herewith [H 432](#) and [H 426](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 432](#) and [H 426](#) were filed for first reading.

February 11, 2016

Dear Mr. President:

I transmit herewith Enrolled [H 345](#), [H 347](#), [H 348](#), [H 353](#), [H 358](#), [H 361](#), and [H 403](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 345](#), [H 347](#), [H 348](#), [H 353](#), [H 358](#), [H 361](#), and [H 403](#) 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, 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 Lee providing opening remarks. The prayer was offered by Senator Harris.

"The Star-Spangled Banner" was performed by Milayni Stephens. The Senate Pages offered their favorite Lincoln quotes. "America the Beautiful" was performed by Milayni Stephens.

Closing remarks were provided by Co-chairman Senator Souza. 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 Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials**S 1310****BY TRANSPORTATION COMMITTEE**

AN ACT

RELATING TO DYED FUEL; AMENDING CHAPTER 6, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-675, IDAHO CODE, TO PROVIDE THAT ANY VEHICLE SHALL BE SUBJECT TO INSPECTION FOR DYED DIESEL FUEL IN THE MOTOR VEHICLE'S DIESEL FUEL TANK UNDER SPECIFIED CONDITIONS.

S 1311**BY TRANSPORTATION COMMITTEE**

AN ACT

RELATING TO VEHICLES; AMENDING SECTION 49-457, IDAHO CODE, TO PROVIDE AN EXCEPTION REGARDING FEES FOR ELECTRIC VEHICLES, TO REMOVE FEE PROVISIONS REGARDING HYBRID VEHICLES AND TO REMOVE A DEFINITION.

S 1312
BY TRANSPORTATION COMMITTEE
 AN ACT

RELATING TO SAFETY RESTRAINTS; AMENDING SECTION 49-673, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE ISSUANCE OF A CERTAIN WARNING AND OF A CERTAIN CITATION, TO INCREASE A CERTAIN FINE AMOUNT AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 49-673, IDAHO CODE, RELATING TO SAFETY RESTRAINT USE; AMENDING CHAPTER 6, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-673, IDAHO CODE, REGARDING SAFETY RESTRAINT USE; AND PROVIDING AN EFFECTIVE DATE.

S 1313
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
 AN ACT

RELATING TO INSURANCE; AMENDING CHAPTER 13, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1328E, IDAHO CODE, TO PROHIBIT UNFAIR PRACTICES BY INSURANCE COMPANIES IN AUTO BODY REPAIR, WITH EXCEPTIONS.

S 1314
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
 AN ACT

RELATING TO TRUST INSTITUTIONS; AMENDING SECTION 26-3205, IDAHO CODE, TO PROVIDE THAT CERTAIN PERSONS ACTING AS A TRUSTEE SHALL NOT REQUIRE A CHARTER.

S 1315
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
 AN ACT

RELATING TO FORECLOSURE; AMENDING SECTION 45-1506, IDAHO CODE, TO PROVIDE THAT A PURCHASER AT A TRUSTEE'S SALE SHALL BE ENTITLED TO DISPOSE OF ANY NONTITLED PERSONAL PROPERTY UNDER CERTAIN CONDITIONS AND TO MAKE TECHNICAL CORRECTIONS.

S 1316
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
 AN ACT

RELATING TO INSURANCE; AMENDING CHAPTER 18, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1830, IDAHO CODE, TO PROVIDE THAT LIFE INSURERS SHALL OFFER LAPSE OR TERMINATION PROTECTION TO HOLDERS OF LIFE INSURANCE POLICIES.

S 1317
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
 AN ACT

RELATING TO HOMEOWNER'S ASSOCIATIONS; AMENDING SECTION 55-115, IDAHO CODE, TO PROVIDE THAT ATTORNEY'S FEES AND COSTS MAY BE COLLECTED, AND A LIEN FILED FOR ATTORNEY'S FEES AND COSTS BY A HOMEOWNER'S ASSOCIATION, ONLY AFTER BEING AWARDED IN AN AMOUNT FOUND

TO BE REASONABLE BY A COURT OF COMPETENT JURISDICTION.

S 1318
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
 AN ACT

RELATING TO THE IDAHO APPRAISAL MANAGEMENT COMPANY REGISTRATION AND REGULATION ACT; AMENDING CHAPTER 41, TITLE 54, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 54-4120 THROUGH 54-4134, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE SCOPE, TO DEFINE TERMS, TO PROVIDE FOR AN APPRAISAL PANEL AND ANNUAL SIZE CALCULATION; TO PROVIDE THAT APPRAISAL MANAGEMENT COMPANIES SHALL REGISTER WITH THE REAL ESTATE APPRAISER BOARD AND TO PROVIDE REQUIREMENTS FOR REGISTRATION, TO PROVIDE FOR EXEMPTIONS, TO PROVIDE REQUIREMENTS FOR OWNERSHIP AND FOR CONTROLLING PERSONS, TO PROVIDE FOR LIMITATIONS ON AGREEMENTS, TO PROVIDE FOR APPRAISER ENGAGEMENT, TO PROVIDE FOR APPRAISAL REVIEW, TO PROVIDE FOR APPRAISER COMPENSATION, TO PROVIDE FOR APPRAISER INDEPENDENCE, TO PROVIDE FOR ADDITIONAL POWERS OF THE BOARD, TO PROVIDE FOR ENFORCEMENT BY THE BOARD AND TO PROVIDE FEDERAL REGISTRY REQUIREMENTS.

S 1319
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
 AN ACT

RELATING TO STATE EMPLOYEE HEALTH PLANS; AMENDING SECTION 67-5761B, IDAHO CODE, TO CLARIFY THAT THE DEPARTMENT OF ADMINISTRATION SHALL OFFER A HEALTH SAVINGS ACCOUNT PROGRAM AND TO PROVIDE THAT STATE EMPLOYERS SHALL DEPOSIT A CERTAIN AMOUNT INTO A HEALTH SAVINGS ACCOUNT; AND PROVIDING AN EFFECTIVE DATE.

S 1320
BY EDUCATION COMMITTEE
 AN ACT

RELATING TO GENERAL POWERS OF THE BOARD OF TRUSTEES OF COMMUNITY COLLEGE DISTRICTS; AMENDING SECTION 33-2107, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY, TO CLARIFY CERTAIN POWERS OF THE BOARD OF TRUSTEES OF EACH COMMUNITY COLLEGE DISTRICT AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 33-2211, IDAHO CODE, TO PROVIDE CODE REFERENCES.

S 1321
BY EDUCATION COMMITTEE
 AN ACT

RELATING TO PUBLIC SCHOOL INSTRUCTION; REPEALING SECTION 33-1604, IDAHO CODE, RELATING TO BIBLE READING IN THE PUBLIC SCHOOLS; AND AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1604, IDAHO CODE, TO PROVIDE WHEN THE BIBLE IS PERMITTED TO BE USED IN THE PUBLIC SCHOOLS.

S 1322**BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO EPINEPHRINE AUTO-INJECTORS; AMENDING SECTION 54-1704, IDAHO CODE, TO PROVIDE THAT THE PRACTICE OF PHARMACY INCLUDES PRESCRIBING EPINEPHRINE AUTO-INJECTORS; AMENDING SECTION 54-1732, IDAHO CODE, TO REVISE PROVISIONS REGARDING VIOLATIONS AND PENALTIES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1733, IDAHO CODE, TO REVISE PROVISIONS REGARDING VALIDITY OF PRESCRIPTION DRUG ORDERS AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 17, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1733C, IDAHO CODE, TO PROVIDE THAT EPINEPHRINE AUTO-INJECTORS MAY BE PRESCRIBED AND DISPENSED TO CERTAIN ENTITIES, TO PROVIDE THAT CERTAIN ENTITIES MAY STOCK EPINEPHRINE AUTO-INJECTORS, TO PROVIDE THAT EPINEPHRINE AUTO-INJECTORS MAY BE PROVIDED OR ADMINISTERED TO CERTAIN PERSONS, TO REQUIRE TRAINING, TO PROVIDE THAT CERTAIN PERSONS ARE EXEMPT FROM TRAINING, TO PROVIDE IMMUNITY, TO REQUIRE DISPOSAL OF OUTDATED PRODUCT AND TO DEFINE TERMS; AMENDING CHAPTER 17, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1733D, IDAHO CODE, TO PROVIDE THAT PHARMACISTS OR PRESCRIBERS MAY PRESCRIBE EPINEPHRINE AUTO-INJECTORS TO CERTAIN PERSONS; AND AMENDING SECTION 54-1734, IDAHO CODE, TO REVISE PROVISIONS REGARDING POSSESSION OF LEGEND DRUGS.

S 1323**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO THE IDAHO STATE INDEPENDENT LIVING COUNCIL; AMENDING SECTION 56-1203, IDAHO CODE, TO REVISE A REFERENCE TO A FEDERAL LAW; AMENDING SECTION 56-1204, IDAHO CODE, TO REVISE A REFERENCE TO A FEDERAL LAW; AND AMENDING SECTION 56-1205, IDAHO CODE, TO REVISE LANGUAGE REGARDING FUNDING OF THE STATE INDEPENDENT LIVING COUNCIL.

S 1324**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO WINERIES; AMENDING SECTION 23-1334, IDAHO CODE, TO ALLOW PERSONS UNDER THE AGE OF TWENTY-ONE TO ENTER OR BE ON THE PREMISES OF A WINERY.

S 1325**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO REGULATORY TAKINGS; AMENDING SECTION 67-8003, IDAHO CODE, TO PROVIDE THAT AN OWNER OF PRIVATE PROPERTY MAY SUBMIT A WRITTEN REQUEST FOR A REGULATORY TAKINGS ANALYSIS WITH THE CLERK OR THE AGENCY OR ENTITY UNDERTAKING THE REGULATORY OR ADMINISTRATIVE ACTION AND TO PROVIDE THAT A PRIVATE PROPERTY OWNER IS NOT REQUIRED

TO SUBMIT A REQUEST UNDER THE REGULATORY TAKINGS CHAPTER AND THE FAILURE TO SUBMIT A WRITTEN REQUEST SHALL NOT PREVENT OR PROHIBIT THE PRIVATE PROPERTY OWNER FROM SEEKING ANY LEGAL OR EQUITABLE REMEDY INCLUDING, BUT NOT LIMITED TO, THE PAYMENT OF JUST COMPENSATION.

[S 1310](#), [S 1311](#), [S 1312](#), [S 1313](#), [S 1314](#), [S 1315](#), [S 1316](#), [S 1317](#), [S 1318](#), [S 1319](#), [S 1320](#), [S 1321](#), [S 1322](#), [S 1323](#), [S 1324](#), and [S 1325](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 432](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 426](#), by State Affairs 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

[S 1222](#), [S 1223](#), [S 1224](#), [S 1225](#), and [S 1244](#), by Resources and Environment Committee, were read the second time at length and filed for third reading.

[S 1214](#) and [S 1258](#), by Agricultural Affairs 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 11:35 a.m. until the hour of 10:45 a.m., Monday, February 15, 2016.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

**THIRTY-SIXTH LEGISLATIVE DAY
MONDAY, FEBRUARY 15, 2016**

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:45 a.m.

Roll call showed all members present.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Hayden Rogers, 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, 2016, 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

SR 101

BY JUDICIARY AND RULES COMMITTEE

A SENATE RESOLUTION

STATING FINDINGS OF THE SENATE AND PROVIDING FOR THE AMENDMENT OF RULE 20 OF THE RULES OF THE SENATE RELATING TO A COMMITTEE CHAIR'S DECISION.

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

WHEREAS, the Senate deems it necessary and desirable that Rule 20 of the Rules of the Senate be amended.

NOW, THEREFORE, BE IT RESOLVED by the members of the Senate, assembled in the Second Regular Session of the Sixty-third Idaho Legislature, that Rule 20 of the Rules of the Senate shall be amended to read as follows:

RULE 20

Committees – Quorum. – (A) Committees shall not proceed to the transaction of business except upon a quorum being present when the committee convenes, nor thereafter if any member objects to a lack of a quorum. A quorum shall consist of a majority of the committee membership.

Committee Meetings. – (B) No committee shall meet during the session of the Senate, nor at any time occupy the Senate Chamber, without leave of the Senate.

Committees–Rules and Procedure. – (C) Unless otherwise specified, general rules of procedure governing the Senate shall govern procedure in all committees and subcommittees, except there may be no call of any committee or of the Senate while in the Committee of the Whole. A motion to adjourn shall not be in order in the Committee of the Whole.

Committee Meetings to be Open. – (D) All meetings of any standing, select, or special committee shall be open to the public at all times, and any person may attend any hearing of such committee, but may participate in the committee only with the approval of the committee itself. The committee chairman, or the acting chairman, shall announce the subject of the matter under inquiry and proceed with hearing testimony or examining witnesses. Each person testifying before the committee shall state his name, address, business, or occupation, and special interest in the matter being heard.

Committee Meetings, Executive Sessions. – (E) Executive sessions of a standing, special or select committee shall be limited and undertaken only when necessitated by extraordinary circumstances as provided in this rule. A request to go into executive session may be considered by a committee only after the committee has given public notice at least twenty-four hours in advance of the meeting that the committee will have before it a request to meet in executive session, has listed the person(s) or agency that has requested the executive session, and has described the reason(s) for which an executive session has been requested. Only after the committee chairman has identified the reason(s) for holding the executive session and only upon a two-thirds vote recorded in the minutes of the meeting of the committee, shall a committee be allowed to hold an executive session during any meeting, at which time persons who are not members of the legislature may be excluded. Executive sessions shall be held only when and to the extent necessary to: discuss records that are exempt from public disclosure by statute, court decision or court rule; consider pending litigation, mediation or arbitration; consider personnel decisions involving a legislative employee; consider charges brought against or the discipline or dismissal of a member when public disclosure would harm an innocent third party; discuss the security of or threats against state citizens, resources or facilities; or discuss acquiring an interest in real property which is not owned by a public agency. Under no circumstances, however, shall an executive session be authorized or held for the purpose of taking any final action or making any final decision, and during such executive session, no votes or official action may be taken.

Disruption of Meetings. – (F) Nothing in this rule shall prohibit the removal of any person who willfully disrupts a meeting to the extent that orderly conduct is seriously compromised.

Objection to Testimony. – (G) If any member of the committee shall object to the testimony, or any part thereof, of any witness, the chair of the committee may overrule the objection, require the witness to refrain from the objectionable testimony, or may disallow further testimony and otherwise maintain order. The chair of the committee shall decide all questions of order subject to appeal matters dealing with witness testimony and decorum in the committee.

Committee Chair's Decisions. – (H) The chair's decisions are final and are not subject to appeal to the committee. The

committee may not appeal a chair's ruling to the Senate or its Presiding Officer, excepting that nothing in this subsection limits the provisions of Senate Rule 14(E).

Buck Slips. – (H) Buck slips may be used for committee action on the introduction of or recommendations on bills, but only in instances where committee meetings are impractical. The objection to the use of a buck slip by one committee member shall preclude its use in that instance. All committee members, who are not absent and excused from attendance in the Senate on that day, shall be required to sign their names indicating their aye or nay vote on the matter being considered.

SCR 142

BY JUDICIARY AND RULES COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND PROVIDING FOR THE AMENDMENT OF JOINT RULE 18 OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF IDAHO TO REVISE PROVISIONS RELATING TO STATEMENTS OF PURPOSE AND FISCAL NOTES.

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

WHEREAS, the Senate and the House of Representatives deem it necessary and desirable to amend Joint Rule 18 of the Joint Rules of the Senate and the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Joint Rule 18 of the Senate and the House of Representatives shall be amended to read as follows:

JOINT RULE 18

~~Statement of Purpose and Fiscal Notes. — No bill shall be introduced in either house unless it shall have attached thereto a concise statement of purpose and fiscal note. The contact person for the statement of purpose and fiscal note shall be identified on the document. A statement of purpose or fiscal note is not a statement of legislative intent nor intended for any use outside of the legislative process. The statement of purpose and fiscal note applies only to a bill as introduced, and does not necessarily reflect any amendment to the bill that may be adopted. No bill making an appropriation, increasing or decreasing existing appropriations, or requiring a future appropriation, or increasing or decreasing revenues of the state or any unit of local government, or requiring a significant expenditure of funds by the state or a unit of local government, shall be introduced unless it shall have attached thereto a fiscal note. This note shall contain an estimate of the amount of such appropriation, expenditure, or change under the bill. The fiscal note shall identify a full fiscal year's impact of the legislation. Statements of purpose and fiscal notes may be combined in the same statement. All statements of purpose and fiscal notes shall be reviewed for compliance with this rule by the committee to which the bill is assigned. A member may challenge the sufficiency of a statement of purpose or fiscal note at any time prior to passage, except upon introduction. Nothing in this rule shall prohibit a statement of purpose or fiscal note from being revised.~~

Statement of Purpose and Fiscal Notes – General Provisions.
– No bill shall be introduced in either house unless it shall have attached thereto a concise statement of purpose and fiscal note. The contact person for the statement of purpose and fiscal note

shall be identified on the document. Statements of purpose and fiscal notes may be combined in the same statement.

Statement of Purpose. – (a) The statement of purpose applies only to a bill as introduced, and does not necessarily reflect any amendment to the bill that may be adopted. All statements of purpose shall be reviewed for compliance with this rule by the committee to which the bill is assigned, excepting that any review is subject to Joint Rule 18 (e).

Fiscal Notes. – (b) The fiscal note applies only to a bill as introduced, and does not necessarily reflect any amendment to the bill that may be adopted. The fiscal note shall reasonably contain the proponent's full fiscal year projected increase or decrease in existing or future appropriations, and/or the increase or decrease in revenues by the state or unit(s) of local government. The bill's proponent bears the responsibility to provide an accurate fiscal note. If the fiscal note states there is no projected fiscal impact, then the fiscal note must contain a statement of the reasons that no fiscal impact is projected. All fiscal notes shall be reviewed for compliance with this rule by the committee to which the bill is assigned, excepting that any compliance review is subject to Joint Rule 18 (e). A member of the committee may challenge the sufficiency of a fiscal note at any time prior to the committee's final action on the bill. In addition, prior to final committee action on the bill, if one-third or more of its appointed members notify the chair of the committee that they reasonably believe the fiscal note does not comply with this rule, the chair may appoint a subcommittee to review the fiscal note. The subcommittee must report its review, if any, at the next scheduled committee meeting or at a time designated by the chair.

Debate. – (c) Any member of either house may debate the sufficiency of a statement of purpose or fiscal note at the time of consideration of the bill.

May be Revised. – (d) Either house may revise the statement of purpose or fiscal note at any time before that house's final action on the bill.

Not a Statement of Legislative Intent. – (e) Statements of purpose and fiscal notes are mere attachments to the bill and are not voted on. The statement of purpose and fiscal note are not expressions or statements of legislative intent, and are not intended for any use outside of the legislative process, including judicial review.

Notice to Others. – (f) Each statement of purpose and fiscal note shall contain this notice: "This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18)."

SCR 143

BY JUDICIARY AND RULES COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND PROVIDING FOR THE AMENDMENT OF JOINT RULE 20 OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF IDAHO,

REVISING PROVISIONS RELATING TO TRANSMITTAL OF A JOINT RESOLUTION.

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

WHEREAS, the Senate and the House of Representatives deem it necessary and desirable to amend Joint Rule 20 of the Joint Rules of the Senate and the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that Joint Rule 20 of the Senate and the House of Representatives shall be amended to read as follows:

JOINT RULE 20

Constitutional Amendments. – A Joint Resolution proposing an amendment to the Constitution of the State of Idaho must be introduced on or before the thirty-sixth day of the Regular Legislative Session and must be transmitted from the house of origin to the other house prior to the fifty-fifth day of the Regular Legislative Session; provided however, in the event the fifty-fifth day of the Regular Legislative Session falls on a Saturday or Sunday, such transmittal must be made on or prior to the fifty-seventh day of the Regular Legislative Session. The provisions of this rule may be waived by the presiding officer of either house upon presentment of a signed petition by the majority or minority leadership of the house. Requests for a proposed amendment to the Constitution of the State of Idaho shall be in the Office of Legislative Services for drafting at least seven calendar days prior to its intended introduction date.

SCR 144

BY JUDICIARY AND RULES COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND PROVIDING FOR THE AMENDMENT OF JOINT RULE 21 OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF IDAHO REVISING PROVISIONS RELATING TO CERTAIN RECORDED PROCEEDINGS.

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

WHEREAS, the Senate and the House of Representatives deem it necessary and desirable to amend Joint Rule 21 of the Joint Rules of the Senate and the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that Joint Rule 21 of the Senate and the House of Representatives shall be amended to read as follows:

JOINT RULE 21

Recording of Proceedings of the Chambers. – The proceedings of each house shall be recorded and live streamed by an authorized designee, provided that either house may suspend or end recording and/or live streaming of its proceedings upon a two-thirds vote of the chamber wherein the proceeding takes place. A statement made during floor or committee proceedings is indicative only of the individual speaker and is not an expression of legislative intent by the body as a whole. No recording shall substitute for the Journal of either house as required by Section 13, Article III of the Constitution of the State of Idaho. All recordings shall be maintained by the Director of Legislative Services or his designee ~~for two years, and then transferred.~~ A

copy of any recorded proceedings more than two years old will be provided to the state archivist. No member of the Legislature, its employees, or designees shall be permitted to certify or authenticate any recording made under this rule.

SCR 145

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND ENDORSING THE NEED FOR A SECOND VETERANS CEMETERY IN EASTERN IDAHO.

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

WHEREAS, Idaho is the home to more than 132,000 veterans; and

WHEREAS, more than 30,000 veterans live in the Eastern Idaho catchment areas; and

WHEREAS, the nearest veterans cemetery to Eastern Idaho is the Idaho State Veterans Cemetery in Boise, Idaho, that is more than 200 miles driving distance; and

WHEREAS, although the Boise Idaho State Veterans Cemetery is a beautiful resting place for Idaho veterans, due to its distance from Eastern Idaho and the population density of the region, the needs of Eastern Idaho veterans and their families are not met by the Idaho State Cemetery in Boise, Idaho; and

WHEREAS, pursuant to 38 CFR 39 the state is obligated to provide the land and pay for ongoing cemetery maintenance and operation of a state veterans cemetery; and

WHEREAS, pursuant to 38 CFR 39 the federal government shares this belief, and the Department of Veterans Affairs' State Cemetery Grants Service pays 100% of architectural and engineering costs, to include planning, construction, and equipment, for the development of a state veterans cemetery; and

WHEREAS, pursuant to 38 CFR 39 the state is obligated to provide 10% architectural and engineering matching funds necessary to qualify for federal funding; and

WHEREAS, pursuant to 38 CFR 39 the 10% architectural and engineering matching funds will be reimbursed to the state following grant award; and

WHEREAS, Eastern Idaho leaders and the community have identified potential land donations in an effort to meet the state's obligation to provide land.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we endorse the need for a second veterans cemetery in Eastern Idaho and that legislation should be adopted to facilitate the exchange of property and to authorize the Division of Veterans Services to accept gifts, grants, contributions and bequests, and to purchase and hold title to property on behalf of the State of Idaho.

BE IT FURTHER RESOLVED that the Legislature should act expeditiously so that no more time passes before Eastern Idaho's veterans are given the respect they are so worthy of receiving.

SCR 146

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND DESIGNATING THE STATE OF IDAHO AS A PURPLE HEART STATE AND PROVIDING THAT AUGUST 7 IS PURPLE HEART DAY IN IDAHO.

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

WHEREAS, 1,026 of Idaho veterans were killed in combat during major wars from WWI to the present, and approximately 2,683 were wounded during those wars, making over 3,709 Idahoans eligible for the Purple Heart award; and

WHEREAS, fourteen states across the United States have honored their combat wounded and killed military veterans by proclaiming their states to be Purple Heart states; and

WHEREAS, the cities of Boise, Pocatello, Nampa and Fruitland—all served by I-84, named by the Idaho Legislature as the Vietnam Veterans Memorial Highway—were designated as Purple Heart cities in 2015; and

WHEREAS, the mission of the Military Order of the Purple Heart, chartered by an act of Congress, is to foster an environment of goodwill among combat wounded veterans and their families, to promote patriotism, to support legislative initiatives and, most importantly, to ensure that we never forget the sacrifices of veterans killed in action and wounded in combat; and

WHEREAS, the State of Idaho honors the service and sacrifices of our nation's men and women in uniform wounded or killed by the enemy while serving to protect the freedom enjoyed by all Americans.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we designate the State of Idaho as a Purple Heart state and permanently set the date of August 7th as Purple Heart Day for the State of Idaho.

[SR 101](#), [SCR 142](#), [SCR 143](#), [SCR 144](#), [SCR 145](#), and [SCR 146](#) 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 15, 2016

The JUDICIARY AND RULES Committee reports that [SCR 139](#), [SCR 140](#), [SCR 141](#), [S 1310](#), [S 1311](#), [S 1312](#), [S 1313](#), [S 1314](#), [S 1315](#), [S 1316](#), [S 1317](#), [S 1318](#), [S 1319](#), [S 1320](#), [S 1321](#), [S 1322](#), [S 1323](#), [S 1324](#), and [S 1325](#) have been correctly printed.

LODGE, Chairman

[SCR 139](#), [SCR 140](#), and [SCR 141](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1310](#), [S 1311](#), and [S 1312](#) were referred to the Transportation Committee.

[S 1313](#), [S 1314](#), [S 1315](#), [S 1316](#), [S 1317](#), [S 1318](#), and [S 1319](#) were referred to the Commerce and Human Resources Committee.

[S 1320](#) was referred to the Education Committee.

[S 1321](#) was referred to the State Affairs Committee.

[S 1322](#) was referred to the Health and Welfare Committee.

[S 1323](#) and [S 1324](#) were referred to the State Affairs Committee.

[S 1325](#) 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 12, 2016

Dear Mr. President:

I transmit herewith [HCR 30](#), [H 427](#), [HCR 29](#), [H 383](#), [H 355](#), [HCR 34](#), [H 429](#), and [H 440](#), which have passed the House.

ALEXANDER, Chief Clerk

[HCR 30](#), [H 427](#), [HCR 29](#), [H 383](#), [H 355](#), [HCR 34](#), [H 429](#), and [H 440](#) 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 1326

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO SUICIDE PREVENTION; AMENDING SECTION 56-1003, IDAHO CODE, TO GRANT CERTAIN AUTHORITY TO THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND WELFARE AND TO MAKE A TECHNICAL CORRECTION.

[S 1326](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HCR 30](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 427](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[HCR 29](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 383](#), by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 355](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[HCR 34](#), by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

[H 429](#), by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 440](#), by Business 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

[H 445](#) and [H 446](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[H 385](#), by Transportation and Defense Committee, was read the second time at length and filed for third reading.

[S 1262](#), by Transportation Committee, was read the second time at length and filed for third reading.

[S 1265](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[S 1231](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[SJR 101](#), 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

[S 1230](#) 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—Bayer, Brackett, Den Hartog, Hagedorn, Harris, Nuxoll, Rice, Vick. Total - 8.

NAYS—Anthon, Bair, Buckner-Webb, Burgoyne, Davis, Guthrie, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Schmidt, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 27.

Total - 35.

Whereupon the President Pro Tempore declared that [S 1230](#) had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

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 Memorial Service.

MEMORIAL SERVICE

The service was conducted by Memorial Service Committee Co-chairmen Senator Mary Souza and Senator Abby Lee. The Invocation was delivered by Senator Anthon. "Amazing Grace" was performed by Senator Buckner-Webb accompanied by Steven Eaton. The Benediction was delivered by Senator Lee. The Service was coordinated by Laura McInnes, Secretary to the Secretary of the Senate.

IN THE SENATE A SENATE MEMORIAL

WHEREAS, the late Senator STEVEN L. HERNDON passed on since the close of the First Regular Session of the Sixty-third Legislature to wit, October 22nd, 2015.

WHEREAS, the late Senator STEVEN L. HERNDON served in the interest of Bonner and Boundary Counties during the Forty-ninth Legislature of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the Second Regular Session of the Sixty-third Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator STEVEN L. HERNDON; and

BE IT FURTHER RESOLVED that the Senate of the Second 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 STEVEN L. HERNDON family.

On motion by Senator Keough, seconded by Senator Nuxoll, the Memorial to the late Senator Herndon was adopted by voice vote.

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 12:20 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 Pro Tempore Hill presiding.

Roll call showed all members present except Senator Lakey, absent and formally excused by the Chair; and Senators Anthon, Den Hartog, Martin, 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.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 15, 2016

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:

Erwin L. Sonnenberg to the Sexual Offender Management Board, term to expire January 1, 2017.

Jeffrey Betts to the Sexual Offender Management Board, term to expire January 1, 2019.

Matthew Allen Thomas to the Sexual Offender Management Board, term to expire January 1, 2019.

Michael David Johnston to the Sexual Offender Management Board, term to expire January 1, 2019.

Moir A. Lynch to the Sexual Offender Management Board, term to expire January 1, 2018.

William Dale Crawford to the Sexual Offender Management Board, term to expire January 1, 2018.

Mike H. Matthews to the Commission on Pardons and Parole, term to expire January 1, 2019.

LODGE, 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 15, 2016

The EDUCATION Committee reports out [S 1257](#) with the recommendation that it do pass.

MORTIMER, Chairman

[S 1257](#) was filed for second reading.

February 15, 2016

The HEALTH AND WELFARE Committee reports out [S 1250](#) and [S 1251](#) with the recommendation that they do pass.

HEIDER, Chairman

[S 1250](#) and [S 1251](#) were filed for second 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 1327

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO VULNERABLE ADULTS; AMENDING SECTION 18-1505, IDAHO CODE, TO REVISE A DEFINITION.

S 1328

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE CHILD PROTECTIVE ACT; AMENDING SECTION 16-1602, IDAHO CODE, TO DEFINE TERMS; AMENDING SECTION 16-1615, IDAHO CODE, TO REVISE CRITERIA USED BY A COURT IN A SHELTER CARE HEARING; AMENDING SECTION 16-1619, IDAHO CODE, TO REQUIRE A COURT TO MAKE CERTAIN INQUIRIES IN AN ADJUDICATORY HEARING AND TO REQUIRE THE DEPARTMENT TO MAKE A CERTAIN REPORT TO A COURT FOR CERTAIN CHILDREN; AMENDING SECTION 16-1620, IDAHO CODE, TO REQUIRE A PERMANENCY HEARING FOR A CERTAIN TIME PERIOD, TO PROVIDE FOR CERTAIN PERSONS IN A PERMANENCY PLAN, TO REVISE REQUIREMENTS FOR A PERMANENCY PLAN, TO PROVIDE REQUIREMENTS FOR A PERMANENCY HEARING AND TO PROVIDE FOR CERTAIN YOUTH WITH CERTAIN PERMANENCY GOALS; AMENDING SECTION 16-1621, IDAHO CODE, TO REQUIRE A COURT TO MAKE CERTAIN INQUIRIES IN A CASE PLAN HEARING, TO REVISE TERMINOLOGY AND TO REVISE PROVISIONS REGARDING THE REQUIREMENTS OF A CASE PLAN; AMENDING SECTION 16-1622, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE REQUIREMENTS FOR A REVIEW HEARING, TO PROVIDE FOR A STATUS HEARING, TO REVISE PROVISIONS REGARDING THE REQUIREMENTS FOR A PERMANENCY PLAN AND HEARING AND TO PROVIDE FOR A REVIEW OR PERMANENCY HEARING FOLLOWING THE FILING OF A TRANSITION PLAN; AMENDING SECTION 16-1623, IDAHO CODE, TO PROVIDE FOR A REDISPOSITION

HEARING IN CERTAIN INSTANCES AND TO REVISE A PROVISION REGARDING CASE PLAN HEARINGS; AND AMENDING SECTION 16-2002, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

S 1329

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-2426, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN GOVERNMENT VEHICLES THAT ARE EXEMPT FROM CERTAIN MARKINGS; AND AMENDING SECTION 49-2427, IDAHO CODE, TO REVISE A PROVISION REGARDING LIGHTING ON STATE POLICE VEHICLES, TO PROVIDE AN EXEMPTION FOR CERTAIN VEHICLES AND TO MAKE TECHNICAL CORRECTIONS.

S 1330

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-520, IDAHO CODE, TO PROVIDE THAT THE BOARD OF TRUSTEES OF EACH SCHOOL DISTRICT SHALL ADOPT A CERTAIN POLICY, TO FURTHER DEFINE TERMS, AND TO ALLOW CERTAIN STUDENTS TO POSSESS AND USE CERTAIN MEDICATIONS AND SUPPLIES.

S 1331

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-907, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PUBLIC EDUCATION STABILIZATION FUND, TO PROVIDE FOR AN ANNUAL TRANSFER OF CERTAIN MONEYS FROM THE GENERAL FUND TO THE PUBLIC EDUCATION STABILIZATION FUND, TO PROVIDE CONDITIONS FOR SUCH TRANSFER AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 57-814, IDAHO CODE, TO REVISE AN AMOUNT TO BE TRANSFERRED FROM THE GENERAL FUND TO THE BUDGET STABILIZATION FUND; AMENDING SECTION 57-814, IDAHO CODE, AS ENACTED BY SECTION 9, CHAPTER 341, LAWS OF 2015, TO REVISE AN AMOUNT TO BE TRANSFERRED FROM THE GENERAL FUND TO THE BUDGET STABILIZATION FUND AND TO REVISE A TRANSFER DATE; AND PROVIDING AN EFFECTIVE DATE.

S 1332

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 22, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2213, IDAHO CODE, TO ESTABLISH THE INDUSTRY PARTNER FUND AND RELATED PROVISIONS AND TO GRANT RULEMAKING AUTHORITY.

S 1333

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 9, TITLE 33, IDAHO CODE, BY THE ADDITION OF A

NEW SECTION 33-910, IDAHO CODE, TO PROVIDE THE BROADBAND INFRASTRUCTURE IMPROVEMENT GRANT FUND AND RELATED PROVISIONS, TO REQUIRE RULEMAKING AND TO DEFINE A TERM; AND DECLARING AN EMERGENCY.

S 1334

BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; REPEALING SECTION 67-5745D, IDAHO CODE, RELATING TO THE IDAHO EDUCATION NETWORK; REPEALING SECTION 67-5745E, IDAHO CODE, RELATING TO THE IDAHO EDUCATION NETWORK PROGRAM AND RESOURCE ADVISORY COUNCIL (IPRAC); AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 56, TITLE 33, IDAHO CODE, TO PROVIDE THE EDUCATION OPPORTUNITY RESOURCE ACT, TO PROVIDE A SHORT TITLE, TO PROVIDE PURPOSE, FINDINGS AND LEGISLATIVE INTENT, TO DEFINE TERMS, TO PROVIDE THE EDUCATION OPPORTUNITY RESOURCE COMMITTEE, TO PROVIDE SUCH COMMITTEE'S MEMBERS AND MEETING REQUIREMENTS AND POWERS AND DUTIES, TO PROVIDE DUTIES OF THE STATE DEPARTMENT OF EDUCATION AND TO PROVIDE RULEMAKING AUTHORITY TO THE STATE BOARD OF EDUCATION; AMENDING SECTION 33-125, IDAHO CODE, TO REMOVE A REFERENCE TO THE IDAHO EDUCATION NETWORK; AND AMENDING SECTION 33-125A, IDAHO CODE, TO REMOVE REFERENCE TO THE IDAHO EDUCATION NETWORK AND TO THE IPRAC.

S 1335

BY EDUCATION COMMITTEE
AN ACT

RELATING TO EXECUTIVE SESSIONS UNDER THE OPEN MEETINGS LAW; AMENDING SECTION 74-206, IDAHO CODE, TO REVISE CONDITIONS WHEN AN EXECUTIVE SESSION IS AUTHORIZED REGARDING THE ACQUISITION, SALE OR LEASE OF AN INTEREST IN REAL PROPERTY BY A PUBLIC AGENCY AND TO PROVIDE A CORRECT CODE REFERENCE.

S 1336

BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1602, IDAHO CODE, TO PROVIDE THAT THE APPLICABILITY OF CERTAIN PROVISIONS TO CERTAIN PUPILS IS GOVERNED BY SUCH PUPIL'S INDIVIDUALIZED EDUCATION PLAN AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

S 1337

BY EDUCATION COMMITTEE
AN ACT

RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING SECTION 33-5202A, IDAHO CODE, TO DEFINE TERMS AND TO REVISE A DEFINITION; AMENDING SECTION 33-5203, IDAHO CODE, TO PROVIDE AN ADDITIONAL WAY TO FORM A PUBLIC CHARTER SCHOOL AND TO SPECIFY THAT A CHARTER HOLDER MAY NOT OPERATE ENTERPRISES OTHER THAN THE PUBLIC CHARTER SCHOOLS FOR WHICH IT HAS BEEN AUTHORIZED; AMENDING SECTION

33-5204, IDAHO CODE, TO ALLOW PUBLIC CHARTER SCHOOL NONPROFIT BOARDS TO HOLD MULTIPLE CHARTERS UNDER CERTAIN CONDITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-5204, IDAHO CODE, AS AMENDED BY SECTION 71, CHAPTER 141, LAWS OF 2015, TO ALLOW PUBLIC CHARTER SCHOOL NONPROFIT BOARDS TO HOLD MULTIPLE CHARTERS UNDER CERTAIN CONDITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-5205, IDAHO CODE, TO REVISE PROVISIONS REGARDING PETITIONS TO ESTABLISH PUBLIC CHARTER SCHOOLS, TO REVISE CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 52, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-5205C, IDAHO CODE, TO PROVIDE FOR CHARTER SCHOOL REPLICATION AND RELATED PROVISIONS; AMENDING SECTION 33-5206, IDAHO CODE, TO REQUIRE REPLICATION PUBLIC CHARTER SCHOOLS TO ESTABLISH A CERTAIN ADMISSION PREFERENCE POLICY, TO ALLOW PUBLIC CHARTER SCHOOLS TO CONTRACT WITH EDUCATIONAL SERVICES PROVIDERS SUBJECT TO CERTAIN CONDITIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-5207, IDAHO CODE, TO PROVIDE THAT REPLICATION PUBLIC CHARTER SCHOOLS ARE SUBJECT TO PROVISIONS REGARDING CHARTER REPEAL PROCEDURES; AMENDING SECTION 33-5208, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-5209A, IDAHO CODE, TO REVISE PROVISIONS REGARDING ACCOUNTABILITY REQUIREMENTS; AMENDING SECTION 33-5209B, IDAHO CODE, TO REVISE PROVISIONS REGARDING CHARTER RENEWALS; AMENDING SECTION 33-5209C, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ENFORCEMENT, REVOCATION AND APPEAL PROCESS FOR CHARTER HOLDERS; AMENDING SECTION 33-5210, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN EXEMPTIONS, TO REMOVE A PROVISION THAT SUBJECTS CERTAIN PUBLIC CHARTER SCHOOLS TO CERTAIN RULES AND TO MAKE A TECHNICAL CORRECTION; AND PROVIDING AN EFFECTIVE DATE.

S 1338

BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO ABATEMENT OF PUBLIC NUISANCES; AMENDING CHAPTER 8, TITLE 31, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 31-831 THROUGH 31-834, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR DECLARATION OF A CATASTROPHIC PUBLIC NUISANCE AND TO PROVIDE AUTHORITY TO DECLARE AND DEMAND ABATEMENT, TO PROVIDE FOR EMERGENCY ABATEMENT OF A CATASTROPHIC PUBLIC NUISANCE AND TO PROVIDE FOR LIMITATIONS.

S 1339

BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO OIL AND GAS; AMENDING SECTION 47-317, IDAHO CODE, TO REMOVE PROVISIONS REGARDING EMPLOYMENT OF PERSONNEL AND CONTRACTING FOR SERVICES, TO PROVIDE FOR THE AUTHORITY OF THE DEPARTMENT OF LANDS, TO REMOVE CERTAIN PROVISIONS REGARDING HEARINGS, TO REMOVE PROVISIONS RELATING

TO THE DESIGNATION OF HEARING OFFICERS AND CONTESTED HEARINGS AND TO PROVIDE THAT THE COMMISSION SHALL FOLLOW CERTAIN PROCEDURES; AMENDING SECTION 47-318, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 47-320, IDAHO CODE, TO PROVIDE A PROCEDURE REGARDING APPLICATIONS FOR PERMITS OR CERTAIN AUTHORIZATIONS TO DRILL OR TREAT WELLS AND TO PROVIDE THAT THE DEPARTMENT OF LANDS SHALL COLLECT SPECIFIED FEES; AMENDING SECTION 47-321, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT SHALL HAVE SPECIFIED RESPONSIBILITIES ASSOCIATED WITH SPACING UNITS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 47-322, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT SHALL HAVE SPECIFIED RESPONSIBILITIES REGARDING INTEGRATION, TO REVISE PROVISIONS REGARDING INTEGRATION, TO PROVIDE FOR THE DESIGNATION OF OPERATORS FOR INTEGRATED UNITS, TO PROVIDE FOR OPTIONS TO BE SET FORTH IN INTEGRATION ORDERS, TO PROVIDE FOR APPLICATIONS FOR ORDERS OF INTEGRATION, TO PROVIDE FOR NOTICE TO CERTAIN OWNERS, TO PROVIDE FOR THE CONFIDENTIALITY OF CERTAIN INFORMATION AND TO PROVIDE THAT APPLICATIONS SHALL BE SUBJECT TO SPECIFIED PROCEDURES; AMENDING SECTION 47-323, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT SHALL HAVE SPECIFIED RESPONSIBILITIES REGARDING UNIT OPERATIONS AND TO REVISE PROVISIONS REGARDING APPLICATIONS FOR UNIT OPERATIONS; AMENDING SECTION 47-324, IDAHO CODE, TO REVISE AND TO SET FORTH PROVISIONS AND PROCEDURES ASSOCIATED WITH RULEMAKING, COMPLAINTS, APPLICATION FOR ORDERS, PETITIONS, ORDERS AND APPEALS AND TO PROVIDE FOR JUDICIAL REVIEW OF ACTIONS; AND DECLARING AN EMERGENCY.

S 1340

BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-1109, IDAHO CODE, TO PROVIDE A PROCESS FOR CLAIMS IN THE EVENT OF DAMAGE TO BEES AND BEEHIVES BY BEARS.

S 1341

BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO RESIDENTIAL CARE OR ASSISTED LIVING FACILITIES; AMENDING SECTION 39-3357, IDAHO CODE, TO PROVIDE THAT RESIDENTIAL OR ASSISTED LIVING FACILITIES MAY BE CITED ONLY FOR VIOLATIONS OF A REQUIREMENT THAT IS SPECIFIED IN AN APPLICABLE LAW OR RULE.

[S 1327](#), [S 1328](#), [S 1329](#), [S 1330](#), [S 1331](#), [S 1332](#), [S 1333](#), [S 1334](#), [S 1335](#), [S 1336](#), [S 1337](#), [S 1338](#), [S 1339](#), [S 1340](#), and [S 1341](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senators Anthon 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 Fifteenth Order of Business.

Miscellaneous Business

Senators Den Hartog, Souza, and Martin were recorded present at this order of business.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:35 p.m. until the hour of 10:30 a.m., Tuesday, February 16, 2016.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

**THIRTY-SEVENTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 16, 2016**

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Lodge, absent and formally excused by the Chair; and Senators Nuxoll, Rice, Schmidt, and Thayne, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Liberty Stokes, 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 15, 2016, 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 Rice and Nuxoll were 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

At this time Senator Davis arose on a point of personal privilege to announce that two distinguished visitors had arrived, and the President Pro Tempore appointed Senator Keough, Chairman, and Senators McKenzie and Stennett to escort United States Senators Crapo and Risch, into the Senate Chamber where they addressed the members of the Senate.

The President Pro Tempore thanked United States Senators Crapo and Risch for their remarks and Senator Keough, Chairman, and Senators McKenzie and Stennett escorted the Senators from the Chamber, and the Committee was discharged.

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

Reports of Standing Committees

February 16, 2016

The JUDICIARY AND RULES Committee reports that [SR 101](#), [SCR 142](#), [SCR 143](#), [SCR 144](#), [SCR 145](#), [SCR 146](#),

[S 1326](#), [S 1327](#), [S 1328](#), [S 1329](#), [S 1330](#), [S 1331](#), [S 1332](#), [S 1333](#), [S 1334](#), [S 1335](#), [S 1336](#), [S 1337](#), [S 1338](#), [S 1339](#), [S 1340](#), and [S 1341](#) have been correctly printed.

LODGE, Chairman

On request by Senator Davis, granted by unanimous consent, [SR 101](#), [SCR 142](#), [SCR 143](#) and [SCR 144](#) were referred to the Judiciary and Rules Committee.

Senators Schmidt and Thayne were recorded present at this order of business.

[SCR 145](#) and [SCR 146](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1326](#) was referred to the Health and Welfare Committee.

[S 1327](#), [S 1328](#), and [S 1329](#) were referred to the Judiciary and Rules Committee.

[S 1330](#), [S 1331](#), [S 1332](#), [S 1333](#), and [S 1334](#) were referred to the Education Committee.

[S 1335](#) was referred to the State Affairs Committee.

[S 1336](#) and [S 1337](#) were referred to the Education Committee.

[S 1338](#), [S 1339](#), and [S 1340](#) were referred to the Resources and Environment Committee.

[S 1341](#) was referred to the Health and Welfare Committee.

February 15, 2016

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

Peter J. Black to the Parks and Recreation Board, term to expire June 30, 2021.

BAIR, 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

February 15, 2016

Dear Mr. President:

I transmit herewith [HCR 32](#), [H 398](#), and [HCR 36](#), which have passed the House.

ALEXANDER, Chief Clerk

[HCR 32](#), [H 398](#), and [HCR 36](#) were filed for first reading.

February 15, 2016

Dear Mr. President:

I return herewith [S 1206](#), [S 1207](#), [S 1197](#), [S 1216](#), [S 1217](#), [S 1210](#), [S 1233](#), [S 1215](#), [S 1213](#), and [SCR 133](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1206](#), [S 1207](#), [S 1197](#), [S 1216](#), [S 1217](#), [S 1210](#), [S 1233](#), [S 1215](#), [S 1213](#), and [SCR 133](#) 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 appointment confirmation of Joe B. McNeal, Kevin Coyne Settles, Rayelle Anderson, Glen R. Gier, Erwin L. Sonnenberg, Jeffrey Betts, Matthew Allen Thomas, Michael David Johnston, Moira A. Lynch, William Dale Crawford, and Mike H. Matthews retained their place on the calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, [SCR 137](#) was placed at the head of the Tenth Order, followed by [SCR 138](#), followed by [SCR 136](#), followed by remaining bills.

The President Pro Tempore announced that [SCR 137](#) was before the Senate for final consideration.

Moved by Senator Bair, seconded by Senator Stennett, that [SCR 137](#) be adopted. The question being, "Shall the resolution be adopted?"

Pursuant to Rule 39(C), a roll call vote was requested by Senator Davis.

Senators Keough, Schmidt and Stennett supported the request for a roll call vote.

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Lodge. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [SCR 137](#) adopted, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that [SCR 138](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Bair, seconded by Senator Stennett, [SCR 138](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that [SCR 136](#) was before the Senate for final consideration.

Moved by Senator Stennett, seconded by Senator Bair, that [SCR 136](#) be adopted. The question being, "Shall the resolution be adopted?"

Pursuant to Rule 39(C), a roll call vote was requested by Senator Davis.

Senators Bair, Martin, Mortimer, Schmidt, Stennett and Winder supported the request for a roll call vote.

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lacey, Lakey, Lee, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

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

Total - 35.

Whereupon the President Pro Tempore declared [SCR 136](#) adopted, title was approved, and the resolution ordered transmitted 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

[HCR 32](#), by Agricultural Affairs Committee, was introduced, read at length, and referred to the Agricultural Affairs Committee.

[H 398](#), by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[HCR 36](#), by Commerce and Human Resources Committee, was introduced, read 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 1257](#), by Education Committee, was read the second time at length and filed for third reading.

[S 1250](#) and [S 1251](#), by Health and Welfare 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 12:05 p.m. until the hour of 10:30 a.m., Wednesday, February 17, 2016.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

**THIRTY-EIGHTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 17, 2016**

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:30 a.m.

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

Prayer was offered by Senator Mortimer.

The Pledge of Allegiance was led by Marshall Toryanski, 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, 2016, 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 16, 2016

The JUDICIARY AND RULES Committee reports that [S 1206](#), [S 1207](#), [S 1197](#), [S 1216](#), [S 1217](#), [S 1210](#), [S 1233](#), [S 1215](#), [S 1213](#), and [SCR 133](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1206](#), [S 1207](#), [S 1197](#), [S 1216](#), [S 1217](#), [S 1210](#), [S 1233](#), [S 1215](#), [S 1213](#), and [SCR 133](#) and ordered them transmitted to the House for the signature of the Speaker.

February 16, 2016

The TRANSPORTATION Committee reports out [S 1283](#) with the recommendation that it do pass.

BRACKETT, Chairman

[S 1283](#) was filed for second reading.

February 16, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1221](#), [S 1286](#), and [S 1287](#) with the recommendation that they do pass.

PATRICK, Chairman

[S 1221](#), [S 1286](#), and [S 1287](#) were filed for second reading.

February 16, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1285](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, [S 1285](#) was referred to the Fourteenth Order of Business, General Calendar.

February 16, 2016

The HEALTH AND WELFARE Committee reports out [H 335](#), [H 336](#), [H 337](#), [H 338](#), [H 339](#), and [H 340](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 335](#), [H 336](#), [H 337](#), [H 338](#), [H 339](#), and [H 340](#) were filed for second reading.

February 16, 2016

The EDUCATION Committee reports out [H 391](#), [H 392](#), [S 1279](#), and [S 1290](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 391](#), [H 392](#), [S 1279](#), and [S 1290](#) were filed for second reading.

February 16, 2016

The EDUCATION Committee reports out [S 1280](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, [S 1280](#) was referred to the Fourteenth Order of Business, General Calendar.

February 17, 2016

The STATE AFFAIRS Committee reports out [S 1218](#) and [S 1298](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[S 1218](#) and [S 1298](#) were filed for second reading.

February 17, 2016

The STATE AFFAIRS Committee reports out [S 1297](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, [S 1297](#) 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

February 16, 2016

Dear Mr. President:

I transmit herewith [HCR 42](#), which has passed the House.

ALEXANDER, Chief Clerk

[HCR 42](#) was filed for first reading.

February 16, 2016

Dear Mr. President:

I return herewith [SCR 132](#), which has passed the House.

ALEXANDER, Chief Clerk

[SCR 132](#) 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 Gubernatorial reappointment confirmation of Joe B. McNeal retained its place on the calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of William Dale Crawford retained its place on the calendar for one legislative day.

The President Pro Tempore announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Kevin Coyne Settles was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Stennett, the Gubernatorial reappointment of Kevin Coyne Settles as a member of the Idaho Commission on Human Rights 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 reappointment of Rayelle Anderson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Vick, seconded by Senator Lacey, the Gubernatorial reappointment of Rayelle Anderson 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 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 Agricultural Affairs Committee report relative to the Gubernatorial appointment of Glen R. Gier was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Patrick, seconded by Senator Burgoyne, the Gubernatorial appointment of Glen R. Gier 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 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 Erwin L. Sonnenberg was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Jordan, seconded by Senator Souza, the Gubernatorial appointment of Erwin L. Sonnenberg as a member of the Sexual Offender Management 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 Lodge was recorded present at this order of business.

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

On motion by Senator Davis, seconded by Senator Stennett, the Gubernatorial reappointment of Jeffrey Betts as a member of the Sexual Offender Management 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 Judiciary and Rules Committee report relative to the Gubernatorial appointment of Matthew Allen Thomas 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 Gubernatorial appointment of Matthew Allen Thomas as a member of the Sexual Offender Management 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 reappointment of Michael David Johnston was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Souza, seconded by Senator Jordan, the Gubernatorial reappointment of Michael David Johnston as a member of the Sexual Offender Management 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 Judiciary and Rules Committee report relative to the Gubernatorial appointment of Moira A. Lynch was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Burgoyne, seconded by Senator Lee, the Gubernatorial appointment of Moira A. Lynch as a member of the Sexual Offender Management 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 reappointment of Mike H. Matthews was before the Senate for final consideration, the question being, "Shall the report be adopted?"

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

On motion by Senator Anthon, seconded by Senator Burgoyne, the Gubernatorial reappointment of Mike H. Matthews as a member of the Commission on Pardons and Parole 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 Peter J. Black 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 Peter J. Black as a member of the Parks 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 [SJM 104](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Heider, seconded by Senator Stennett, [SJM 104](#) was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The President Pro Tempore announced that [SCR 139](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Thayn, seconded by Senator Buckner-Webb, [SCR 139](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that [SCR 140](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Thayn, seconded by Senator Ward-Engelking, [SCR 140](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that [SCR 141](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Thayn, seconded by Senator Ward-Engelking, [SCR 141](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted 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 1342 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO PUBLIC SCHOOL INSTRUCTION; REPEALING SECTION 33-1604, IDAHO CODE, RELATING TO BIBLE READING IN THE PUBLIC SCHOOLS; AND AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1604, IDAHO CODE, TO PROVIDE WHEN THE BIBLE IS PERMITTED TO BE USED IN THE PUBLIC SCHOOLS, WITH EXCEPTIONS.

[S 1342](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HCR 42](#), by Education 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 Davis, granted by unanimous consent, [H 446](#) was placed at the head of the Third Reading Calendar, followed by remaining bills.

[H 446](#) 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—Anthon, Bair, Bayer, Buckner-Webb, Burgoyne, Davis, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Ward-Engelking, Winder. Total - 28.

NAYS—Den Hartog, Nuxoll, Souza, Vick. Total - 4.

Absent and excused—Brackett, Hagedorn, Lakey. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [H 446](#) 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 12:05 p.m. until the hour of 11 a.m., Thursday, February 18, 2016.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

THIRTY-NINTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 18, 2016

Senate Chamber

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

Roll call showed all members present except Senators Burgoyne and Hagedorn, absent and formally excused by the Chair.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Mallory DeFord, 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, 2016, 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 18, 2016

The JUDICIARY AND RULES Committee reports that [S 1342](#) has been correctly printed.

LODGE, Chairman

[S 1342](#) was referred to the State Affairs Committee.

February 18, 2016

The JUDICIARY AND RULES Committee reports that [SCR 132](#) has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [SCR 132](#) and ordered it transmitted to the House for the signature of the Speaker.

February 17, 2016

The JUDICIARY AND RULES Committee reports out [S 1235](#) and [S 1255](#) with the recommendation that they do pass.

LODGE, Chairman

[S 1235](#) and [S 1255](#) were filed for second reading.

February 17, 2016

The JUDICIARY AND RULES Committee reports out [S 1256](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [S 1256](#) was referred to the Fourteenth Order of Business, General Calendar.

February 17, 2016

The EDUCATION Committee reports out [H 428](#), [HCR 31](#), [S 1266](#), and [S 1267](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 428](#), [S 1266](#), and [S 1267](#) were filed for second reading.

[HCR 31](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 17, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 346](#), [H 357](#), [H 386](#), and [H 405](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 346](#), [H 357](#), [H 386](#), and [H 405](#) were filed for second reading.

February 18, 2016

The HEALTH AND WELFARE Committee reports out [H 373](#), [S 1268](#), and [S 1294](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 373](#), [S 1268](#), and [S 1294](#) were filed for second reading.

February 18, 2016

The AGRICULTURAL AFFAIRS Committee reports out [S 1260](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

RICE, Chairman

There being no objection, [S 1260](#) 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 17, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that William B. Booth of Hayden, Idaho, was re-appointed as a member of the Northwest Power and Conservation Council to serve a term commencing January 15, 2016, and expiring January 15, 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.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 17, 2016

Dear Mr. President:

I transmit herewith [H 447](#), [H 441](#), [HJM 13](#), [HCR 33](#), [H 449](#), and [H 474](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 447](#), [H 441](#), [HJM 13](#), [HCR 33](#), [H 449](#), and [H 474](#) 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 1343

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO PAROLE; AMENDING SECTION 20-229B, IDAHO CODE, TO REVISE A PROVISION REGARDING ALLEGATIONS OF A VIOLATION OF THE CONDITIONS OF PAROLE.

[S 1343](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 447](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 441](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[HJM 13](#), by Resources and Conservation Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

[HCR 33](#), by Education Committee, was introduced, read at length, and referred to the Education Committee.

[H 449](#) and [H 474](#), 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

[S 1283](#), by Transportation Committee, was read the second time at length and filed for third reading.

[S 1221](#), [S 1286](#), and [S 1287](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[H 335](#), [H 336](#), [H 337](#), [H 338](#), [H 339](#), and [H 340](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 391](#), [H 392](#), [S 1279](#), and [S 1290](#), by Education Committee, were read the second time at length and filed for third reading.

[S 1218](#) and [S 1298](#), 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 Davis, granted by unanimous consent, [S 1246](#) retained its place on the Third Reading Calendar.

[S 1261](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Davis, Den Hartog, Guthrie, Harris, 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—None.

Absent and excused—Burgoyne, Hagedorn. Total - 2.

Total - 35.

Whereupon the President declared [S 1261](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1263](#) 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?"

President Little called President Pro Tempore Hill to the Chair.

Roll call resulted as follows:

AYES—Davis, Heider, Keough, Martin, McKenzie, Ward-Engelking, Winder. Total - 7.

NAYS—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Den Hartog, Guthrie, Harris, Hill, Johnson, Jordan, Lacey, Lakey, Lee, Lodge, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick. Total - 26.

Absent and excused—Burgoyne, Hagedorn. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared that [S 1263](#) had failed to pass the Senate and ordered the bill 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

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:15 p.m. until the hour of 5 p.m. of this day.

**RECESS
AFTERNOON SESSION**

The Senate reconvened at 5 p.m. President Little assumed the Chair.

Roll call showed all members present except Senators Anthon, Brackett, Den Hartog, Johnson, Lee, Mortimer, Nonini, Rice, Souza, Thayn, and Ward-Engelking, absent and excused.

Prior to recess the Senate was at the Fourth Order of Business, Reading of Communications.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 18, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 432](#), [S 1264](#), [S 1314](#), and [S 1318](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 432](#), [S 1264](#), [S 1314](#), and [S 1318](#) were filed for second reading.

February 18, 2016

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:

Terry Gestrin to the State Insurance Fund Board, term to expire December 1, 2016.

PATRICK, 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 18, 2016

The TRANSPORTATION Committee reports out [S 1311](#) with the recommendation that it do pass.

BRACKETT, Chairman

[S 1311](#) was filed for second reading.

February 18, 2016

The TRANSPORTATION Committee reports out [S 1312](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, [S 1312](#) was referred to the Fourteenth Order of Business, General Calendar.

February 18, 2016

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

Daniel Scott to the Aeronautics Advisory Board, term to expire January 31, 2021.

BRACKETT, 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 18, 2016

The HEALTH AND WELFARE Committee reports out [H 374](#), [H 375](#), and [S 1281](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 374](#), [H 375](#), and [S 1281](#) were filed for second reading.

Senator Johnson 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

[S 1246](#) 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—Anthon, Bair, Bayer, Brackett, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Vick, Ward-Engelking, Winder. Total - 28.

NAYS—Buckner-Webb, Burgoyne, Jordan, Stennett. Total - 4.

Absent and excused—Mortimer, Souza, Thayn. Total - 3.

Total - 35.

Whereupon the President declared [S 1246](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1270](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 32.

NAYS—Den Hartog, Nuxoll, Vick. Total - 3.

Total - 35.

Whereupon the President declared [S 1270](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1271](#) 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—Anthon, Bair, Brackett, Buckner-Webb, Burgoyne, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Ward-Engelking, Winder. Total - 29.

NAYS—Bayer, Den Hartog, Nonini, Nuxoll, Souza, Vick. Total - 6.

Total - 35.

Whereupon the President declared [S 1271](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 352](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 352](#) passed, title was approved, and the bill ordered returned to the House.

[H 359](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 359](#) passed, title was approved, and the bill ordered returned to the House.

[H 360](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 360](#) passed, title was approved, and the bill ordered returned to the House.

[H 376](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 376](#) passed, title was approved, and the bill ordered returned to the House.

[S 1232](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [S 1232](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1249](#) 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?"

President Little called President Pro Tempore Hill to the Chair.

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President Pro Tempore declared [S 1249](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, [S 1248](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1222](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President Pro Tempore declared [S 1222](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1223](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President Pro Tempore declared [S 1223](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1224](#) 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?"

On request by Senator Davis, granted by unanimous consent, [S 1224](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1225](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President Pro Tempore declared [S 1225](#) passed, title was approved, and the bill ordered transmitted to the House.

Having voted on the prevailing side by which [S 1225](#) passed the Senate, Senator Davis served notice that he may on this or the next legislative day move for reconsideration of the vote.

[S 1225](#) was ordered held at the Secretary's desk.

On request by Senator Davis, granted by unanimous consent, [SJR 101](#) was 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 6:05 p.m. until the hour of 10:30 a.m., Friday, February 19, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

**FORTIETH LEGISLATIVE DAY
FRIDAY, FEBRUARY 19, 2016**

Senate Chamber

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

Roll call showed all members present except Senator Buckner-Webb, absent and formally excused by the Chair; and Senator Rice, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Aleena Follett, 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, 2016, 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 19, 2016

The JUDICIARY AND RULES Committee reports that [S 1343](#) has been correctly printed.

LODGE, Chairman

[S 1343](#) was referred to the Judiciary and Rules Committee.

February 18, 2016

The EDUCATION Committee reports out [S 1291](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, [S 1291](#) was referred to the Fourteenth Order of Business, General Calendar.

February 18, 2016

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:

Emma Lou Atchley to the State Board of Education, term to expire July 1, 2020.

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 19, 2016

The STATE AFFAIRS Committee reports out [HCR 42](#) with the recommendation that it do pass.

MCKENZIE, Chairman

[HCR 42](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Rice was recorded present at this order of business.

February 19, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 431](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[H 431](#) 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 18, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Susan Elizabeth Buxton of Boise, Idaho, was appointed as the Administrator of the Division of Human Resources to serve a term effective March 1, 2016. Under Idaho law Administrator Buxton serves at the pleasure of the Governor; however, pursuant to Idaho Code 59-904, under no circumstances shall her appointment extend beyond the Governor's term.

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 18, 2016

Dear Mr. President:

I transmit herewith [H 486](#), [H 452](#), and [H 439](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 486](#), [H 452](#), and [H 439](#) were filed for first reading.

February 18, 2016

Dear Mr. President:

I return herewith Enrolled [S 1206](#), [S 1207](#), [S 1197](#), [S 1216](#), [S 1217](#), [S 1210](#), [S 1233](#), [S 1215](#), and [S 1213](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1206](#), [S 1207](#), [S 1197](#), [S 1216](#), [S 1217](#), [S 1210](#), [S 1233](#), [S 1215](#), and [S 1213](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

February 18, 2016

Dear Mr. President:

I return herewith Enrolled [SCR 133](#), which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [SCR 133](#) was 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

[S 1225](#) having been held at the desk for possible reconsideration of the vote by which it passed the Senate, and no motion for reconsideration having been received, [S 1225](#) was 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 1344 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-104, IDAHO CODE, TO REVISE PROVISIONS REGARDING CONTROLLED HUNTS; AND AMENDING CHAPTER 1, TITLE 36, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 36-104A, IDAHO CODE, TO PROVIDE FOR CONTRACTS WITH PRIVATE ENTITIES TO CONDUCT DRAWINGS FOR CONTROLLED HUNT PERMITS AND TAGS, TO PROVIDE A PROCEDURE AND TO PROVIDE FOR RULEMAKING.

S 1345 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO INSURANCE PRODUCER LICENSING; AMENDING SECTION 41-1016, IDAHO CODE, TO PROVIDE A CAUSE OR VIOLATION FOR THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO SUSPEND, REVOKE OR REFUSE TO ISSUE OR CONTINUE A PRODUCER LICENSE.

S 1346 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO STATE EMPLOYEE HEALTH PLANS; AMENDING SECTION 67-5761B, IDAHO CODE, TO CLARIFY THAT THE DEPARTMENT OF ADMINISTRATION SHALL OFFER A HEALTH SAVINGS ACCOUNT PROGRAM, TO PROVIDE FOR A HEALTH SAVINGS ACCOUNT ADMINISTRATOR AND TO PROVIDE THAT STATE EMPLOYERS SHALL DEPOSIT A CERTAIN AMOUNT INTO A HEALTH SAVINGS ACCOUNT; AND PROVIDING AN EFFECTIVE DATE.

S 1347 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO TAX DEED SALES; AMENDING SECTION 31-808, IDAHO CODE, TO TRANSFER THE AUTHORITY AND RESPONSIBILITY OF HANDLING EXCESS PROCEEDS FROM TAX DEED SALES TO THE STATE TREASURER.

S 1348 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO TAX DEEDS; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 43-720, IDAHO CODE, TO PROVIDE FOR TAX DEED PURPOSES THAT THE TERM "ENCUMBRANCES" DOES NOT INCLUDE EASEMENTS, HIGHWAYS AND RIGHTS-OF-WAY; AMENDING SECTION 50-1823, IDAHO CODE, TO PROVIDE FOR TAX DEED PURPOSES THAT THE TERM "ENCUMBRANCES" DOES NOT INCLUDE EASEMENTS, HIGHWAYS AND RIGHTS-OF-WAY; AMENDING SECTION 63-1009, IDAHO CODE, TO PROVIDE FOR TAX DEED PURPOSES THAT THE TERM "ENCUMBRANCES" DOES NOT INCLUDE EASEMENTS, HIGHWAYS AND RIGHTS-OF-WAY; AND DECLARING AN EMERGENCY.

S 1349 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE IDAHO UNBORN INFANTS DIGNITY ACT; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 93, TITLE 39, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE LEGISLATIVE FINDINGS AND PURPOSE, TO DEFINE TERMS, TO PROVIDE FOR FINAL DISPOSITION OF CERTAIN REMAINS, TO PROVIDE FOR CERTAIN FETAL DEATH CERTIFICATES, TO PROVIDE PROHIBITIONS, TO REQUIRE INFORMED CONSENT FOR EXPERIMENTATION UNDER CERTAIN

CIRCUMSTANCES, TO ESTABLISH CRIMINAL PENALTIES, TO PROVIDE DUTIES OF THE ATTORNEY GENERAL AND PROSECUTING ATTORNEYS, TO PROVIDE FOR CERTAIN CIVIL AND ADMINISTRATIVE ACTIONS AND TO PROVIDE FOR STATUTORY CONSTRUCTION; AND PROVIDING SEVERABILITY.

[S 1344](#), [S 1345](#), [S 1346](#), [S 1347](#), [S 1348](#), and [S 1349](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 486](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 452](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 439](#), by Judiciary, Rules, and Administration 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

[S 1235](#) and [S 1255](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[H 428](#), [S 1266](#), and [S 1267](#), by Education Committee, were read the second time at length and filed for third reading.

[H 346](#), [H 357](#), and [H 386](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

[H 405](#), by Local Government Committee, was read the second time at length and filed for third reading.

[H 373](#), [S 1268](#), and [S 1294](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 432](#), by Business Committee, was read the second time at length and filed for third reading.

[S 1264](#), [S 1314](#), and [S 1318](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[S 1311](#), by Transportation Committee, was read the second time at length and filed for third reading.

[H 374](#), [H 375](#), and [S 1281](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

President Little called President Pro Tempore Hill to the Chair.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[SJR 101](#) 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 resolution and opened the debate. The question being, "Shall the resolution be adopted?"

Pursuant to Senate Rule 39(H), President Pro Tempore Hill disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared [SJR 101](#) adopted, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, [S 1248](#) retained its place on the Third Reading Calendar.

On request by Senator Stennett, granted by unanimous consent, [S 1224](#) was referred to the Fourteenth Order of Business, General Calendar.

[S 1244](#) 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?"

Call of the Senate was requested by Senator Keough.

Whereupon the President Pro Tempore 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 Senators Buckner-Webb, McKenzie, and Thayn, absent and formally excused by the Chair; and Senators Brackett, Heider, Martin, and Rice, absent and excused.

The President Pro Tempore directed the Sergeant at Arms to find and present Senators Brackett, Heider, Martin, and Rice to the Senate.

Senators Brackett, Heider, Martin, and Rice were recorded present.

On request by Senator Keough, granted by unanimous consent, the Call was lifted.

President Little returned to the Chair.

Pursuant to Senate Rule 39(H), Senators Guthrie and Nonini disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Buckner-Webb, McKenzie, Thayn. Total - 3.

Total - 35.

Whereupon the President declared [S 1244](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1214](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Buckner-Webb, McKenzie, Thayn. Total - 3.

Total - 35.

Whereupon the President declared [S 1214](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1258](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Hagedorn. Total - 1.

Absent and excused—Buckner-Webb, McKenzie, Mortimer, Thayn. Total - 4.

Total - 35.

Whereupon the President declared [S 1258](#) 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 Stennett, by voice vote, the Senate adjourned at 11:35 a.m. until the hour of 10:30 a.m., Monday, February 22, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FORTY-THIRD LEGISLATIVE DAY
MONDAY, FEBRUARY 22, 2016

Senate Chamber

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

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Alaire Chambers, 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, 2016, 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 22, 2016

The JUDICIARY AND RULES Committee reports that [S 1344](#), [S 1345](#), [S 1346](#), [S 1347](#), [S 1348](#), and [S 1349](#) have been correctly printed.

LODGE, Chairman

[S 1344](#) was referred to the Resources and Environment Committee.

[S 1345](#) and [S 1346](#) were referred to the Commerce and Human Resources Committee.

[S 1347](#) and [S 1348](#) were referred to the Local Government and Taxation Committee.

[S 1349](#) was referred to the State Affairs Committee.

February 19, 2016

The JUDICIARY AND RULES Committee reports that Enrolled [S 1206](#), [S 1207](#), [S 1197](#), [S 1216](#), [S 1217](#), [S 1210](#), [S 1233](#), [S 1215](#), and [S 1213](#) were delivered to the Office of the Governor at 11:40 a.m., February 19, 2016.

LODGE, Chairman

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

February 19, 2016

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 133](#) was delivered to the Office of the Secretary of State at 11:41 a.m., February 19, 2016.

LODGE, Chairman

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

February 19, 2016

The RESOURCES AND ENVIRONMENT Committee reports out [S 1237](#), [S 1238](#), [S 1239](#), [S 1339](#), and [S 1340](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1237](#), [S 1238](#), [S 1239](#), [S 1339](#), and [S 1340](#) were filed for second reading.

February 19, 2016

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

Chris Charles Beck to the Oil and Gas Commission, term to expire July 1, 2019.

BAIR, 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

February 19, 2016

Dear Mr. President:

I transmit herewith [H 461](#) and [H 463](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 461](#) and [H 463](#) were filed for first reading.

February 19, 2016

Dear Mr. President:

I transmit herewith Enrolled [H 446](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 446](#) and ordered it returned to the House.

February 19, 2016

Dear Mr. President:

I return herewith Enrolled [SCR 132](#), which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [SCR 132](#) was 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 announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Joe B. McNeal 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 Joe B. McNeal 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 Judiciary and Rules Committee report relative to the Gubernatorial appointment of William Dale Crawford was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Stennett, the Gubernatorial appointment of William Dale Crawford 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 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 reappointment of Terry Gestrin was before the Senate for final consideration, the question being, "Shall the report be adopted?"

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

On motion by Senator Thayn, seconded by Senator Burgoyne, the Gubernatorial reappointment of Terry Gestrin 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 Transportation Committee report relative to the Gubernatorial reappointment of Daniel Scott 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 Daniel Scott as a member of the Aeronautics 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.

Senator McKenzie was recorded present at this order of business.

The President announced that the Education Committee report relative to the Gubernatorial reappointment of Emma Lou Atchley was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Mortimer, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Emma Lou Atchley 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 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 145](#) was before the Senate for final consideration.

Moved by Senator Mortimer, seconded by Senator Hagedorn, that [SCR 145](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Siddoway. Total - 1.

Total - 35.

Whereupon the President declared [SCR 145](#) adopted, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 146](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Hagedorn, seconded by Senator Buckner-Webb, [SCR 146](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [HCR 31](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Ward-Engelking, [HCR 31](#) 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, [HCR 42](#) retained its place on the calendar for Thursday, February 25, 2016.

The Senate advanced to the Eleventh Order of Business.

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

[H 461](#), by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 463](#), by Business 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 431](#), by Revenue 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

[S 1248](#) 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), Senators Lakey and Thayn disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Keough, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Souza, Thayn, Vick, Winder. Total - 22.

NAYS—Anthon, Buckner-Webb, Burgoyne, Davis, Harris, Johnson, Jordan, Lacey, Lee, Schmidt, Siddoway, Stennett, Ward-Engelking. Total - 13.

Total - 35.

Whereupon the President declared [S 1248](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1262](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [S 1262](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, [S 1265](#) retained its place on the Third Reading Calendar for Wednesday, February 24, 2016.

[S 1231](#) 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, Brackett, Buckner-Webb, Burgoyne, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Rice, Schmidt, Stennett, Ward-Engelking, Winder. Total - 23.

NAYS—Anthon, Bayer, Den Hartog, Harris, Mortimer, Nonini, Nuxoll, Patrick, Siddoway, Souza, Thayn, Vick. Total - 12.

Total - 35.

Whereupon the President declared [S 1231](#) passed, title was approved, and the bill ordered transmitted to the House.

The Senate advanced to the Fourteenth Order of Business.

General Calendar

On request by Senator Davis, granted by unanimous consent, [S 1224](#) was returned to the third reading calendar.

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, [S 1224](#) was 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 12:05 p.m. until the hour of 10:30 a.m., Tuesday, February 23, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FORTY-FOURTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 23, 2016

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:30 a.m.

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Nellie 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 22, 2016, 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 147

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND
RECOGNIZING NATIONAL WOMEN'S HISTORY MONTH.

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

WHEREAS, at the time of the American Revolution, the notion of education as a safeguard for democracy created opportunities for girls to receive a basic education; and

WHEREAS, advocates of secondary education for women faced arguments from physicians and others who claimed that females were incapable of intellectual development equal to men, and that they would be harmed by striving for it; and

WHEREAS, against social convention and often legal restraints, women have created a legacy in Idaho and in the world that demonstrates their character, courage and commitment to asserting their human dignity and equality. An early example is Emma Edwards Green, who designed the Idaho state seal and described in it the figure of a woman "signifying justice,

as noted by the scales; liberty, as denoted by the liberty cap on the end of the spear, and equality with man as denoted by her position at his side, also signifies freedom." Other examples include Elizabeth Ingram, a schoolteacher who formed the first women's suffrage organization in Idaho in 1893; Helen Louise Young, who was admitted as the first woman lawyer in Idaho; and Clara Campbell, Hattie Noble, and Mary A. Wright, who were the first women to serve as Idaho state legislators in 1898. While these women were inspirational for their achievements, they were also a rarity; and

WHEREAS, while Idaho voters made Idaho the fourth state to extend the right to vote to women, Elizabeth Cady Stanton and Susan B. Anthony were campaigning on the national front for women's suffrage in 1896, and similar struggles were taking place around the world; and

WHEREAS, on March 19, 1911, the first International Women's Day was observed in Austria, Denmark, Germany and Switzerland, with both men and women attending rallies concerning a woman's right to work under decent labor conditions, to vote, to be educated, to hold public office and to hold other rights denied to women; and

WHEREAS, following 1911, International Women's Day has been observed each year on March 8th and is a platform for celebrating women's progress and for bringing attention to gaps in gender equality where they still exist; and

WHEREAS, in 1981, Congress passed a resolution making Women's History Week a national observance, extending it in 1987 to Women's History Month for the entire month of March each year; and

WHEREAS, the women of Idaho of every race, class and ethnic background have made historic contributions to the growth and strength of our state in countless recorded and unrecorded ways; and

WHEREAS, the women of Idaho have played and continue to play a critical economic, cultural, and social role in every sphere of the life of our state by constituting a significant portion of the labor force working inside and outside of the home, and these contributions have been historically overlooked and undervalued in the teaching of history; and

WHEREAS, women constitute 52% of Idaho's population and have proven their skill in holding elected office, serving on boards or commissions and in leadership positions in both private and public sectors. We recognize that the state and her citizens are best served when women participate in the public arena and in leadership positions to the fullest extent of their capabilities.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that March 2016 is recognized as Women's History Month, and the citizens of Idaho are invited and encouraged to learn about the roles that Idaho women have played throughout the history of our nation and state and to support and look forward to women's accomplishments in the future.

SCR 147 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 22, 2016

The JUDICIARY AND RULES Committee reports that Enrolled **SCR 132** was delivered to the Office of the Secretary of State at 11:35 a.m., February 22, 2016.

LODGE, Chairman

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

February 22, 2016

The STATE AFFAIRS Committee reports out [HCR 30](#) and [S 1212](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[HCR 30](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1212](#) was filed for second reading.

February 22, 2016

The JUDICIARY AND RULES Committee reports out [S 1253](#), [S 1276](#), and [S 1277](#) with the recommendation that they do pass.

LODGE, Chairman

[S 1253](#), [S 1276](#), and [S 1277](#) were filed for second reading.

February 22, 2016

The RESOURCES AND ENVIRONMENT Committee reports out [S 1240](#), [S 1241](#), [S 1242](#), [S 1278](#), [S 1304](#), and [S 1344](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1240](#), [S 1241](#), [S 1242](#), [S 1278](#), [S 1304](#), and [S 1344](#) were filed for second reading.

February 22, 2016

The HEALTH AND WELFARE Committee reports out [S 1295](#) and [S 1296](#) with the recommendation that they do pass.

HEIDER, Chairman

[S 1295](#) and [S 1296](#) were filed for second reading.

February 22, 2016

The EDUCATION Committee reports out [S 1320](#), [S 1333](#), and [S 1334](#) with the recommendation that they do pass.

MORTIMER, Chairman

[S 1320](#), [S 1333](#), and [S 1334](#) were filed for second reading.

February 22, 2016

The EDUCATION Committee reports out [H 379](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, [H 379](#) was 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

February 22, 2016

Dear Mr. President:

I transmit herewith [H 476](#), [H 455](#), [H 456](#), and [H 471](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 476](#), [H 455](#), [H 456](#), and [H 471](#) 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 Gubernatorial reappointment of Chris Charles Beck was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Vick, seconded by Senator Lacey, the Gubernatorial reappointment of Chris Charles Beck as a member of the Oil and Gas 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 1350

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE IDAHO LIMITED ARTICLE V CONVENTION ACT; PROVIDING LEGISLATIVE INTENT; AMENDING TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 16, TITLE 34, IDAHO CODE, TO PROVIDE THE IDAHO LIMITED ARTICLE V CONVENTION ACT, TO DEFINE TERMS, TO PROVIDE FOR INSTRUCTION TO DELEGATES, TO PROVIDE LIMITATIONS ON THE AUTHORITY OF DELEGATES, TO PROVIDE DUTIES OF THE SECRETARY OF STATE AND TO PROVIDE A CITATION.

S 1351

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO PRISONERS; AMENDING SECTION 20-617, IDAHO CODE, TO PROVIDE THAT CERTAIN CONFINED PERSONS MAY BE REQUIRED TO PERFORM LABOR ON COMMUNITY SERVICE PROJECTS.

S 1352

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO GUARDIANS OF MINORS; AMENDING SECTION 15-5-210, IDAHO CODE, TO PROVIDE THAT A GUARDIAN'S AUTHORITY AND RESPONSIBILITY SHALL TERMINATE UPON TERMINATION OF THE GUARDIANSHIP AND TO REVISE A PROVISION REGARDING THE RESIGNATION OF A GUARDIAN; AND AMENDING SECTION 15-5-212, IDAHO CODE, TO PROVIDE FOR PROCEEDINGS FOR THE MODIFICATION

OR TERMINATION OF A GUARDIANSHIP AND TO MAKE TECHNICAL CORRECTIONS.

[S 1350](#), [S 1351](#), and [S 1352](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 476](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 455](#) and [H 456](#), by Agricultural Affairs Committee, were introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 471](#), by Transportation and Defense Committee, was 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

[S 1237](#), [S 1238](#), [S 1239](#), [S 1339](#), and [S 1340](#), by Resources and Environment 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 Lakey, granted by unanimous consent, [S 1257](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1224](#), 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 Stennett arose as sponsor of the bill and reopened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

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

Total - 35.

Whereupon the President Pro Tempore declared [S 1224](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1250](#) 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—Anthon, Bair, Bayer, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

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

Total - 35.

Whereupon the President Pro Tempore declared [S 1250](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1251](#) 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—Anthon, Bair, Bayer, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

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

Total - 35.

Whereupon the President Pro Tempore declared [S 1251](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1283](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President Pro Tempore declared [S 1283](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1221](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President Pro Tempore declared [S 1221](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1286](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President Pro Tempore declared [S 1286](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1287](#) 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—Anthon, Bair, Brackett, Buckner-Webb, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Schmidt, Siddoway, Stennett, Thayn, Ward-Engelking, Winder. Total - 25.

NAYS—Bayer, Burgoyne, Den Hartog, Johnson, Jordan, Nonini, Nuxoll, Rice, Souza, Vick. Total - 10.

Total - 35.

Whereupon the President Pro Tempore declared [S 1287](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1279](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Schmidt. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1279](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1290](#) 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—Anthon, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—Bair. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1290](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Lakey, 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 362](#), [S 1285](#), [S 1280](#), [S 1297](#), [S 1312](#), and [S 1291](#), without recommendation, amended as follows:

SENATE AMENDMENT TO H 362 AMENDMENT TO SECTION 1

On page 2 of the printed bill, delete lines 22 through 27, and insert:

"(12) "Person" means ~~every~~ any individual, ~~partnership, corporation, organization, or association holding a retail liquor license~~ business corporation, nonprofit corporation, benefit corporation as defined in section 30-2002(1), Idaho Code, partnership, limited partnership, limited liability company, general cooperative association, limited cooperative association, estate, unincorporated nonprofit association, statutory trust, business trust, common-law business trust, estate trust, association, joint venture, public corporation, government or governmental subdivision, agency or instrumentality, any entity defined in section 30-21-102, Idaho Code, or any other commercial entity, whether conducting the business singularly or collectively."

SENATE AMENDMENT TO S 1285 AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 20, delete "contingent" and insert: "restricted"; in line 21, delete "contingent on the" and insert: "restricted to those licensees"; in line 22, delete "licensee"; also in line 22, following "state" insert: "and teaching upper division engineering courses"; and in line 24, following "rule." insert: "As used in this section, "restricted license" means a license to teach college or university upper division courses with an earned doctorate but without passing a technical examination."

CORRECTION TO TITLE

On page 1, in line 4, delete "AND" and insert: ","; in line 5, delete "CONTINGENT" and insert: "RESTRICTED"; and in line 6, following "CONDITIONS" insert: "AND TO DEFINE A TERM".

SENATE AMENDMENT TO S 1280 AMENDMENT TO SECTION 1

On page 4 of the printed bill, delete lines 6 through 11, and insert:

"(3) Notwithstanding the provisions of subsections (1) and (2) of this section, the following students shall be considered nonresidents for tuition purposes:

(a) A student attending an Idaho public institution of higher education with financial assistance provided by another country or governmental unit or agency thereof. Such nonresidency shall continue for twelve (12) months

after the completion of the last semester for which such assistance was provided.

(b) A student who is not a United States citizen, unless lawfully present in the United States."

SENATE AMENDMENT TO S 1297

AMENDMENT TO THE BILL

On page 2 of the printed bill, following line 47, insert:

"SECTION 3. That Section 34-404, Idaho Code, be, and the same is hereby amended to read as follows:

34-404. REGISTRATION OF ELECTORS. (1) All electors must register before being able to vote at any primary, general, special, school or any other election governed by the provisions of title 34, Idaho Code. Registration of a qualified person occurs when a legible, accurate and complete registration ~~card~~ application is received in the office of the county clerk or is received at the polls pursuant to section 34-408A, Idaho Code.

(2) Each elector may select on the registration ~~card~~ application an affiliation with a political party qualified to participate in elections pursuant to section 34-501, Idaho Code, or may select to be designated as "unaffiliated." The county clerk shall record the party affiliation or "unaffiliated" designation so selected as part of the elector's registration record. If an elector shall fail or refuse to make such a selection, the county clerk shall enter on the registration records that such elector is "unaffiliated."

(3) In order to provide an elector with the appropriate primary election ballot, pursuant to section 34-904A, Idaho Code, the poll book for primary elections shall include the party affiliation or designation as "unaffiliated" for each elector so registered. An "unaffiliated" elector shall declare to the poll worker which primary election ballot the elector chooses to vote in, pursuant to section 34-904A, Idaho Code, and the poll worker or other authorized election personnel shall record such declaration in the poll book. The poll book shall contain checkoff boxes to allow the poll worker or other authorized election personnel to record such "unaffiliated" elector's selection.

(4) In order to provide electors who are already registered to vote, and who remain registered electors, with an opportunity to select a party affiliation or to select their status as "unaffiliated," the poll book for the 2012 primary election shall include checkoff boxes by which the poll worker or other appropriate election personnel shall record such elector's choice of party affiliation or choice to be designated as "unaffiliated." After the 2012 primary election, the county clerk shall record the party affiliation or "unaffiliated" designation so selected in the poll book as part of such an elector's record within the voter registration system as provided for in section 34-437A, Idaho Code.

(5) After the 2012 primary election, electors who remain registered voters and who did not vote in the 2012 primary election or who have not selected party affiliation or who have not selected to be designated as "unaffiliated," shall be designated as "unaffiliated" and the county clerk shall record that designation for each such elector within the voter registration system as provided for in section 34-437A, Idaho Code.

SECTION 4. That Section 34-408, Idaho Code, be, and the same is hereby amended to read as follows:

34-408. CLOSING OF REGISTER – TIME LIMIT. (1) No elector may register in the office of the county clerk within twenty-four (24) days preceding any election held throughout the county in which he resides for the purpose of

voting at such election; provided however, a legible, accurate and complete registration ~~card~~ application received in the office of the county clerk during the twenty-four (24) day period preceding an election shall be accepted and held by the county clerk until the day following the election when registration reopens, at which time the registration shall become effective. This deadline shall also apply to any registrars the county clerk may have appointed.

(2) Any elector who will complete his residence requirement or attain the requisite voting age during the period when the register of electors is closed may register prior to the closing of the register.

(3) Notwithstanding subsection (1) of this section, an individual who is eligible to vote may also register, upon providing proof of residence, at the "absent electors' polling place" provided in section 34-1006, Idaho Code.

SECTION 5. That Section 34-408A, Idaho Code, be, and the same is hereby amended to read as follows:

34-408A. ELECTION DAY REGISTRATION. An individual who is eligible to vote may register on election day by appearing in person at the polling place for the precinct in which the individual maintains residence, by completing a registration ~~card~~ application, making an oath in the form prescribed by the secretary of state and providing proof of residence. An individual may prove residence for purposes of registering by:

(1) Showing an Idaho driver's license or Idaho identification ~~card~~ application issued through the department of transportation; or

(2) Showing any document which contains a valid address in the precinct together with a picture identification ~~card~~ application; or

(3) Showing a current valid student photo identification ~~card~~ application from a postsecondary educational institution in Idaho accompanied with a current student fee statement that contains the student's valid address in the precinct.

Election day registration provided in this section shall apply to all elections conducted under title 34, Idaho Code, and to school district and municipal elections.

An individual who is eligible to vote may also register, upon providing proof of residence, at the "absent electors' polling place" provided in section 34-1006, Idaho Code.

SECTION 6. That Section 34-416, Idaho Code, be, and the same is hereby amended to read as follows:

34-416. REGISTRATION CARDS
APPLICATIONS. (1) The registration ~~card~~ application shall contain the following warning:

WARNING: Any elector who supplies any information, knowing it to be false, is guilty of perjury.

(2) The elector shall read the warning set forth in subsection (1) of this section and shall sign his name in an appropriate place on the completed ~~card~~ application.

(3) The registration ~~card~~ application completed and signed as provided in this section constitutes the official registration ~~card~~ application of the elector. The county clerk shall keep and file all such ~~cards~~ applications in a convenient manner in his office. Such ~~cards~~ applications constitute the register of electors and shall be considered confidential and unavailable for public inspection and copying except as provided by subsection (25) of section 74-106, Idaho Code.

SECTION 7. That Section 34-419, Idaho Code, be, and the same is hereby amended to read as follows:

34-419. SUSPENSION OF REGISTRATION OF ELECTORS WHO APPEAR NOT TO BE CITIZENS OF THE UNITED STATES. The county clerk shall remove from the register of electors the official registration ~~and~~ application of any elector who appears by the registration records in the office of the county clerk not to be a citizen of the United States and shall suspend the registration of such elector. The county clerk shall mail a written notice of such removal and suspension to the elector at his residence address indicated on the ~~and~~ application. If the elector proves to the county clerk that he is in fact a citizen of the United States, his ~~and~~ application shall be replaced in the register and his registration reinstated.

SECTION 8. That Section 34-420, Idaho Code, be, and the same is hereby amended to read as follows:

34-420. NO ELECTOR'S REGISTRATION SHALL BE CANCELLED WHILE HE IS SERVING IN THE ARMED FORCES – EXCEPTION. (1) Except as provided in section 34-435, Idaho Code, no elector's registration shall be cancelled, nor shall he be deprived of his right to vote at any election by reason of the removal of his official registration ~~and~~ application from the register of electors, during any period that he is serving in the armed forces of the United States or of any ally of the United States.

(2) In order to facilitate the implementation of the provisions of subsection (1) of this section, the one hundred twenty (120) day limitation in section 34-435, Idaho Code, shall be waived for the year 1987, in order to allow military registrations to be cancelled by the county clerk in calendar year 1987.

SECTION 9. That Section 74-106, Idaho Code, be, and the same is hereby amended to read as follows:

74-106. RECORDS EXEMPT FROM DISCLOSURE – PERSONNEL RECORDS, PERSONAL INFORMATION, HEALTH RECORDS, PROFESSIONAL DISCIPLINE. The following records are exempt from disclosure:

(1) Except as provided in this subsection, all personnel records of a current or former public official other than the public official's public service or employment history, classification, pay grade and step, longevity, gross salary and salary history, status, workplace and employing agency. All other personnel information relating to a public employee or applicant including, but not limited to, information regarding sex, race, marital status, birth date, home address and telephone number, applications, testing and scoring materials, grievances, correspondence and performance evaluations, shall not be disclosed to the public without the employee's or applicant's written consent. Names of applicants to classified or merit system positions shall not be disclosed to the public without the applicant's written consent. Disclosure of names as part of a background check is permitted. Names of the five (5) final applicants to all other positions shall be available to the public. If such group is less than five (5) finalists, then the entire list of applicants shall be available to the public. A public official or authorized representative may inspect and copy his personnel records, except for material used to screen and test for employment.

(2) Retired employees' and retired public officials' home addresses, home telephone numbers and other financial and nonfinancial membership records; active and inactive member

financial and membership records and mortgage portfolio loan documents maintained by the public employee retirement system. Financial statements prepared by retirement system staff, funding agents and custodians concerning the investment of assets of the public employee retirement system of Idaho are not considered confidential under this chapter.

(3) Information and records submitted to the Idaho state lottery for the performance of background investigations of employees, lottery retailers and major procurement contractors; audit records of lottery retailers, vendors and major procurement contractors submitted to or performed by the Idaho state lottery; validation and security tests of the state lottery for lottery games; business records and information submitted pursuant to sections 67-7412(8) and (9) and 67-7421(8) and (9), Idaho Code, and such documents and information obtained and held for the purposes of lottery security and investigative action as determined by lottery rules unless the public interest in disclosure substantially outweighs the private need for protection from public disclosure.

(4) Records of a personal nature as follows:

(a) Records of personal debt filed with a public agency or independent public body corporate and politic pursuant to law;

(b) Personal bank records compiled by a public depositor for the purpose of public funds transactions conducted pursuant to law;

(c) Records of ownership of financial obligations and instruments of a public agency or independent public body corporate and politic, such as bonds, compiled by the public agency or independent public body corporate and politic pursuant to law;

(d) Records, with regard to the ownership of, or security interests in, registered public obligations;

(e) Vital statistics records; and

(f) Military records as described in and pursuant to section 65-301, Idaho Code.

(5) Information in an income or other tax return measured by items of income or sales, which is gathered by a public agency for the purpose of administering the tax, except such information to the extent disclosed in a written decision of the tax commission pursuant to a taxpayer protest of a deficiency determination by the tax commission, under the provisions of section 63-3045B, Idaho Code.

(6) Records of a personal nature related directly or indirectly to the application for and provision of statutory services rendered to persons applying for public care for people who are elderly, indigent or have mental or physical disabilities, or participation in an environmental or a public health study, provided the provisions of this subsection making records exempt from disclosure shall not apply to the extent that such records or information contained in those records are necessary for a background check on an individual that is required by federal law regulating the sale of firearms, guns or ammunition.

(7) Employment security information, except that a person may agree, through written, informed consent, to waive the exemption so that a third party may obtain information pertaining to the person, unless access to the information by the person is restricted by subsection (3)(a), (3)(b) or (3)(d) of section 74-113, Idaho Code. Notwithstanding the provisions of section 74-113, Idaho Code, a person may not review identifying information concerning an informant who reported to the department of labor a suspected violation by the person of the employment security law, chapter 13, title 72, Idaho Code, under an assurance of confidentiality. As used in this section and in chapter 13, title 72, Idaho Code, "employment security information" means any information descriptive of an identifiable person or persons that is received by, recorded by, prepared by, furnished to or collected

by the department of labor or the industrial commission in the administration of the employment security law.

(8) Any personal records, other than names, business addresses and business phone numbers, such as parentage, race, religion, sex, height, weight, tax identification and social security numbers, financial worth or medical condition submitted to any public agency or independent public body corporate and politic pursuant to a statutory requirement for licensing, certification, permit or bonding.

(9) Unless otherwise provided by agency rule, information obtained as part of an inquiry into a person's fitness to be granted or retain a license, certificate, permit, privilege, commission or position, private association peer review committee records authorized in title 54, Idaho Code. Any agency which has records exempt from disclosure under the provisions of this subsection shall annually make available a statistical summary of the number and types of matters considered and their disposition.

(10) The records, findings, determinations and decisions of any prelitigation screening panel formed under chapters 10 and 23, title 6, Idaho Code.

(11) Complaints received by the board of medicine and investigations and informal proceedings, including informal proceedings of any committee of the board of medicine, pursuant to chapter 18, title 54, Idaho Code, and rules adopted thereunder.

(12) Records of the department of health and welfare or a public health district that identify a person infected with a reportable disease.

(13) Records of hospital care, medical records, including prescriptions, drug orders, records or any other prescription information that specifically identifies an individual patient, prescription records maintained by the board of pharmacy under sections 37-2726 and 37-2730A, Idaho Code, records of psychiatric care or treatment and professional counseling records relating to an individual's condition, diagnosis, care or treatment, provided the provisions of this subsection making records exempt from disclosure shall not apply to the extent that such records or information contained in those records are necessary for a background check on an individual that is required by federal law regulating the sale of firearms, guns or ammunition.

(14) Information collected pursuant to the directory of new hires act, chapter 16, title 72, Idaho Code.

(15) Personal information contained in motor vehicle and driver records that is exempt from disclosure under the provisions of chapter 2, title 49, Idaho Code.

(16) Records of the financial status of prisoners pursuant to subsection (2) of section 20-607, Idaho Code.

(17) Records of the Idaho state police or department of correction received or maintained pursuant to section 19-5514, Idaho Code, relating to DNA databases and databanks.

(18) Records of the department of health and welfare relating to a survey, resurvey or complaint investigation of a licensed nursing facility shall be exempt from disclosure. Such records shall, however, be subject to disclosure as public records as soon as the facility in question has received the report, and no later than the fourteenth day following the date that department of health and welfare representatives officially exit the facility pursuant to federal regulations. Provided however, that for purposes of confidentiality, no record shall be released under this section which specifically identifies any nursing facility resident.

(19) Records and information contained in the registry of immunizations against childhood diseases maintained in the department of health and welfare, including information disseminated to others from the registry by the department of health and welfare.

(20) Records of the Idaho housing and finance association (IHFA) relating to the following:

(a) Records containing personal financial, family, health or similar personal information submitted to or otherwise obtained by the IHFA;

(b) Records submitted to or otherwise obtained by the IHFA with regard to obtaining and servicing mortgage loans and all records relating to the review, approval or rejection by the IHFA of said loans;

(c) Mortgage portfolio loan documents;

(d) Records of a current or former employee other than the employee's duration of employment with the association, position held and location of employment. This exemption from disclosure does not include the contracts of employment or any remuneration, including reimbursement of expenses, of the executive director, executive officers or commissioners of the association. All other personnel information relating to an association employee or applicant including, but not limited to, information regarding sex, race, marital status, birth date, home address and telephone number, applications, testing and scoring materials, grievances, correspondence, retirement plan information and performance evaluations, shall not be disclosed to the public without the employee's or applicant's written consent. An employee or authorized representative may inspect and copy that employee's personnel records, except for material used to screen and test for employment or material not subject to disclosure elsewhere in the Idaho public records act.

(21) Records of the department of health and welfare related to child support services in cases in which there is reasonable evidence of domestic violence, as defined in chapter 63, title 39, Idaho Code, that can be used to locate any individuals in the child support case except in response to a court order.

(22) Records of the Idaho state bar lawyer assistance program pursuant to chapter 49, title 54, Idaho Code, unless a participant in the program authorizes the release pursuant to subsection (4) of section 54-4901, Idaho Code.

(23) Records and information contained in the trauma registry created by chapter 20, title 57, Idaho Code, together with any reports, analyses and compilations created from such information and records.

(24) Records contained in the court files, or other records prepared as part of proceedings for judicial authorization of sterilization procedures pursuant to chapter 39, title 39, Idaho Code.

(25) The physical voter registration ~~card~~ application on file in the county clerk's office; however, a redacted copy of said ~~card~~ application shall be made available consistent with the requirements of this section. Information from the voter registration ~~card~~ application maintained in the statewide voter registration database, including age, will be made available except for the voter's driver's license number, date of birth and, upon a showing that the voter comes within the provisions of subsection (30) of this section or upon showing of good cause by the voter to the county clerk in consultation with the county prosecuting attorney, the physical residence address of the voter. For the purposes of this subsection good cause shall include the protection of life and property and protection of victims of domestic violence and similar crimes.

(26) File numbers, passwords and information in the files of the health care directive registry maintained by the secretary of state under section 39-4515, Idaho Code, are confidential and shall not be disclosed to any person other than to the person who executed the health care directive or the revocation thereof and that person's legal representatives, to the person who registered the health care directive or revocation thereof, and to physicians, hospitals, medical personnel, nursing homes, and other persons

who have been granted file number and password access to the documents within that specific file.

(27) Records in an address confidentiality program participant's file as provided for in chapter 57, title 19, Idaho Code, other than the address designated by the secretary of state, except under the following circumstances:

- (a) If requested by a law enforcement agency, to the law enforcement agency; or
- (b) If directed by a court order, to a person identified in the order.

(28) Except as otherwise provided by law relating to the release of information to a governmental entity or law enforcement agency, any personal information including, but not limited to, names, personal and business addresses and phone numbers, sex, height, weight, date of birth, social security and driver's license numbers, or any other identifying numbers and/or information related to any Idaho fish and game licenses, permits and tags unless written consent is obtained from the affected person.

(29) Documents and records related to continuing education and recordkeeping violations that are maintained by the Idaho board of veterinary medicine under the provisions of section 54-2118(1)(b), Idaho Code, provided the requirements set forth therein are met.

(30) The Idaho residential street address and telephone number of an eligible law enforcement officer and such officer's residing household member(s) as provided for in chapter 58, title 19, Idaho Code, except under the following circumstances:

- (a) If directed by a court order, to a person identified in the court order;
- (b) If requested by a law enforcement agency, to the law enforcement agency;
- (c) If requested by a financial institution or title company for business purposes, to the requesting financial institution or title company; or
- (d) If the law enforcement officer provides written permission for disclosure of such information.

(31) All information exchanged between the Idaho transportation department and insurance companies, any database created, all information contained in the verification system and all reports, responses or other information generated for the purposes of the verification system, pursuant to section 49-1234, Idaho Code.

(32) Nothing in this section shall prohibit the release of information to the state controller as the state social security administrator as provided in section 59-1101A, Idaho Code.

(33) Personal information including, but not limited to, property values, personal and business addresses, phone numbers, dates of birth, social security and driver's license numbers or any other identifying numbers or information maintained by the administrator of the unclaimed property law set forth in chapter 5, title 14, Idaho Code. Nothing in this subsection shall prohibit the release of names, last known city of residence, property value ranges and general property information by the administrator for the purpose of reuniting unclaimed property with its owner."

On page 3, in line 1, delete "3" and insert: "10".

CORRECTION TO TITLE

On page 1, delete line 6, and insert: "FICE OF THE SECRETARY OF STATE; AMENDING SECTION 34-404, IDAHO CODE, TO PROVIDE REFERENCE TO REGISTRATION APPLICATIONS; AMENDING SECTION 34-408, IDAHO CODE, TO PROVIDE REFERENCE TO REGISTRATION APPLICATIONS; AMENDING SECTION 34-408A, IDAHO CODE, TO PROVIDE REFERENCE TO

REGISTRATION APPLICATIONS; AMENDING SECTION 34-416, IDAHO CODE, TO PROVIDE REFERENCE TO REGISTRATION APPLICATIONS; AMENDING SECTION 34-419, IDAHO CODE, TO PROVIDE REFERENCE TO REGISTRATION APPLICATIONS; AMENDING SECTION 34-420, IDAHO CODE, TO PROVIDE REFERENCE TO REGISTRATION APPLICATIONS; AND AMENDING SECTION 74-106, IDAHO CODE, TO PROVIDE REFERENCE TO REGISTRATION APPLICATIONS; AND DECLARING AN EMERGENCY."

SENATE AMENDMENT TO S 1312 AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 21, delete "or passenger"; in line 22, delete "or passenger"; also in line 22, delete "being" and insert: "having"; and in line 24, delete "section" and insert: "subsection".

SENATE AMENDMENT TO S 1291 AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 28 through 31, and insert:

"(c) "Eligible institution" shall be defined in the same manner as provided in section 33-4303(2)(b), Idaho Code."; in line 37, delete "and"; in line 40, delete "." and insert: "; and"; and after line 40, insert:

"(v) Is pursuing a clearly identified career path."

The Committee also has [S 1256](#) and [S 1260](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Lakey, seconded by Senator Burgoyne, the report was adopted by voice vote.

[H 362](#), 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.

[S 1285](#), as amended, [S 1280](#), as amended, [S 1297](#), as amended, [S 1312](#), as amended, and [S 1291](#), 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.

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

Reports of Standing Committees

February 23, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 362](#), [S 1285](#), [S 1280](#), [S 1297](#), [S 1312](#), and [S 1291](#) have been correctly printed.

LODGE, Chairman

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

February 23, 2016

The JUDICIARY AND RULES Committee reports that [S 1285](#), as amended, [S 1280](#), as amended, [S 1297](#), as amended, [S 1312](#), as amended, and [S 1291](#), as amended, have been correctly engrossed.

LODGE, Chairman

[S 1285](#), as amended, [S 1280](#), as amended, [S 1297](#), as amended, [S 1312](#), as amended, and [S 1291](#), 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 362](#), as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

[S 1285](#), as amended, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

[S 1280](#), as amended, by Education Committee, was read the first time at length and filed for second reading.

[S 1297](#), as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

[S 1312](#), as amended, by Transportation Committee, was read the first time at length and filed for second reading.

[S 1291](#), as amended, by Education 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 McKenzie, granted by unanimous consent, [S 1297](#), as amended, was referred to the Fourteenth Order of Business, General Calendar.

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

Petitions, Resolutions, and Memorials

On motion by Senator Lakey, seconded by Senator Burgoyne, by voice vote the Senate recessed at 12:20 p.m. until the hour of 4:30 p.m. of this day.

**RECESS
AFTERNOON SESSION**

The Senate reconvened at 4:30 p.m. President Little assumed the Chair.

Roll call showed all members present except Senators Anthon and Lakey, 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

February 23, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 377](#), [S 1288](#), [S 1345](#), and [S 1346](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 377](#), [S 1288](#), [S 1345](#), and [S 1346](#) were filed for second reading.

February 23, 2016

The EDUCATION Committee reports out [H 452](#) and [S 1336](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 452](#) and [S 1336](#) were filed for second reading.

February 23, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 474](#) and [S 1325](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 474](#) and [S 1325](#) were filed for second 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 1353
BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2016; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE MANAGEMENT SERVICES PROGRAM FOR FISCAL YEAR 2016 TO PROVIDE FOR ATTORNEY'S FEES; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE MANAGEMENT SERVICES PROGRAM FOR FISCAL YEAR 2016 TO PROVIDE FOR INFORMATION TECHNOLOGY COSTS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE PRISONS ADMINISTRATION PROGRAM FOR FISCAL YEAR 2016 TO PROVIDE FOR TRAINING COSTS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE IDAHO STATE CORRECTIONAL CENTER FOR FISCAL YEAR 2016 TO PROVIDE FOR FOOD SERVICE DELIVERY; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE POCA TELLO WOMEN'S CORRECTIONAL CENTER FOR FISCAL YEAR 2016 TO PROVIDE FOR RELIGIOUS ACTIVITIES CONTRACT COSTS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE COMMUNITY SUPERVISION PROGRAM FOR FISCAL YEAR 2016 TO PROVIDE FOR ADDITIONAL PERSONNEL COSTS AND OPERATING EXPENDITURES; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE COMMUNITY SUPERVISION PROGRAM FOR FISCAL YEAR 2016 TO PROVIDE FOR PROBATION AND PAROLE OFFICERS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE COMMUNITY WORK CENTERS PROGRAM FOR FISCAL YEAR 2016 TO PROVIDE FOR SEWER REPAIRS; REDUCING THE APPROPRIATION TO THE

DEPARTMENT OF CORRECTION FOR THE IDAHO STATE CORRECTIONAL INSTITUTION FOR FISCAL YEAR 2016 DUE TO CLOSURE OF A UNIT; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR THE COUNTY AND OUT-OF-STATE PLACEMENT PROGRAM FOR FISCAL YEAR 2016 DUE TO CONTRACT SAVINGS; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR THE CORRECTIONAL ALTERNATIVE PLACEMENT PROGRAM FOR FISCAL YEAR 2016 DUE TO CONTRACT SAVINGS; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR THE COMMUNITY SUPERVISION PROGRAM FOR FISCAL YEAR 2016 DUE TO SAVINGS IN TRAINING COSTS; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR THE MEDICAL SERVICES PROGRAM FOR FISCAL YEAR 2016 DUE TO CONTRACT SAVINGS; AND DECLARING AN EMERGENCY.

[S 1353](#) 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

On request by Senator Davis, granted by unanimous consent, [S 1235](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1218](#) 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1218](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1298](#) 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1298](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1255](#) 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1255](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1266](#) 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, Brackett, Buckner-Webb, Burgoyne, Davis, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Schmidt, Siddoway, Stennett, Thayn, Ward-Engelking, Winder. Total - 26.

NAYS—Bayer, Den Hartog, Hagedorn, Nonini, Nuxoll, Rice, Souza, Vick. Total - 8.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1266](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1267](#) 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, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1267](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1268](#) 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Ward-Engelking, Winder. Total - 30.

NAYS—Lakey, Nuxoll, Thayn, Vick. Total - 4.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1268](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1294](#) 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Thayn, Ward-Engelking, Winder. Total - 29.

NAYS—Keough, Nuxoll, Souza, Stennett, Vick. Total - 5.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1294](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1264](#) 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, Brackett, Guthrie, Hagedorn, Harris, Heider, Hill, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Patrick, Thayn, Ward-Engelking, Winder. Total - 17.

NAYS—Bair, Buckner-Webb, Burgoyne, Davis, Den Hartog, Johnson, Jordan, Lee, Mortimer, Nonini, Nuxoll, Rice, Schmidt, Siddoway, Souza, Stennett, Vick. Total - 17.

Absent and excused—Anthon. Total - 1.

Total - 35.

A tie vote having resulted in the roll call, the President voted NAY and declared that [S 1264](#) had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

[S 1314](#) 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1314](#) 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 Stennett, by voice vote, the Senate adjourned at 6 p.m. until the hour of 10 a.m., Wednesday, February 24, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

**FORTY-FIFTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 24, 2016**

Senate Chamber

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

Roll call showed all members present except Senator Lacey, absent and formally excused by the Chair; and Senators Bair, Buckner-Webb, Rice, and Ward-Engelking, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Anna Daley Laursen, 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, 2016, 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 Rice, Ward-Engelking, and Buckner-Webb were recorded present at this order of business.

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

Petitions, Resolutions, and Memorials

SCR 148 BY STATE AFFAIRS COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND RECOGNIZING THE CONTRIBUTIONS AND ACCOMPLISHMENTS OF HECLA MINING COMPANY AND ITS EMPLOYEES AND CONGRATULATING HECLA MINING COMPANY ON ITS 125TH ANNIVERSARY.

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

WHEREAS, Hecla Mining Company, headquartered in Coeur d'Alene, Idaho, is celebrating its 125th anniversary this year; and

WHEREAS, Hecla Mining Company was formed in October of 1891 and is Idaho's oldest publicly traded company; and

WHEREAS, the company was formed for the purposes of acquiring and trading mining claims in what was then North Idaho's newly discovered Silver Valley; and

WHEREAS, mining played an integral role in the settlement of the West and, in particular, North Idaho; and

WHEREAS, Hecla Mining Company has endured the Great Depression, two World Wars and extreme swings in metals prices; and

WHEREAS, today with four operating North American mines, a number of exploration properties and pre-development projects, Hecla Mining Company is the largest primary silver producer in the United States; and

WHEREAS, Hecla Mining Company is the oldest New York Stock Exchange listed precious metals mining company in all of North America; and

WHEREAS, Hecla Mining Company has advanced techniques that have improved mine worker safety, such as wireless technology, advanced seismic monitoring systems, low-emission diesel-powered equipment and implementation of risk-based management systems that have improved mine worker safety; and

WHEREAS, Hecla Mining Company has a deep connection with the communities in which it operates, providing over \$800 million to the North Idaho economy in just the last five years alone in wages, benefits, taxes and economic support of education, youth activities, community health and infrastructure; and

WHEREAS, Hecla Mining Company has just over 1,400 employees worldwide, with about 380 of them in North Idaho. Hecla Mining Company provides many of the highest-paying jobs in North Idaho; and

WHEREAS, Hecla Mining Company has a strong asset profile with assets including Greens Creek in Alaska, Lucky Friday in Mullan, Idaho, Casa Berardi in Quebec, San Sebastian in Mexico and Rock Creek in Montana; and

WHEREAS, Hecla Mining Company will continue to help supply the world's increasing consumer demand for goods that require silver, gold, zinc and lead, with silver being a key ingredient for solar voltaic cells, modern electronics and medical applications.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we recognize the contributions and accomplishments of Hecla Mining Company and its employees, and congratulate Hecla Mining Company on its 125th anniversary.

SCR 149

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND ENDORSING THE NEED FOR A VETERANS CEMETERY IN EASTERN IDAHO.

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

WHEREAS, Idaho is the home to more than 132,000 veterans; and

WHEREAS, more than 30,000 veterans live in the Eastern Idaho catchment areas; and

WHEREAS, the nearest veterans cemetery to Eastern Idaho is the Idaho State Veterans Cemetery in Boise, Idaho, that is more than 200 miles driving distance; and

WHEREAS, although the Idaho State Veterans Cemetery in Boise is a beautiful resting place for Idaho veterans, due to its

distance from Eastern Idaho and the population density of the region, the needs of Eastern Idaho veterans and their families are not met by the Idaho State Cemetery in Boise, Idaho; and

WHEREAS, pursuant to 38 CFR 39 the state is obligated to provide the land and pay for ongoing cemetery maintenance and operation of a state veterans cemetery; and

WHEREAS, pursuant to 38 CFR 39 the federal government shares this belief, and the Department of Veterans Affairs' State Cemetery Grants Service pays 100% of architectural and engineering costs, to include planning, construction, and equipment, for the development of a state veterans cemetery; and

WHEREAS, pursuant to 38 CFR 39 the state is obligated to provide 10% architectural and engineering matching funds necessary to qualify for federal funding; and

WHEREAS, pursuant to 38 CFR 39 the 10% architectural and engineering matching funds will be reimbursed to the state following grant award; and

WHEREAS, Eastern Idaho leaders and the community have identified potential land donations in an effort to meet the state's obligation to provide land.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we endorse the need for a veterans cemetery in Eastern Idaho and that legislation should be adopted to facilitate the exchange of property and to authorize the Division of Veterans Services to accept gifts, grants, contributions and bequests, and to purchase and hold title to property on behalf of the State of Idaho.

BE IT FURTHER RESOLVED that the Legislature should act expeditiously so that no more time passes before Eastern Idaho's veterans are given the respect they are so worthy of receiving.

[SCR 148](#) and [SCR 149](#) 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 24, 2016

The JUDICIARY AND RULES Committee reports that [SCR 147](#), [S 1350](#), [S 1351](#), [S 1352](#), and [S 1353](#) have been correctly printed.

LODGE, Chairman

[SCR 147](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1350](#) was referred to the State Affairs Committee.

[S 1351](#) and [S 1352](#) were referred to the Judiciary and Rules Committee.

[S 1353](#) was referred to the Finance Committee.

February 24, 2016

The STATE AFFAIRS Committee reports out [S 1274](#) and [S 1275](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[S 1274](#) and [S 1275](#) 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 23, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Michael "Mike" Mark Mooney of Boise, Idaho, was appointed as a member of the Idaho Energy Resources Authority to serve a term commencing February 18, 2016, and expiring June 30, 2020.

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 23, 2016

Dear Mr. President:

I transmit herewith [H 454](#), [H 472](#), [H 495](#), [H 464](#), [H 458](#), [H 459](#), [H 473](#), and [HCR 35](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 454](#), [H 472](#), [H 495](#), [H 464](#), [H 458](#), [H 459](#), [H 473](#), and [HCR 35](#) were filed for first reading.

February 23, 2016

Dear Mr. President:

I transmit herewith Enrolled [H 352](#), [H 359](#), [H 360](#), and [H 376](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 352](#), [H 359](#), [H 360](#), and [H 376](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the following attaches were elected to fill the offices provided for by the *Constitution* of the State of Idaho and by statute:

Pages:

Alaire Chambers, Arco
 Nellie Christensen, Burley
 Anna Daley Laursen, Moscow
 Zoe Esplin, Rexburg
 Luke Henrie, Nampa
 Kennedy Jones, Twin Falls
 Tabitha Manor, Boise
 Jaymond Richardson, Rigby
 Logan Snell, Boise
 Cardston Stanford, Sugar City

Whereupon 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 advanced to the Eleventh Order of Business.

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

S 1354

**BY STATE AFFAIRS COMMITTEE
 AN ACT**

RELATING TO ALCOHOL BEVERAGE CATERING PERMITS; AMENDING SECTION 23-902, IDAHO CODE, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 23-934A, IDAHO CODE, TO REVISE PROVISIONS REGARDING ALCOHOL BEVERAGE CATERING PERMITS; AMENDING SECTION 23-934B, IDAHO CODE, TO REVISE PROVISIONS REGARDING FILING AND APPROVAL OF AN APPLICATION FOR AN ALCOHOL BEVERAGE CATERING PERMIT; AND AMENDING SECTION 23-217, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

S 1355

**BY STATE AFFAIRS COMMITTEE
 AN ACT**

RELATING TO INVASIVE SPECIES; AMENDING SECTION 22-1910A, IDAHO CODE, TO CLARIFY THAT PEACE OFFICERS MAY ISSUE A CITATION FOR CERTAIN PERSONS AND TO PROVIDE THAT PEACE OFFICERS SHALL ACCOMPANY A VEHICLE TO AN INSPECTION STATION IN CERTAIN INSTANCES; AND AMENDING SECTION 22-1913, IDAHO CODE, TO REVISE PENALTIES.

S 1356

**BY STATE AFFAIRS COMMITTEE
 AN ACT**

RELATING TO ALCOHOL BEVERAGE CATERING PERMITS; AMENDING SECTION 23-1337, IDAHO CODE, TO PROVIDE THAT TWO OR MORE WINERIES MAY USE A WINERY'S LICENSED PREMISES TO HOST AN EVENT UNDER AN ALCOHOL BEVERAGE CATERING PERMIT TO SERVE AND SELL THEIR RESPECTIVE WINES AT THAT EVENT; AND DECLARING AN EMERGENCY.

S 1357

**BY STATE AFFAIRS COMMITTEE
 AN ACT**

RELATING TO BINGO AND RAFFLES; AMENDING SECTION 67-7702, IDAHO CODE, TO DEFINE A TERM, TO REVISE DEFINITIONS, TO PROVIDE A CORRECT CODE

REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7704, IDAHO CODE, TO REVISE QUALIFICATIONS FOR BINGO-RAFFLE ADVISORY BOARD MEMBERS; AMENDING SECTION 67-7705, IDAHO CODE, TO REDUCE THE MINIMUM NUMBER OF MEETINGS HELD ANNUALLY BY THE BINGO-RAFFLE ADVISORY BOARD; AMENDING SECTION 67-7709, IDAHO CODE, TO AUTHORIZE APPROVAL OF ELECTRONIC BILL PAYMENT OF BINGO EXPENSES, TO REVISE PROVISIONS REGARDING BINGO PROCEEDS AND RECORDS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7710, IDAHO CODE, TO PROVIDE CONDITIONS FOR A MISDEMEANOR COMMITTED PURSUANT TO THIS CHAPTER, TO PROVIDE DEADLINES FOR CONDUCTING RAFFLE DRAWINGS, TO DEFINE ALLOWABLE USES FOR NET PROCEEDS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7711, IDAHO CODE, TO REVISE PROVISIONS REGARDING LICENSE PROCEDURES, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7712, IDAHO CODE, TO REDESIGNATE THE SECTION, TO DEFINE NEW ORGANIZATIONS THAT ARE REQUIRED TO PAY A FEE AND TO REMOVE PROVISIONS PERTAINING TO THE SUSPENSION AND REVOCATION OF LICENSES; AMENDING SECTION 67-7713, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO CLARIFY THE CALCULATION OF MERCHANDISE VALUE; AMENDING CHAPTER 77, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-7713A, IDAHO CODE, TO PROVIDE CONDITIONS AND PROCEDURES FOR THE SUSPENSION OR REVOCATION OF LICENSES; AND AMENDING SECTION 67-7715, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS.

[S 1354](#), [S 1355](#), [S 1356](#), and [S 1357](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Bair was recorded present at this order of business.

[H 454](#), by Environment, Energy, and Technology Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 472](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 495](#), by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 464](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 458](#) and [H 459](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

[H 473](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[HCR 35](#), 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 1212](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1253](#), [S 1276](#), and [S 1277](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[S 1240](#), [S 1241](#), [S 1242](#), [S 1278](#), and [S 1304](#), by Resources and Environment Committee, were read the second time at length and filed for third reading.

[S 1344](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1295](#) and [S 1296](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[S 1320](#), [S 1333](#), and [S 1334](#), by Education Committee, were read the second time at length and filed for third reading.

[H 362](#), as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1285](#), as amended, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[S 1280](#), as amended, by Education Committee, was read the second time at length and filed for third reading.

[S 1312](#), as amended, by Transportation Committee, was read the second time at length and filed for third reading.

[S 1291](#), as amended, by Education Committee, was read the second time at length and filed for third reading.

[H 377](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[S 1288](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[S 1345](#) and [S 1346](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[H 452](#), by Education Committee, was read the second time at length and filed for third reading.

[S 1336](#), by Education Committee, was read the second time at length and filed for third reading.

[H 474](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[S 1325](#), 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

[S 1265](#) 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—Brackett, Buckner-Webb, Davis, Guthrie, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Patrick, Schmidt, Stennett, Ward-Engelking, Winder. Total - 19.

NAYS—Anthon, Bair, Bayer, Burgoyne, Den Hartog, Hagedorn, Harris, Mortimer, Nonini, Nuxoll, Siddoway, Souza, Thayn, Vick. Total - 14.

Absent and excused—Lacey, Rice. Total - 2.

Total - 35.

Whereupon the President declared [S 1265](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1257](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Davis, Rice. Total - 2.

Absent and excused—Lacey. Total - 1.

Total - 35.

Whereupon the President declared [S 1257](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1235](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Lacey. Total - 1.

Total - 35.

Whereupon the President declared [S 1235](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1318](#) 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—Anthon, Bair, Brackett, Buckner-Webb, Burgoyne, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 29.

NAYS—Bayer, Den Hartog, Nonini, Nuxoll, Vick. Total - 5.

Absent and excused—Lacey. Total - 1.

Total - 35.

Whereupon the President declared [S 1318](#) passed, title was approved, and the bill ordered transmitted to the House.

Having voted on the prevailing side by which [S 1257](#) passed the Senate, Senator Brackett served notice that he may on this or the next legislative day move for reconsideration of the vote.

[S 1257](#) was ordered held at the Secretary's desk.

[S 1311](#) 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?"

Pursuant to Senate Rule 39(H), Senators Davis, Winder, and Stennett disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Anthon, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Harris, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Schmidt, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 27.

NAYS—Bair, Hagedorn, Heider, Mortimer, Patrick, Rice, Siddoway. Total - 7.

Absent and excused—Lacey. Total - 1.

Total - 35.

Whereupon the President declared [S 1311](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1281](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Lacey. Total - 1.

Total - 35.

Whereupon the President declared [S 1281](#) 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 12:05 p.m. until the hour of 10:30 a.m., Thursday, February 25, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FORTY-SIXTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 25, 2016

Senate Chamber

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

Roll call showed all members present except Senators Davis and Den Hartog, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Zoe Esplin, 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, 2016, 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 Den Hartog was 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

February 25, 2016

The JUDICIARY AND RULES Committee reports that [SCR 148](#), [SCR 149](#), [S 1354](#), [S 1355](#), [S 1356](#), and [S 1357](#) have been correctly printed.

LODGE, Chairman

[SCR 148](#) and [SCR 149](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1354](#) was referred to the State Affairs Committee.

[S 1355](#) was referred to the Resources and Environment Committee.

[S 1356](#) and [S 1357](#) were referred to the State Affairs Committee.

February 24, 2016

The FINANCE Committee reports out [S 1353](#) with the recommendation that it do pass.

KEOUGH, Chairman

[S 1353](#) was filed for second reading.

February 24, 2016

The JUDICIARY AND RULES Committee reports out [SCR 142](#), [SCR 143](#), [SCR 144](#), and [SR 101](#) with the recommendation that they do pass.

LODGE, Chairman

[SCR 142](#), [SCR 143](#), [SCR 144](#), and [SR 101](#) 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, 2016

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:

Anna Jane "Janie" Dressen to the Commission on Pardons and Parole, term to expire January 1, 2019.

Cortney C. Dennis to the Commission on Pardons and Parole, term to expire January 1, 2018.

J. Philip Reberger to the Idaho Judicial Council, term to expire July 1, 2021.

LODGE, 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 24, 2016

The HEALTH AND WELFARE Committee reports out [HCR 34](#) with the recommendation that it do pass.

HEIDER, Chairman

[HCR 34](#) 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, 2016

The EDUCATION Committee reports out [HCR 33](#), [S 1293](#), and [S 1330](#) with the recommendation that they do pass.

MORTIMER, Chairman

[HCR 33](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1293](#) and [S 1330](#) were filed for second reading.

February 24, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 463](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[H 463](#) was filed for second reading.

February 25, 2016

The AGRICULTURAL AFFAIRS Committee reports out [H 383](#), [H 417](#), and [H 455](#) with the recommendation that they do pass.

RICE, Chairman

[H 383](#), [H 417](#), and [H 455](#) 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 24, 2016

Dear Mr. President:

I transmit herewith [H 451](#), which has passed the House.

ALEXANDER, Chief Clerk

[H 451](#) was filed for first reading.

February 24, 2016

Dear Mr. President:

I transmit herewith Enrolled [HCR 31](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [HCR 31](#) and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

[S 1257](#) having been held at the desk for possible reconsideration of the vote by which it passed the Senate, and no motion for reconsideration having been received, [S 1257](#) was ordered transmitted to the House.

The President announced that [HCR 42](#) 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 42](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

Senator Davis was recorded present at this order of business.

The President announced that [HCR 30](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Lakey, [HCR 30](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [SCR 147](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Lee, [SCR 147](#) 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 1358

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE IDAHO EQUIPMENT DEALER PROTECTION LAW; AMENDING SECTION 28-24-103, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE CLARIFICATION REGARDING COMPETITIVE CIRCUMSTANCES; AND AMENDING SECTION 28-24-104, IDAHO CODE, TO REVISE TERMINOLOGY, TO REVISE PROVISIONS REGARDING NOTICE, AND TO MAKE TECHNICAL CORRECTIONS.

S 1359

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO FARM IMPLEMENTS AND EQUIPMENT; AMENDING SECTION 28-23-101, IDAHO CODE, TO REVISE PROVISIONS ASSOCIATED WITH THE REPURCHASE OF CERTAIN EQUIPMENT FROM RETAILERS BY WHOLESALERS, MANUFACTURERS AND DISTRIBUTORS AND TO REVISE PROVISIONS REGARDING SUMS TO BE PAID FOR REPURCHASE; AMENDING SECTION 28-23-102, IDAHO CODE, TO REVISE VERBIAGE AND TO PROVIDE FOR THE PURCHASE PRICE OF REPAIR TOOLS IN COMPLETE AND USABLE CONDITION.

S 1360

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE ADMINISTRATIVE PROCEDURE ACT; AMENDING SECTION 67-5223, IDAHO CODE, TO PROVIDE A REQUIREMENT REGARDING CERTAIN AMENDMENTS TO ADMINISTRATIVE RULES.

S 1361

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO PUBLIC DEFENSE; AMENDING SECTION 19-862, IDAHO CODE, TO PROVIDE THAT MONEY TO ADMINISTER PUBLIC DEFENSE MAY BE APPROPRIATED FROM CERTAIN FUNDS; AMENDING SECTION 31-3403, IDAHO CODE, TO REVISE A DEFINITION; AND AMENDING SECTION 63-805, IDAHO CODE, TO PROVIDE FOR PUBLIC DEFENDER SERVICES.

S 1362

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO RENEWAL OF JUDGMENT ON LIENS; AMENDING SECTION 10-1111, IDAHO CODE, TO INCREASE THE PERIOD OF TIME A RENEWED JUDGMENT ON A LIEN MAY BE CONTINUED FOR CERTAIN JUDGMENTS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION FOR CERTAIN JUDGMENTS.

[S 1358](#), [S 1359](#), [S 1360](#), [S 1361](#), and [S 1362](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 451](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1274](#) and [S 1275](#), 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

[S 1237](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [S 1237](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, [S 1339](#) retained its place on the Third Reading Calendar.

[S 1238](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [S 1238](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1239](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [S 1239](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1340](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [S 1340](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1212](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [S 1212](#) 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 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 1256](#), [S 1260](#), [H 379](#), and [S 1297](#), as amended, without recommendation, amended as follows:

SENATE AMENDMENT TO S 1256

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 23, following "~~seventy-five~~" insert: "not less than one hundred fifty dollars (\$150) and not more than"; in line 25, delete ", 49-1232" and insert: ", ~~49-1232~~"; and following line 25, insert:

"(7) It is an infraction punishable by a fine of seventy-five dollars (\$75.00) for any person to violate the provisions of section ~~49-1232~~, Idaho Code."

AMENDMENT TO SECTION 2

On page 2, in line 17, following "~~seventy-five~~" insert: "not less than one hundred fifty dollars (\$150) and not more than".

AMENDMENT TO SECTION 3

On page 2, in line 36, following "~~seventy-five~~" insert: "not less than one hundred fifty dollars (\$150) and not more than".

SENATE AMENDMENT TO S 1260

AMENDMENT TO SECTION 7

On page 6 of the printed bill, in line 46, delete "waste" and insert: "environmental management".

AMENDMENT TO SECTION 9

On page 10, in line 7, delete "and" and insert: "or".

SENATE AMENDMENT TO H 379

AMENDMENT TO SECTION 2

On page 2 of the printed bill, in line 9, following "for" insert: "public"; also in line 9, following "and" insert: "public"; in line 18, delete "and" and insert: ";"; also in line 18, following "administrators" insert: ", parents and students"; in line 19, delete "Evaluating" and insert: "Ensuring that the state department of education and the Idaho digital learning academy evaluate"; in line 20, delete "software"; also in line 20, delete "providing" and insert: "provide"; in line 21, delete "software"; in line 39, delete "software"; also in line 39, following "for" insert: "public"; also in line 39, following "districts" insert: "and public charter schools"; in line 40, delete "professional-" and insert: "career"; in line 41, following "technical" insert: "secondary and"; and in line 45, delete "professional-" and insert: "career".

SENATE AMENDMENT TO S 1297, As Amended

AMENDMENT TO SECTION 1

On page 1 of the engrossed bill, in line 34, delete "section 34-1113" and insert: "sections 34-1113 and 34-1114"; and on page 2, line 15, delete "may" and insert: "shall".

WINDER, Chairman

On motion by Senator Lakey, seconded by Senator Burgoyne, the report was adopted by voice vote.

[S 1256](#), as amended, [S 1260](#), as amended, and [S 1297](#), 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 379](#), 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

February 25, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1256](#), [S 1260](#), [H 379](#), and [S 1297](#), as amended, have been correctly printed.

LODGE, Chairman

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

February 25, 2016

The JUDICIARY AND RULES Committee reports that [S 1256](#), as amended, [S 1260](#), as amended, and [S 1297](#), as amended, as amended, have been correctly engrossed.

LODGE, Chairman

[S 1256](#), as amended, [S 1260](#), as amended, and [S 1297](#), as amended, 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 379](#), as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

[S 1256](#), as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

[S 1260](#), as amended, by Agricultural Affairs Committee, was read the first time at length and filed for second reading.

[S 1297](#), as amended, 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 Burgoyne, 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 Senators Keough 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

February 25, 2016

The RESOURCES AND ENVIRONMENT Committee reports out [S 1355](#) with the recommendation that it be re-referred.

BAIR, Chairman

There being no objection, [S 1355](#) was referred to the Agricultural Affairs Committee.

February 25, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 341](#), [H 367](#), [H 369](#), [H 440](#), and [HCR 36](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 341](#), [H 367](#), [H 369](#), and [H 440](#) were filed for second reading.

[HCR 36](#) 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, 2016

The EDUCATION Committee reports out [H 459](#) and [H 476](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 459](#) and [H 476](#) 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

Senators Keough and Lodge were recorded present at this order of business.

February 24, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1215](#), [S 1217](#), and [S 1233](#)

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 Thirteenth Order of Business.

Third Reading of Bills

[S 1339](#) 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—Anthon, Bair, Bayer, Brackett, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—Buckner-Webb, Burgoyne, Jordan, Stennett.
Total - 4.

Total - 35.

Whereupon the President declared [S 1339](#) 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 6:40 p.m. until the hour of 10:30 a.m., Friday, February 26, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

—————
**FORTY-SEVENTH LEGISLATIVE DAY
FRIDAY, FEBRUARY 26, 2016**

Senate Chamber

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

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Tabitha Manor, 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, 2016, 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 26, 2016

The JUDICIARY AND RULES Committee reports that [S 1358](#), [S 1359](#), [S 1360](#), [S 1361](#), and [S 1362](#) have been correctly printed.

LODGE, Chairman

[S 1358](#) and [S 1359](#) were referred to the Commerce and Human Resources Committee.

[S 1360](#) was referred to the State Affairs Committee.

[S 1361](#) and [S 1362](#) were referred to the Judiciary and Rules Committee.

February 25, 2016

The HEALTH AND WELFARE Committee reports out [S 1322](#) and [S 1326](#) with the recommendation that they do pass.

HEIDER, Chairman

[S 1322](#) and [S 1326](#) were filed for second reading.

February 25, 2016

The HEALTH AND WELFARE Committee reports out [S 1341](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

HEIDER, Chairman

There being no objection, [S 1341](#) 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

February 25, 2016

Dear Mr. President:

I transmit herewith [HCR 43](#), [H 493](#), [HCR 28](#), as amended, [H 356](#), as amended, [H 462](#), as amended, and [H 491](#), as amended, which have passed the House.

ALEXANDER, Chief Clerk

[HCR 43](#), [H 493](#), [HCR 28](#), as amended, [H 356](#), as amended, [H 462](#), as amended, and [H 491](#), 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

[HCR 43](#), by Revenue and Taxation Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

[H 493](#), by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[HCR 28](#), as amended, by Transportation and Defense Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 356](#), as amended, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 462](#), as amended, by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 491](#), as amended, by Judiciary, Rules, and Administration 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

[S 1353](#), by Finance Committee, was read the second time at length and filed for third reading.

[S 1293](#) and [S 1330](#), by Education Committee, were read the second time at length and filed for third reading.

[H 463](#), by Business Committee, was read the second time at length and filed for third reading.

[H 383](#), [H 417](#), and [H 455](#), by Agricultural Affairs Committee, were read the second time at length and filed for third reading.

[H 379](#), as amended in the Senate, by Education Committee, was read the second time at length and filed for third reading.

[S 1256](#), as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1260](#), as amended, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

[S 1297](#), as amended, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

[H 341](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 367](#), [H 369](#), and [H 440](#), by Business Committee, were read the second time at length and filed for third reading.

[H 459](#) and [H 476](#), 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

[S 1253](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [S 1253](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1276](#) 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—Buckner-Webb, Burgoyne, Davis, Jordan, Lodge, Ward-Engelking. Total - 6.

NAYS—Anthon, Bair, Bayer, Brackett, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Winder. Total - 29.

Total - 35.

Whereupon the President declared that [S 1276](#) had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

[S 1277](#) 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—Anthon, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Heider, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, Nonini, Schmidt, Stennett, Ward-Engelking, Winder. Total - 20.

NAYS—Bair, Bayer, Hagedorn, Harris, Hill, Lakey, McKenzie, Mortimer, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Vick. Total - 15.

Total - 35.

Whereupon the President declared [S 1277](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1240](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Hagedorn, Nonini. Total - 2.

Total - 35.

Whereupon the President declared [S 1240](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1241](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [S 1241](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1242](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [S 1242](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1278](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [S 1278](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1304](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [S 1304](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1344](#) 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—Anthon, Bair, Bayer, Brackett, Davis, Den Hartog, Guthrie, Harris, Heider, Hill, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Vick, Winder. Total - 27.

NAYS—Buckner-Webb, Burgoyne, Hagedorn, Johnson, Jordan, Stennett, Thayn, Ward-Engelking. Total - 8.

Total - 35.

Whereupon the President declared [S 1344](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1295](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Lakey, Patrick. Total - 2.

Total - 35.

Whereupon the President declared [S 1295](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1296](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [S 1296](#) 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 noon until the hour of 10:45 a.m., Monday, February 29, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIFTIETH LEGISLATIVE DAY
MONDAY, FEBRUARY 29, 2016

Senate Chamber

President Little called the Senate to order at 10:45 a.m.

Roll call showed all members present except Senators McKenzie and Nonini, absent and formally excused by the Chair.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Luke Henrie, 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, 2016, 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

SJM 105

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 Second Regular Session of the Sixty-third Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the mail processing function of the post office in Pocatello, Idaho, was closed on or about April 18, 2015; and

WHEREAS, Brian Sperry, the regional spokesman for the United States Postal Service (USPS) stated that the impacts would be that stamped "First-Class Mail" would take between two and three days to reach its destination; and

WHEREAS, mail delivery in eastern Idaho is now significantly delayed, with delays ranging from a few days up to a few weeks; and

WHEREAS, USPS has already closed or suspended services in many locations nationwide, including in Twin Falls, Idaho, and is considering closing more; and

WHEREAS, USPS can provide better delivery times while still cutting substantive costs by restructuring its pre-funding for retirement benefits.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that Congress should pass legislation that would direct USPS to restructure their budget priorities, rethink their administrative model, make appropriate budget cuts if necessary, focus on customer service and acceptable delivery times, and reopen shuttered mail processing plants throughout the United States.

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 106

BY STATE AFFAIRS COMMITTEE

A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES, TO THE UNITED STATES DEPARTMENT OF STATE, THE UNITED STATES ENTITY COORDINATOR, BONNEVILLE POWER ADMINISTRATION AND THE UNITED STATES ARMY CORPS OF ENGINEERS.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the Second Regular Session of the Sixty-third Idaho Legislature, do hereby respectfully represent that:

WHEREAS, Canada and the United States share one of the most integrated energy markets in the world; and

WHEREAS, the Columbia River Treaty was signed by the United States and Canada in 1961 and implemented in 1964; and

WHEREAS, the purpose of the treaty was to reduce impacts from flooding and to increase power generation; and

WHEREAS, the treaty did provide flood control and increased hydropower generation at dams downriver; and

WHEREAS, the Columbia River Treaty continues to offer mutual benefit to both the United States and Canada as it currently stands; and

WHEREAS, the states of the pacific northwest, Washington, Oregon, Idaho and Montana, and the Province of British Columbia are interested in working together to ensure that any potential changes or updates will continue to benefit the entire region collectively; and

WHEREAS, state and provincial legislators, tribal, community, federal and academic leaders from across the pacific northwest have worked together to educate state and provincial leaders on the current status of the work that has been done on both sides of the border and discuss the future of the treaty.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we urge the United States Department of State to continue the Columbia River Treaty, to consult with British Columbia and the states of the pacific northwest regarding any review of the treaty and to receive and consider input from British Columbia and the states of the pacific northwest regarding any negotiations with respect to the treaty.

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, the United States Department of State, the United States Entity Coordinator, Bonneville Power Administration and the United States Army Corps of Engineers.

[SJM 105](#) and [SJM 106](#) 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 26, 2016

The STATE AFFAIRS Committee reports out [S 1269](#) and [S 1272](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[S 1269](#) and [S 1272](#) were filed for second reading.

February 26, 2016

The STATE AFFAIRS Committee reports out [S 1342](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, [S 1342](#) was referred to the Fourteenth Order of Business, General Calendar.

February 26, 2016

The JUDICIARY AND RULES Committee reports out [H 461](#), [S 1327](#), [S 1351](#), and [S 1352](#) with the recommendation that they do pass.

LODGE, Chairman

[H 461](#), [S 1327](#), [S 1351](#), and [S 1352](#) were filed for second reading.

February 26, 2016

The JUDICIARY AND RULES Committee reports out [S 1328](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [S 1328](#) was referred to the Fourteenth Order of Business, General Calendar.

February 29, 2016

The STATE AFFAIRS Committee reports out [H 355](#), [H 473](#), [S 1234](#), and [S 1323](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[H 355](#), [H 473](#), [S 1234](#), and [S 1323](#) were filed for second reading.

February 29, 2016

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:

Michael "Mike" Mark Mooney to the Idaho Energy Resources Authority, term to expire June 30, 2020.

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 29, 2016

The STATE AFFAIRS Committee reports out [S 1357](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, [S 1357](#) 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 25, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1197](#), [S 1206](#), [S 1207](#), [S 1210](#), [S 1213](#), and
[S 1216](#)

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 26, 2016

Dear Mr. President:

I transmit herewith [H 331](#), as amended, [H 478](#), [H 512](#), [H 469](#), [H 499](#), [H 343](#), [H 526](#), [H 497](#), and [H 511](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 331](#), as amended, [H 478](#), [H 512](#), [H 469](#), [H 499](#), [H 343](#), [H 526](#), [H 497](#), and [H 511](#) 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 1363 **BY FINANCE COMMITTEE** AN ACT

APPROPRIATING MONEYS TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING LEGISLATIVE INTENT.

S 1364**BY FINANCE COMMITTEE**
AN ACT

APPROPRIATING MONEYS TO THE STATE INDEPENDENT LIVING COUNCIL FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND APPROPRIATING AND TRANSFERRING MONEYS TO THE STATE INDEPENDENT LIVING COUNCIL (DED) FUND WITHIN THE STATE INDEPENDENT LIVING COUNCIL ON JULY 1, 2016, OR AS SOON THEREAFTER AS IS PRACTICABLE.

S 1365**BY FINANCE COMMITTEE**
AN ACT

APPROPRIATING MONEYS TO THE IDAHO STATE LOTTERY FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING LEGISLATIVE INTENT.

S 1366**BY FINANCE COMMITTEE**
AN ACT

APPROPRIATING MONEYS TO THE STATE LIQUOR DIVISION FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

S 1367**BY FINANCE COMMITTEE**
AN ACT

APPROPRIATING MONEYS TO THE DIVISION OF HUMAN RESOURCES FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1368**BY FINANCE COMMITTEE**
AN ACT

APPROPRIATING MONEYS TO THE COMMISSION ON THE ARTS FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1369**BY FINANCE COMMITTEE**
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE MILITARY DIVISION FOR THE FEDERAL/STATE AGREEMENTS PROGRAM FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE MILITARY DIVISION FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; GRANTING A CONTINUOUS APPROPRIATION FOR A CERTAIN FUND; AND DECLARING AN EMERGENCY.

S 1370**BY FINANCE COMMITTEE**
AN ACT

APPROPRIATING MONEYS TO IDAHO PUBLIC TELEVISION FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1371**BY FINANCE COMMITTEE**
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF FINANCE FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING LEGISLATIVE INTENT FOR THE MORTGAGE RECOVERY FUND.

S 1372**BY FINANCE COMMITTEE**
AN ACT

APPROPRIATING MONEYS TO THE REGULATORY BOARDS FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

[S 1363](#), [S 1364](#), [S 1365](#), [S 1366](#), [S 1367](#), [S 1368](#), [S 1369](#), [S 1370](#), [S 1371](#), and [S 1372](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 331](#), as amended, [H 478](#), and [H 512](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 469](#), by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 499](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 343](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 526](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 497](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 511](#), by Business 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 1322](#) and [S 1326](#), 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 1320](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—McKenzie, Nonini. Total - 2.

Total - 35.

Whereupon the President declared [S 1320](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1333](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—McKenzie, Nonini. Total - 2.

Total - 35.

Whereupon the President declared [S 1333](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1334](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—McKenzie, Nonini. Total - 2.

Total - 35.

Whereupon the President declared [S 1334](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, [S 1293](#) was referred to the Fourteenth Order of Business, General Calendar.

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 11:20 a.m. until the hour of 10:30 a.m., Tuesday, March 1, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIFTY-FIRST LEGISLATIVE DAY
TUESDAY, MARCH 1, 2016

Senate Chamber

President Little 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 Father John Worster.

The Pledge of Allegiance was led by Jaymond Richardson, 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 29, 2016, 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 1, 2016

The JUDICIARY AND RULES Committee reports that [SJM 105](#), [SJM 106](#), [S 1363](#), [S 1364](#), [S 1365](#), [S 1366](#), [S 1367](#), [S 1368](#), [S 1369](#), [S 1370](#), [S 1371](#), and [S 1372](#) have been correctly printed.

LODGE, Chairman

[SJM 105](#) and [SJM 106](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1363](#), [S 1364](#), [S 1365](#), [S 1366](#), [S 1367](#), [S 1368](#), [S 1369](#), [S 1370](#), [S 1371](#), and [S 1372](#) were referred to the Finance Committee.

February 29, 2016

The JUDICIARY AND RULES Committee reports out [S 1301](#) with the recommendation that it do pass.

LODGE, Chairman

[S 1301](#) was filed for second reading.

February 29, 2016

The JUDICIARY AND RULES Committee reports out [S 1302](#) with the recommendation that it do pass, and with the recommendation that it be placed on the Consent Calendar.

LODGE, Chairman

[S 1302](#) was filed for second reading.

February 29, 2016

The JUDICIARY AND RULES Committee reports out [S 1300](#) and [S 1303](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [S 1300](#) and [S 1303](#) were 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 29, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Shelly Jo Enderud of Post Falls, Idaho, was reappointed as a member of the State Building Authority to serve a term commencing January 1, 2016, and expiring January 1, 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 29, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Bud Tracy of Malta, Idaho, was reappointed as a member of the State Building Authority to serve a term commencing January 1, 2016, and expiring January 1, 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.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 29, 2016

Dear Mr. President:

I transmit herewith [H 481](#), [H 519](#), [H 494](#), [HCR 39](#), [HCR 40](#), [HCR 44](#), [HCR 45](#), [H 532](#), [H 496](#), [H 524](#), [H 498](#), [H 500](#), [H 515](#), and [H 527](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 481](#), [H 519](#), [H 494](#), [HCR 39](#), [HCR 40](#), [HCR 44](#), [HCR 45](#), [H 532](#), [H 496](#), [H 524](#), [H 498](#), [H 500](#), [H 515](#), and [H 527](#) were filed for first reading.

February 29, 2016

Dear Mr. President:

I return herewith [S 1208](#) and [S 1202](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1208](#) and [S 1202](#) were referred to the Judiciary and Rules Committee for enrolling.

February 29, 2016

Dear Mr. President:

I transmit herewith Enrolled [HCR 42](#) and [HCR 30](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [HCR 42](#) and [HCR 30](#) 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

S 1373

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO PROTECTION ORDERS; AMENDING CHAPTER 79, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-7907, IDAHO CODE, TO PROVIDE AN ACTION FOR A PROTECTION ORDER AGAINST HARASSMENT AND STALKING, TO PROVIDE PROCEDURES FOR A FILING AND HEARING FOR A PROTECTION ORDER, TO PROVIDE FOR CONDUCT TO BE PROHIBITED IN A PROTECTION ORDER, TO PROVIDE FOR HOW A PETITION AND PROTECTION ORDER SHALL BE SERVED, TO PROVIDE FOR NOTICE TO LAW ENFORCEMENT AGENCIES, TO PROVIDE THAT LAW ENFORCEMENT AGENCIES SHALL TAKE CERTAIN ACTIONS FOLLOWING RECEIPT OF NOTICE, TO AUTHORIZE RENEWAL, MODIFICATION OR RESCINDING OF A PROTECTION ORDER, TO PROVIDE A PENALTY, TO PROVIDE FOR WHERE A PETITION SHALL BE FILED, TO AUTHORIZE A SINGLE PETITION

WHEN A DOMESTIC VIOLENCE PROTECTION ORDER IS ALSO SOUGHT, TO DEFINE TERMS AND TO AUTHORIZE A HEARING BY ELECTRONIC MEANS IN CERTAIN INSTANCES; AMENDING CHAPTER 79, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-7908, IDAHO CODE, TO PROVIDE AN ACTION FOR AN EX PARTE TEMPORARY PROTECTION ORDER AGAINST HARASSMENT AND STALKING, TO PROVIDE FOR REQUIREMENTS TO PETITION FOR AN EX PARTE ORDER, TO PROVIDE FOR HEARINGS, TO PROVIDE FOR THE EFFECTIVENESS OF AN EX PARTE ORDER, TO PROVIDE FOR A MOTION SEEKING AN ORDER SHORTENING THE TIME PERIOD OF AN EX PARTE ORDER AND TO PROVIDE A CODE REFERENCE; AND AMENDING CHAPTER 79, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-7909, IDAHO CODE, TO PROVIDE THAT CERTAIN FEES SHALL BE WAIVED.

S 1374

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO GUARDIANS OF MINORS; AMENDING SECTION 15-5-201, IDAHO CODE, TO INCLUDE REFERENCE TO THE INTER VIVOS NOMINATION APPOINTMENT OF THE GUARDIAN OF A MINOR; AMENDING CHAPTER 5, TITLE 15, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 15-5-202A, IDAHO CODE, AUTHORIZING THE INTER VIVOS NOMINATION APPOINTMENT OF THE GUARDIAN OF A MINOR; AMENDING SECTION 15-5-203, IDAHO CODE, TO INCLUDE REFERENCE TO THE INTER VIVOS NOMINATION APPOINTMENT OF THE GUARDIAN OF A MINOR; AMENDING SECTION 15-5-208, IDAHO CODE, TO INCLUDE REFERENCE TO THE INTER VIVOS NOMINATION APPOINTMENT OF THE GUARDIAN OF A MINOR; AMENDING SECTION 15-5-210, IDAHO CODE, TO PROVIDE FOR THE TERMINATION OF AN INTER VIVOS APPOINTMENT OF THE GUARDIAN OF A MINOR; AND AMENDING SECTION 15-5-211, IDAHO CODE, TO INCLUDE REFERENCE TO THE INTER VIVOS NOMINATION APPOINTMENT OF THE GUARDIAN OF A MINOR.

S 1375

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE DELEGATION OF POWERS OVER MINORS OR PERSONS WITH DEVELOPMENTAL DISABILITIES; AMENDING SECTION 15-5-104, IDAHO CODE, TO CLARIFY THE DURATION AND REVOCATION OF A POWER OF ATTORNEY DELEGATING POWERS AND TO AUTHORIZE A PARENT OR GUARDIAN OF A MINOR OR PERSON WITH A DEVELOPMENTAL DISABILITY TO DELEGATE CERTAIN POWERS UPON THE OCCURRENCE OF CERTAIN CONDITIONS.

[S 1373](#), [S 1374](#), and [S 1375](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 481](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 519](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 494](#), by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[HCR 39](#) and [HCR 40](#), by Judiciary, Rules, and Administration Committee, were introduced, read at length, and referred to the Judiciary and Rules Committee.

[HCR 44](#) and [HCR 45](#), by Education Committee, were introduced, read at length, and referred to the Education Committee.

[H 532](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 496](#), by Local Government Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 524](#), by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 498](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 500](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 515](#) and [H 527](#), by Education Committee, were 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 1269](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1272](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 461](#), by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

[S 1327](#), [S 1351](#), and [S 1352](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[H 355](#) and [H 473](#), by Transportation and Defense Committee, were read the second time at length and filed for third reading.

[S 1234](#) and [S 1323](#), by State Affairs Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Fourteenth Order of Business.

General Calendar

President Little called Senator Keough to the Chair.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:20 p.m. until the hour of 4:30 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 4:30 p.m. President Little returned to the Chair.

Roll call showed all members present except Senator Schmidt, absent and formally excused by the Chair; and Senators Brackett, Davis, Johnson, Keough, Rice, and Vick, absent and excused.

Prior to recess the Senate was at the Fourteenth Order of Business, General Calendar.

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.

Senators Keough, Brackett, Davis, Johnson, Rice, and Vick were recorded present at this order of business.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out [S 1342](#) and [S 1293](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1342 AMENDMENT TO SECTION 2

On page 1 of the printed bill, in line 13, following "The" insert: "use of religious texts, including the"; also in line 13, following "Bible" insert: ","; in line 17, delete "astronomy, biology, geology,"; and in line 19, following "of" insert: "religious texts, including"; also in line 19, following "Bible" insert: ",".

CORRECTION TO TITLE

On page 1, in line 5, following "WHEN" insert: "RELIGIOUS TEXTS, INCLUDING"; also in line 5, following "BIBLE" delete "IS" and insert: ", ARE".

SENATE AMENDMENT TO S 1293 AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 12, delete "A student's parent or guardian is the"; delete lines 13 and 14; in line 15, delete "a" and insert: "A"; and in line 16, following "child's" insert: "public".

The Committee also has [S 1341](#), [S 1328](#), and [S 1357](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

[S 1342](#), as amended, and [S 1293](#), 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.

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

Reports of Standing Committees

March 1, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1342](#) and [S 1293](#) have been correctly printed.

LODGE, Chairman

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

March 1, 2016

The JUDICIARY AND RULES Committee reports that [S 1342](#), as amended, and [S 1293](#), as amended, have been correctly engrossed.

LODGE, Chairman

[S 1342](#), as amended, and [S 1293](#), as amended, were filed for first reading.

March 1, 2016

The JUDICIARY AND RULES Committee reports that [S 1208](#) and [S 1202](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1208](#) and [S 1202](#) and ordered them transmitted to the House for the signature of the Speaker.

March 1, 2016

The AGRICULTURAL AFFAIRS Committee reports out [H 381](#) with the recommendation that it do pass.

RICE, Chairman

[H 381](#) was filed for second reading.

March 1, 2016

The TRANSPORTATION Committee reports out [H 471](#) and [H 472](#) with the recommendation that they do pass.

BRACKETT, Chairman

[H 471](#) and [H 472](#) were filed for second reading.

March 1, 2016

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

Janice B. Vassar to the Idaho Transportation Board, term to expire January 31, 2022.

BRACKETT, 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 1, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 332](#), [H 333](#), [H 334](#), [H 396](#), [H 397](#), [H 441](#), and [S 1359](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 332](#), [H 333](#), [H 334](#), [H 396](#), [H 397](#), [H 441](#), and [S 1359](#) were filed for second reading.

March 1, 2016

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:

Susan Elizabeth Buxton as the Administrator of the Division of Human Resources, term to continue at the pleasure of the Governor.

PATRICK, 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 1, 2016

The FINANCE Committee reports out [H 532](#), [S 1363](#), [S 1364](#), [S 1365](#), [S 1366](#), [S 1367](#), [S 1368](#), [S 1369](#), [S 1370](#), [S 1371](#), and [S 1372](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 532](#), [S 1363](#), [S 1364](#), [S 1365](#), [S 1366](#), [S 1367](#), [S 1368](#), [S 1369](#), [S 1370](#), [S 1371](#), and [S 1372](#) were filed for second 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 1342](#), as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

[S 1293](#), 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 advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1285](#), 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—Anthon, Bair, Bayer, Brackett, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Buckner-Webb, Burgoyne, Jordan, Stennett. Total - 4.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1285](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1280](#), 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?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 29.

NAYS—Buckner-Webb, Burgoyne, Jordan, Stennett, Ward-Engelking. Total - 5.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1280](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1312](#), as amended, 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—Brackett, Davis, Hagedorn, Keough, Lacey, Patrick, Souza, Winder. Total - 8.

NAYS—Anthon, Bair, Bayer, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Rice, Siddoway, Stennett, Thayn, Vick, Ward-Engelking. Total - 25.

Absent and excused—Lakey, Schmidt. Total - 2.

Total - 35.

Whereupon the President declared that [S 1312](#), as amended, had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

[S 1291](#), 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—Anthon, Brackett, Buckner-Webb, Burgoyne, Davis, Johnson, Jordan, Keough, Lee, McKenzie, Mortimer, Patrick, Souza, Stennett, Thayn, Ward-Engelking. Total - 16.

NAYS—Bair, Bayer, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Lacey, Lodge, Martin, Nonini, Nuxoll, Rice, Siddoway, Vick, Winder. Total - 17.

Absent and excused—Lakey, Schmidt. Total - 2.

Total - 35.

Whereupon the President declared that [S 1291](#), as amended, had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

[S 1288](#) 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—Anthon, Bair, Brackett, Buckner-Webb, Burgoyne, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Siddoway, Stennett, Thayn, Ward-Engelking, Winder. Total - 27.

NAYS—Bayer, Den Hartog, Nonini, Nuxoll, Souza, Vick. Total - 6.

Absent and excused—Lakey, Schmidt. Total - 2.

Total - 35.

Whereupon the President declared [S 1288](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, [S 1260](#), as amended, was placed at the head of the Third Reading Calendar, followed by [H 461](#), followed by 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 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, March 2, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIFTY-SECOND LEGISLATIVE DAY
WEDNESDAY, MARCH 2, 2016

Senate Chamber

President Little 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; and Senators Brackett and Davis, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Kennedy Jones, 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 1, 2016, 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 Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 2, 2016

The JUDICIARY AND RULES Committee reports that [S 1373](#), [S 1374](#), and [S 1375](#) have been correctly printed.

LODGE, Chairman

[S 1373](#), [S 1374](#), and [S 1375](#) were referred to the Judiciary and Rules Committee.

March 1, 2016

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:

John H. Tippets as the Director of the Department of Environmental Quality, term to continue at the pleasure of the Governor.

John Randolph MacMillan to the Board of Environmental Quality, term to expire July 1, 2019.

Kevin C. Boling to the Board of Environmental Quality, term to expire July 1, 2019.

L.N. Nick Purdy to the Board of Environmental Quality, term to expire July 1, 2019.

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.

March 1, 2016

The EDUCATION Committee reports out [H 458](#) and [S 1332](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, [H 458](#) and [S 1332](#) were referred to the Fourteenth Order of Business, General Calendar.

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

Messages from the House

March 1, 2016

Dear Mr. President:

I transmit herewith [H 503](#), [H 480](#), [H 482](#), [H 483](#), [HCR 47](#), and [H 516](#), which have passed the House.

TAYLOR, Assistant Chief Clerk

[H 503](#), [H 480](#), [H 482](#), [H 483](#), [HCR 47](#), and [H 516](#) 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 503](#), by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 480](#) and [H 482](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 483](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[HCR 47](#), by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

[H 516](#), by State Affairs 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

[S 1301](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1302](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading, Consent Calendar.

[H 381](#), by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

[H 471](#) and [H 472](#), by Transportation and Defense Committee, were read the second time at length and filed for third reading.

[H 332](#), [H 333](#), and [H 334](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 396](#) and [H 397](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[H 441](#), by Business Committee, was read the second time at length and filed for third reading.

[S 1359](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[H 532](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1363](#), [S 1364](#), [S 1365](#), [S 1366](#), [S 1367](#), [S 1368](#), [S 1369](#), [S 1370](#), [S 1371](#), and [S 1372](#), by Finance Committee, were read the second time at length and filed for third reading.

[S 1342](#), as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1293](#), 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

[S 1260](#), as amended, 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1260](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[H 461](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [H 461](#) passed, title was approved, and the bill ordered returned to the House.

[S 1345](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1345](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1346](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1346](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1336](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1336](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1325](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1325](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1274](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1274](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1275](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1275](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1353](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1353](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1330](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1330](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Burgoyne, granted by unanimous consent, [S 1256](#), as amended, retained its place on the Third Reading Calendar for one legislative day.

[S 1297](#), as amended, 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?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1297](#), as amended, as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1322](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1322](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1326](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1326](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1269](#) 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?"

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

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1269](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1272](#) 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?"

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

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1272](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, [S 1256](#), as amended, was referred to the Fourteenth Order of Business, General Calendar.

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 12:10 p.m. until the hour of 10:30 a.m., Thursday, March 3, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

**FIFTY-THIRD LEGISLATIVE DAY
THURSDAY, MARCH 3, 2016**

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:30 a.m.

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Logan Snell, 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, 2016, 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 Keough 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 2, 2016

The STATE AFFAIRS Committee reports out [H 389](#), [H 390](#), and [S 1356](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[H 389](#), [H 390](#), and [S 1356](#) were filed for second reading.

March 2, 2016

The STATE AFFAIRS Committee reports out [H 447](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, [H 447](#) was referred to the Fourteenth Order of Business, General Calendar.

March 2, 2016

The RESOURCES AND ENVIRONMENT Committee reports out [S 1338](#) with the recommendation that it do pass.

BAIR, Chairman

[S 1338](#) was filed for second reading.

March 2, 2016

The RESOURCES AND ENVIRONMENT 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 B. Booth to the Northwest Power and Conservation Council, term to expire January 15, 2019.

BAIR, 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 2, 2016

The JUDICIARY AND RULES Committee reports out [H 429](#), [S 1361](#), [S 1362](#), and [H 491](#), as amended, with the recommendation that they do pass.

LODGE, Chairman

[H 429](#), [S 1361](#), [S 1362](#), and [H 491](#), as amended, were filed for second reading.

March 2, 2016

The STATE AFFAIRS Committee reports out [S 1354](#) with the recommendation that it do pass.

MCKENZIE, Chairman

[S 1354](#) was filed for second reading.

March 2, 2016

The EDUCATION Committee reports out [H 451](#) with the recommendation that it do pass.

MORTIMER, Chairman

[H 451](#) was filed for second reading.

March 3, 2016

The AGRICULTURAL AFFAIRS Committee reports out [H 456](#), [H 499](#), and [HCR 32](#) with the recommendation that they do pass.

RICE, Chairman

[H 456](#) and [H 499](#) were filed for second reading.

[HCR 32](#) 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 2, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Paul J. Schneider of Boise, Idaho, was reappointed as a member of the Idaho State Racing Commission to serve a term commencing January 15, 2016, and expiring January 15, 2022.

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

March 3, 2016

Dear Mr. President:

I transmit herewith [HCR 38](#), [H 504](#), [H 508](#), [H 528](#), [H 525](#), as amended, [H 485](#), [H 501](#), [H 509](#), [H 514](#), and [H 534](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[HCR 38](#), [H 504](#), [H 508](#), [H 528](#), [H 525](#), as amended, [H 485](#), [H 501](#), [H 509](#), [H 514](#), and [H 534](#) were filed for first reading.

March 2, 2016

Dear Mr. President:

I return herewith Enrolled [S 1208](#) and [S 1202](#), which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled [S 1208](#) and [S 1202](#) 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 Pro Tempore announced that [SCR 148](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Nonini, seconded by Senator Burgoyne, [SCR 148](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that [SCR 149](#) was before the Senate for final consideration.

Moved by Senator Mortimer, seconded by Senator Hagedorn, that [SCR 149](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Rice, Schmidt, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Lacey, Patrick, Siddoway. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [SCR 149](#) adopted, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, [SCR 142](#) was referred to the Judiciary and Rules Committee.

The President Pro Tempore announced that [SCR 143](#) was before the Senate for final consideration.

Moved by Senator Davis, seconded by Senator Stennett, that [SCR 143](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Lacey, Siddoway. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [SCR 143](#) adopted, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that [SCR 144](#) was before the Senate for final consideration.

Moved by Senator Davis, seconded by Senator Stennett, that [SCR 144](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Lacey. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [SCR 144](#) adopted, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that [SR 101](#) was before the Senate for final consideration.

Moved by Senator Davis, seconded by Senator Lakey, that [SR 101](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Thayn, Vick, Winder. Total - 29.

NAYS—Buckner-Webb, Burgoyne, Jordan, Stennett, Ward-Engelking. Total - 5.

Absent and excused—Lacey. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [SR 101](#) adopted, title was approved, and the resolution ordered filed in the office of the Secretary of the Senate.

The President Pro Tempore announced that [HCR 34](#) was before the Senate for final consideration.

Moved by Senator Lee, seconded by Senator Burgoyne, that [HCR 34](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Anthon, Brackett, Burgoyne, Davis, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Patrick, Schmidt, Ward-Engelking. Total - 16.

NAYS—Bair, Bayer, Buckner-Webb, Den Hartog, Guthrie, Hagedorn, Johnson, McKenzie, Mortimer, Nonini, Nuxoll, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Winder. Total - 18.

Absent and excused—Lacey. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared that the Senate has failed to adopt [HCR 34](#) and ordered the resolution returned to the House.

On request by Senator Winder, granted by unanimous consent, [HCR 33](#) retained its place on the calendar for Thursday, March 10, 2016.

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 1376

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING SECTION 33-5202A, IDAHO CODE, TO DEFINE TERMS AND TO REVISE A DEFINITION; AMENDING SECTION 33-5203, IDAHO CODE, TO PROVIDE AN

ADDITIONAL WAY TO FORM A PUBLIC CHARTER SCHOOL AND TO SPECIFY THAT A CHARTER HOLDER MAY NOT OPERATE ENTERPRISES OTHER THAN THE PUBLIC CHARTER SCHOOLS FOR WHICH IT HAS BEEN AUTHORIZED; AMENDING SECTION 33-5204, IDAHO CODE, TO ALLOW PUBLIC CHARTER SCHOOL NONPROFIT BOARDS TO HOLD MULTIPLE CHARTERS UNDER CERTAIN CONDITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-5204, IDAHO CODE, AS AMENDED BY SECTION 71, CHAPTER 141, LAWS OF 2015, TO ALLOW PUBLIC CHARTER SCHOOL NONPROFIT BOARDS TO HOLD MULTIPLE CHARTERS UNDER CERTAIN CONDITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-5205, IDAHO CODE, TO REVISE PROVISIONS REGARDING PETITIONS TO ESTABLISH PUBLIC CHARTER SCHOOLS, TO REVISE CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 52, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-5205C, IDAHO CODE, TO PROVIDE FOR CHARTER SCHOOL REPLICATION AND RELATED PROVISIONS; AMENDING SECTION 33-5206, IDAHO CODE, TO REQUIRE REPLICATION PUBLIC CHARTER SCHOOLS TO ESTABLISH A CERTAIN ADMISSION PREFERENCE POLICY, TO ALLOW PUBLIC CHARTER SCHOOLS TO CONTRACT WITH EDUCATIONAL SERVICES PROVIDERS SUBJECT TO CERTAIN CONDITIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-5207, IDAHO CODE, TO PROVIDE THAT REPLICATION PUBLIC CHARTER SCHOOLS ARE SUBJECT TO PROVISIONS REGARDING CHARTER REPEAL PROCEDURES; AMENDING SECTION 33-5208, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-5209A, IDAHO CODE, TO REVISE PROVISIONS REGARDING ACCOUNTABILITY REQUIREMENTS; AMENDING SECTION 33-5209B, IDAHO CODE, TO REVISE PROVISIONS REGARDING CHARTER RENEWALS; AMENDING SECTION 33-5209C, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ENFORCEMENT, REVOCATION AND APPEAL PROCESS FOR CHARTER HOLDERS; AMENDING SECTION 33-5210, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN EXEMPTIONS, TO REMOVE A PROVISION THAT SUBJECTS CERTAIN PUBLIC CHARTER SCHOOLS TO CERTAIN RULES AND TO MAKE A TECHNICAL CORRECTION; AND PROVIDING AN EFFECTIVE DATE.

S 1377

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ELECTIONS; AMENDING SECTION 34-1203, IDAHO CODE, TO REMOVE THE REQUIREMENT THAT ELECTION JUDGES MUST POST A CORRECT COPY OF RESULTS AT THE POLLING PLACE AND TO MAKE TECHNICAL CORRECTIONS.

S 1378

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO CONCEALED WEAPONS; REPEALING SECTION 18-3302, IDAHO CODE, RELATING TO CONCEALED WEAPONS; AMENDING CHAPTER 33, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-3302, IDAHO CODE, TO ESTABLISH

PROVISIONS REGARDING CONCEALED WEAPONS; AND AMENDING SECTION 18-3302C, IDAHO CODE, TO REVISE PROVISIONS REGARDING PROHIBITED CONDUCT.

S 1379
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE DIVISION OF BUILDING SAFETY FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1380
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE INDUSTRIAL COMMISSION FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1381
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF INSURANCE FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1382
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO NURSES; AMENDING SECTION 54-1402, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS.

S 1383
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO THE CIVIL RIGHTS OF PERSONS CONVICTED OF CRIME; AMENDING SECTION 18-310, IDAHO CODE, TO PROVIDE THAT THE RIGHT TO SHIP, TRANSPORT, POSSESS OR RECEIVE A FIREARM SHALL NOT BE RESTORED FOLLOWING FELONY CONVICTIONS FOR CERTAIN CRIMES.

[S 1376](#), [S 1377](#), [S 1378](#), [S 1379](#), [S 1380](#), [S 1381](#), [S 1382](#), and [S 1383](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HCR 38](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 504](#) and [H 508](#), by Judiciary, Rules, and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 528](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 525](#), as amended, by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 485](#) and [H 501](#), by Commerce and Human Resources Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 509](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 514](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 534](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

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 [S 1341](#), [S 1300](#), [H 458](#), [S 1256](#), as amended, and [H 447](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1341
AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 29, following "Residential" insert: "care"; and delete lines 34 through 36, and insert: "the conduct omitted. If the department requires a specific corrective action in relation to a citation, that requirement must be in writing and reference the corresponding rule.".

CORRECTION TO TITLE

On page 1, in line 3, following "RESIDENTIAL" insert: "CARE".

SENATE AMENDMENT TO S 1300
AMENDMENT TO SECTION 2

On page 3 of the printed bill, delete lines 5 through 7, and insert:

"(e) Revival. Provisions revoked solely by this section are revived by the divorced individual's remarriage to the former spouse or by the divorce or annulment being set aside."

SENATE AMENDMENT TO H 458
AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 22, delete "~~middle or~~" and insert: "middle level or".

AMENDMENT TO SECTION 3

On page 2, in line 6, delete "cost" and insert: "distribution"; in line 9, following "course." insert: "An overload course must be taken for high school credit to be eligible for funding."; and in line 10, delete "cost" and insert: "distribution".

SENATE AMENDMENT TO S 1256, As Amended
AMENDMENT TO SECTION 1

On page 1 of the engrossed bill, in line 23, delete "not less"; delete line 24 and insert: "one hundred fifty dol-"; and in line 25, delete "75-300" and insert: "75-00150".

AMENDMENT TO SECTION 2

On page 2, in line 22, delete "not less"; delete line 23 and insert: "one hundred fifty dol-"; and in line 24, delete "75-300" and insert: "75-00150".

AMENDMENT TO SECTION 3

On page 2, in line 41, delete "not less"; delete line 42 and insert: "one hundred fifty dol-"; and in line 43, delete "75,300" and insert: "75,00150".

SENATE AMENDMENT TO H 447

AMENDMENT TO SECTION 1

On page 2 of the printed bill, delete lines 6 through 9, and insert:

"(b) Records of buildings, facilities, infrastructures and systems, other than public expenditure records, related to proposed or existing critical infrastructure held by or in the custody of any public agency only when the disclosure of such information would be reasonably likely to jeopardize the safety of persons."

The Committee also has [S 1328](#), [S 1357](#), [S 1303](#), and [S 1332](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

[S 1341](#), as amended, [S 1300](#), as amended, and [S 1256](#), 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 458](#), as amended in the Senate, and [H 447](#), 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 3, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1341](#), [S 1300](#), [H 458](#), [S 1256](#), as amended, and [H 447](#) have been correctly printed.

LODGE, Chairman

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

March 3, 2016

The JUDICIARY AND RULES Committee reports that [S 1341](#), as amended, [S 1300](#), as amended, and [S 1256](#), as amended, as amended, have been correctly engrossed.

LODGE, Chairman

[S 1341](#), as amended, [S 1300](#), as amended, and [S 1256](#), as amended, 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 458](#), as amended in the Senate, by Education Committee, was read the first time at length and filed for second reading.

[H 447](#), as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

[S 1341](#), as amended, by Health and Welfare Committee, was read the first time at length and filed for second reading.

[S 1300](#), as amended, and [S 1256](#), as amended, as amended, by Judiciary and Rules Committee, were 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 12:15 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 Pro Tempore Hill presiding.

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

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 3, 2016

The JUDICIARY AND RULES Committee reports that Enrolled [S 1208](#) and [S 1202](#) were delivered to the Office of the Governor at 11:30 a.m., March 3, 2016.

LODGE, Chairman

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

March 3, 2016

The TRANSPORTATION Committee reports out [H 343](#) with the recommendation that it do pass.

BRACKETT, Chairman

[H 343](#) was filed for second reading.

March 3, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 366](#), [H 368](#), [H 486](#), and [H 519](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 366](#), [H 368](#), [H 486](#), and [H 519](#) were filed for second reading.

March 3, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1315](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, [S 1315](#) was referred to the Fourteenth Order of Business, General Calendar.

March 3, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 496](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[H 496](#) was filed for second reading.

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

Motions and Resolutions

The President Pro Tempore announced that [HCR 36](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Burgoyne, [HCR 36](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that [SJM 105](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Guthrie, seconded by Senator Burgoyne, [SJM 105](#) was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The President Pro Tempore announced that [SJM 106](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator McKenzie, seconded by Senator Burgoyne, [SJM 106](#) was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The President Pro Tempore announced that the Judiciary and Rules Committee report relative to the gubernatorial reappointment of Anna Jane "Janie" Dressen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

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

On motion by Senator Jordan, seconded by Senator Burgoyne, the gubernatorial reappointment of Anna Jane "Janie" Dressen as a member of the Commission on Pardons and Parole 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 Judiciary and Rules Committee report relative to the gubernatorial appointment of Cortney C. Dennis was before the Senate for final consideration, the question being, "Shall the report be adopted?"

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

On motion by Senator Lee, seconded by Senator Jordan, the gubernatorial appointment of Cortney C. Dennis as a member of the Commission on Pardons and Parole 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 reappointment of J. Philip Reberger was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Anthon, the gubernatorial reappointment of J. Philip Reberger as a member of the Idaho Judicial Council 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 Michael "Mike" Mark Mooney was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator McKenzie, the gubernatorial appointment of Michael "Mike" Mark Mooney as a member of the Idaho Energy Resources Authority 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 Transportation Committee report relative to the gubernatorial reappointment of Janice B. Vassar was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Johnson, seconded by Senator Schmidt, the gubernatorial reappointment of Janice B. Vassar as a member of the Idaho Transportation 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 Commerce and Human Resources Committee report relative to the gubernatorial appointment of Susan Elizabeth Buxton was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lakey, seconded by Senator Ward-Engelking, the gubernatorial appointment of Susan Elizabeth Buxton as the Administrator of the Division of Human Resources 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 Health and Welfare Committee report relative to the Gubernatorial appointment of John H. Tippets was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Harris, seconded by Senator Hagedorn, the Gubernatorial appointment of John H. Tippets as the Director of the Department of Environmental Quality 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 Health and Welfare Committee report relative to the Gubernatorial reappointment of John Randolph MacMillan was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heider, seconded by Senator Jordan, the Gubernatorial reappointment of John Randolph MacMillan as a member of the Board of Environmental Quality 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 Kevin C. Boling retained its place on the calendar.

The President Pro Tempore announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of L.N. Nick Purdy was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Stennett, seconded by Senator Burgoyne, the Gubernatorial reappointment of L.N. Nick Purdy as a member of the Board of Environmental Quality 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 Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

The President Pro Tempore announced that Senator Davis requested and has received an excused absence for the remainder of the legislative day.

[S 1327](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill,

Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Davis, Lacey, Nuxoll. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [S 1327](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1351](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Davis, Lacey, Nuxoll. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [S 1351](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1352](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Davis, Lacey, Nuxoll. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [S 1352](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1234](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Davis, Lacey, Nuxoll. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [S 1234](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1323](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Davis, Lacey, Nuxoll. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [S 1323](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1301](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Davis, Lacey, Nuxoll. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [S 1301](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1359](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 29.

NAYS—Burgoyne, Den Hartog, Jordan. Total - 3.

Absent and excused—Davis, Lacey, Nuxoll. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [S 1359](#) 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 6 p.m. until the hour of 10:30 a.m., Friday, March 4, 2016.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIFTY-FOURTH LEGISLATIVE DAY
FRIDAY, MARCH 4, 2016

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Anthon and Davis, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Cardston Stanford, 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, 2016, 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 Sixth Order of Business.

Reports of Standing Committees

March 4, 2016

The JUDICIARY AND RULES Committee reports that [S 1376](#), [S 1377](#), [S 1378](#), [S 1379](#), [S 1380](#), [S 1381](#), [S 1382](#), and [S 1383](#) have been correctly printed.

LODGE, Chairman

[S 1376](#) was referred to the Education Committee.

[S 1377](#) and [S 1378](#) were referred to the State Affairs Committee.

[S 1379](#), [S 1380](#), and [S 1381](#) were referred to the Finance Committee.

[S 1382](#) was referred to the Health and Welfare Committee.

[S 1383](#) was referred to the Judiciary and Rules Committee.

Senator Davis was recorded present at this order of business.

March 3, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1347](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SIDDOWAY, Chairman

There being no objection, [S 1347](#) was referred to the Fourteenth Order of Business, General Calendar.

March 4, 2016

The HEALTH AND WELFARE Committee reports out [H 481](#) and [H 500](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 481](#) and [H 500](#) were filed for second reading.

March 4, 2016

The STATE AFFAIRS Committee reports out [H 426](#), [H 427](#), [H 436](#), [H 464](#), and [HCR 29](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[H 426](#), [H 427](#), [H 436](#), and [H 464](#) were filed for second reading.

[HCR 29](#) 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 Lakey, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 3, 2016

Dear Mr. President:

I transmit herewith [HCR 46](#), [H 535](#), [H 546](#), [H 547](#), [H 548](#), [H 549](#), [H 550](#), [H 551](#), [H 552](#), and [H 523](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[HCR 46](#), [H 535](#), [H 546](#), [H 547](#), [H 548](#), [H 549](#), [H 550](#), [H 551](#), [H 552](#), and [H 523](#) were filed for first reading.

March 3, 2016

Dear Mr. President:

I return herewith [S 1229](#), [S 1259](#), [S 1270](#), [S 1271](#), [S 1219](#), and [S 1249](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[S 1229](#), [S 1259](#), [S 1270](#), [S 1271](#), [S 1219](#), and [S 1249](#) 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 Johnson, granted by unanimous consent, [HCR 32](#) retained its place on the calendar for Monday, March 7, 2016.

The President Pro Tempore announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Kevin C. Boling was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Nuxoll, seconded by Senator Burgoyne, the Gubernatorial reappointment of Kevin C. Boling as a member of the Board of Environmental Quality 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.

Senator Anthon was recorded present at this order of business.

The President Pro Tempore announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of William B. Booth was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Vick, seconded by Senator Lacey, the Gubernatorial reappointment of William B. Booth as a member of the Northwest Power and Conservation Council 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 1384

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE LIMITED LINES TRAVEL INSURANCE ACT; AMENDING TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 62, TITLE 41, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE REQUIREMENTS FOR LIMITED LINES TRAVEL INSURANCE PRODUCERS, TO REQUIRE REGISTRATION, TO PROVIDE FOR TYPES OF POLICIES, TO PROVIDE FOR RESPONSIBILITIES OF LIMITED LINES TRAVEL INSURANCE PRODUCERS AND TO PROVIDE FOR ENFORCEMENT.

S 1385

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES AND FINANCIAL RESPONSIBILITY; AMENDING SECTION 49-117, IDAHO CODE, TO REVISE THE DEFINITION OF "PROOF OF FINANCIAL RESPONSIBILITY," TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR APPLICABILITY.

S 1386

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ABORTION; TO PROVIDE A SHORT TITLE; AMENDING SECTION 18-604, IDAHO CODE, TO PROVIDE ADDITIONAL DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 6, TITLE 18, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 18-622 THROUGH 18-629, IDAHO CODE, TO PROHIBIT DISMEMBERMENT ABORTIONS, TO PROVIDE FOR PROTECTION OR PRIVACY IN COURT PROCEEDINGS, TO PROVIDE FOR INJUNCTIONS AGAINST DISMEMBERMENT ABORTIONS, TO PROVIDE CIVIL REMEDIES, TO PROVIDE ATTORNEY'S FEES, TO PROVIDE CRIMINAL PENALTIES, TO PROVIDE FOR CONSTRUCTION AND TO PROVIDE SEVERABILITY; AMENDING SECTION 18-617, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; REPEALING SECTION 18-613, IDAHO CODE, RELATING TO PARTIAL-BIRTH ABORTIONS; AMENDING CHAPTER 6, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-613, IDAHO CODE, TO PROHIBIT PARTIAL-BIRTH ABORTIONS, TO PROVIDE AN EXCEPTION, TO PROVIDE DEFINITIONS, TO PROVIDE FOR CIVIL ACTIONS, TO PROVIDE FOR A FACT-FINDING HEARING WITH THE STATE MEDICAL BOARD AND TO PROVIDE LIMITED IMMUNITY TO THE PERSON UPON WHOM THE ABORTION IS PERFORMED; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

[S 1384](#), [S 1385](#), and [S 1386](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HCR 46](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 535](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 546](#), [H 547](#), [H 548](#), [H 549](#), [H 550](#), [H 551](#), and [H 552](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 523](#), 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 389](#) and [H 390](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[S 1356](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1338](#), by Resources and Environment Committee, was read the second time at length and filed for third reading.

[H 429](#), by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

[S 1361](#) and [S 1362](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[H 491](#), as amended, by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

[S 1354](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 451](#), by Education Committee, was read the second time at length and filed for third reading.

[H 456](#), by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

[H 499](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 458](#), as amended in the Senate, by Education Committee, was read the second time at length and filed for third reading.

[H 447](#), as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1341](#), as amended, by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1300](#), as amended, and [S 1256](#), as amended, as amended, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[H 343](#), by Transportation and Defense Committee, was read the second time at length and filed for third reading.

[H 366](#), [H 368](#), [H 486](#), and [H 519](#), by Business Committee, were read the second time at length and filed for third reading.

[H 496](#), by Local Government 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 1363](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1363](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1364](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1364](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Lakey, granted by unanimous consent, [H 445](#) was placed at the top of the calendar.

[H 445](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [H 445](#) passed, title was approved, and the bill ordered returned to the House.

[S 1365](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1365](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1366](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayne, Ward-Engelking, Winder. Total - 31.

NAYS—Mortimer, Nuxoll, Souza, Vick. Total - 4.

Total - 35.

Whereupon the President Pro Tempore declared [S 1366](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1367](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President Pro Tempore declared [S 1367](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1368](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Schmidt, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 32.

NAYS—Nuxoll, Rice, Vick. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [S 1368](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1369](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President Pro Tempore declared [S 1369](#) passed, title was approved, and the bill ordered transmitted to the House.

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, followed by House appropriations bills.

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 Lakey, 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 Senator Den Hartog providing opening remarks.

The Silver Trail Elementary 4th Graders performed "Fifty Nifty United States", "Here We Have Idaho" and "Everyday Heroes".

Closing remarks were provided by Senators Anthon and Den Hartog. They extended gratitude to all who helped with the program and the Idaho Day Service was dissolved.

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 12:05 p.m. until the hour of 10 a.m., Monday, March 7, 2016.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIFTY-SEVENTH LEGISLATIVE DAY
MONDAY, MARCH 7, 2016

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Alaire Chambers, 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, 2016, 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 Davis was 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 7, 2016

The JUDICIARY AND RULES Committee reports that [S 1384](#), [S 1385](#), and [S 1386](#) have been correctly printed.

LODGE, Chairman

[S 1384](#) and [S 1385](#) were referred to the Commerce and Human Resources Committee.

[S 1386](#) was referred to the State Affairs Committee.

March 7, 2016

The JUDICIARY AND RULES Committee reports that [S 1229](#), [S 1259](#), [S 1270](#), [S 1271](#), [S 1219](#), and [S 1249](#) have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1229](#), [S 1259](#), [S 1270](#), [S 1271](#), [S 1219](#), and [S 1249](#) and ordered them transmitted to the House for the signature of the Speaker.

March 4, 2016

The FINANCE Committee reports out [H 546](#), [H 547](#), [H 548](#), [H 549](#), [H 550](#), [H 551](#), [H 552](#), [S 1379](#), [S 1380](#), and [S 1381](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 546](#), [H 547](#), [H 548](#), [H 549](#), [H 550](#), [H 551](#), [H 552](#), [S 1379](#), [S 1380](#), and [S 1381](#) were filed for second reading.

Senator Lakey was recorded present at this order of business.

March 4, 2016

The JUDICIARY AND RULES Committee reports out [H 495](#), [HCR 39](#), [HCR 40](#), and [S 1343](#) with the recommendation that they do pass.

LODGE, Chairman

[H 495](#) and [S 1343](#) were filed for second reading.

[HCR 39](#) and [HCR 40](#) 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 4, 2016

Dear Mr. President:

I transmit herewith [HCR 41](#), which has passed the House.

TAYLOR, Acting Chief Clerk

[HCR 41](#) was filed for first reading.

March 3, 2016

Dear Mr. President:

I transmit herewith Enrolled [H 461](#) for the signature of the President.

TAYLOR, Acting Chief Clerk

The President Pro Tempore signed Enrolled [H 461](#) and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senator McKenzie was recorded present at this order of business.

The President Pro Tempore announced that [HCR 32](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Johnson, seconded by Senator Schmidt, [HCR 32](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

Senator Lodge was recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, [HCR 29](#) retained its place on the calendar for one legislative day.

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**

[HCR 41](#), 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 481](#) and [H 500](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 426](#), [H 427](#), [H 436](#), and [H 464](#), 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

[S 1370](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 32.

NAYS—Nuxoll, Vick. Total - 2.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1370](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1371](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1371](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1372](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1372](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1342](#), as amended, 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—Anthon, Bair, Bayer, Brackett, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Winder. Total - 31.

NAYS—Burgoyne, Jordan, Ward-Engelking. Total - 3.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1342](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1293](#), 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—Anthon, Bair, Bayer, Brackett, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Burgoyne, Schmidt. Total - 2.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1293](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1356](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1356](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1338](#) retained its place on the Third Reading Calendar.

[S 1361](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1361](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1362](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 32.

NAYS—Mortimer, Vick. Total - 2.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1362](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1354](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1341](#), as amended, 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1341](#), 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 12:05 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 Pro Tempore Hill presiding.

Roll call showed all members present except Senator Buckner-Webb, absent and formally excused by the Chair; and Senators Bayer, Brackett, and Davis, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

SCR 150 BY JUDICIARY AND RULES COMMITTEE

A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND PROVIDING FOR THE AMENDMENT OF JOINT RULE 18 OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF IDAHO TO REVISE PROVISIONS RELATING TO STATEMENTS OF PURPOSE AND FISCAL NOTES.

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

WHEREAS, the Senate and the House of Representatives deem it necessary and desirable to amend Joint Rule 18 of the Joint Rules of the Senate and the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Joint Rule 18 of the Senate and the House of Representatives shall be amended to read as follows:

JOINT RULE 18

~~Statement of Purpose and Fiscal Notes. — No bill shall be introduced in either house unless it shall have attached thereto a concise statement of purpose and fiscal note. The contact~~

~~person for the statement of purpose and fiscal note shall be identified on the document. A statement of purpose or fiscal note is not a statement of legislative intent nor intended for any use outside of the legislative process. The statement of purpose and fiscal note applies only to a bill as introduced, and does not necessarily reflect any amendment to the bill that may be adopted. No bill making an appropriation, increasing or decreasing existing appropriations, or requiring a future appropriation, or increasing or decreasing revenues of the state or any unit of local government, or requiring a significant expenditure of funds by the state or a unit of local government, shall be introduced unless it shall have attached thereto a fiscal note. This note shall contain an estimate of the amount of such appropriation, expenditure, or change under the bill. The fiscal note shall identify a full fiscal year's impact of the legislation. Statements of purpose and fiscal notes may be combined in the same statement. All statements of purpose and fiscal notes shall be reviewed for compliance with this rule by the committee to which the bill is assigned. A member may challenge the sufficiency of a statement of purpose or fiscal note at any time prior to passage, except upon introduction. Nothing in this rule shall prohibit a statement of purpose or fiscal note from being revised.~~

Statement of Purpose and Fiscal Notes – General Provisions.
– No bill shall be introduced in either house unless it shall have attached thereto a concise statement of purpose and fiscal note. The contact person for the statement of purpose and fiscal note shall be identified on the document. Statements of purpose and fiscal notes may be combined in the same statement.

Statement of Purpose. – (a) The statement of purpose applies only to a bill as introduced, and does not necessarily reflect any amendment to the bill that may be adopted. All statements of purpose shall be reviewed for compliance with this rule by the committee to which the bill is assigned, excepting that any review is subject to Joint Rule 18(e).

Fiscal Notes. – (b) The fiscal note applies only to a bill as introduced, and does not necessarily reflect any amendment to the bill that may be adopted. The fiscal note shall reasonably contain the proponent's full fiscal year projected increase or decrease in existing or future appropriations, and/or the increase or decrease in revenues by the state or unit(s) of local government. The bill's proponent bears the responsibility to provide a reasonably accurate fiscal note. If the fiscal note states there is no projected fiscal impact, then the fiscal note must contain a statement of the reasons that no fiscal impact is projected. All fiscal notes shall be reviewed for compliance with this rule by the committee to which the bill is assigned, excepting that any compliance review is subject to Joint Rule 18(e). A member of the committee may challenge the sufficiency of a fiscal note at any time prior to the committee's final action on the bill.

Debate. – (c) Any member of either house may debate the sufficiency of a statement of purpose or fiscal note at the time of consideration of the bill.

May be Revised. – (d) Either house may revise the statement of purpose or fiscal note at any time before that house's final action on the bill; however, the revision to the statement of purpose or fiscal note is ministerial only and shall not be done by action of the house.

Not a Statement of Legislative Intent. – (e) Statements of purpose and fiscal notes are mere attachments to the bill and are not voted on. The statement of purpose and fiscal note are not expressions or statements of legislative intent, and are not intended for any use outside of the legislative process, including judicial review.

Notice to Others. – (f) Each statement of purpose and fiscal note shall contain this notice: "This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18)."

SCR 150 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 7, 2016

The STATE AFFAIRS Committee reports out **HCR 28**, as amended, and **S 1350** with the recommendation that they do pass.

MCKENZIE, Chairman

HCR 28, as amended, was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1350 was filed for second reading.

March 7, 2016

The RESOURCES AND ENVIRONMENT Committee reports out **H 350**, **H 378**, and **H 509** with the recommendation that they do pass.

BAIR, Chairman

H 350, **H 378**, and **H 509** were filed for second reading.

March 7, 2016

The HEALTH AND WELFARE Committee reports out **HCR 47** with the recommendation that it do pass.

HEIDER, Chairman

HCR 47 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 7, 2016

The JUDICIARY AND RULES Committee reports out **H 528**, **S 1373**, and **S 1383** with the recommendation that they do pass.

LODGE, Chairman

H 528, **S 1373**, and **S 1383** were filed for second 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**

S 1387

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE IDAHO PHARMACY ACT; AMENDING SECTION 54-1705, IDAHO CODE, TO ADD A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1719, IDAHO CODE, TO CLARIFY THE PHARMACY BOARD'S AUTHORITY OVER DURABLE MEDICAL SUPPLIES; AMENDING SECTION 54-1729, IDAHO CODE, TO CLARIFY THAT THE PHARMACY BOARD MAY ISSUE ENHANCED CERTIFICATES TO ANY OUTLET AND TO ESTABLISH ADDITIONAL REGISTRATION REQUIREMENTS FOR DURABLE MEDICAL EQUIPMENT SUPPLIERS OF CERTAIN TYPES OF EQUIPMENT; AMENDING SECTION 37-3201, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 54-1761, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 54-4702, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

S 1388

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO TAX DEEDS; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 31-808, IDAHO CODE, TO PROVIDE NONAPPLICATION TO EASEMENTS, HIGHWAYS, AND RIGHTS-OF-WAY OWNED BY THE COUNTY, UNLESS EXPRESSLY CONVEYED AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 43-714A, IDAHO CODE, TO FURTHER DEFINE THE TERM "PARTY IN INTEREST"; AMENDING SECTION 43-720, IDAHO CODE, TO REVISE WHAT A TAX DEED CONVEYS; AMENDING SECTION 50-1823, IDAHO CODE, TO REVISE WHAT A TAX DEED CONVEYS; AMENDING SECTION 63-201, IDAHO CODE, TO FURTHER DEFINE THE TERM "PARTY IN INTEREST" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-1009, IDAHO CODE, TO REVISE WHAT A TAX DEED CONVEYS; AND DECLARING AN EMERGENCY AND PROVIDING APPLICATION.

S 1389

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO CONCEALED WEAPONS; AMENDING SECTION 18-3302, IDAHO CODE, TO REVISE PROVISIONS REGARDING CONCEALED WEAPONS AND TO PROVIDE CORRECT CODE REFERENCES; AND AMENDING SECTION 18-3302C, IDAHO CODE, TO REVISE PROVISIONS REGARDING PROHIBITED CONDUCT.

S 1390

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE IDAHO STATE POLICE FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

S 1391

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MEDICAID FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; REQUIRING MONTHLY MEDICAID TRACKING REPORTS; PROVIDING FOR TRANSFER OF APPROPRIATIONS BETWEEN CERTAIN PROGRAMS; REQUIRING BIENNIAL REPORTS ON MEDICAID MANAGED CARE IMPLEMENTATION; AND REQUIRING A REPORT ON FLEXIBLE RECEIPT AUTHORITY.

S 1392

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE IDAHO COMMISSION FOR LIBRARIES FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1393

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE CATASTROPHIC HEALTH CARE PROGRAM AND DIRECTING A TRANSFER FOR FISCAL YEAR 2017.

S 1394

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

[S 1387](#), [S 1388](#), [S 1389](#), [S 1390](#), [S 1391](#), [S 1392](#), [S 1393](#), and [S 1394](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

On request by Senator Winder, 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 [S 1328](#), [S 1332](#), and [S 1347](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1328

AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 14, delete "or items".

On page 5, in line 28, following "the standard" insert: "of care"; in line 30, delete "at the same time" and insert: "simultaneously"; and in line 34, delete "and" and insert: "or".

SENATE AMENDMENT TO S 1332

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 12, delete "governmental"; and following line 35, insert:

"(4) No later than February 1 of each year, the TCLC and the administrator of the division of professional-technical education shall provide a report to the joint finance-appropriations committee, the legislative services office, budget and policy analysis, the division of financial management within the governor's office and to the education committees of the senate and the house of representatives, details regarding the proposals submitted, the proposals approved, the expenditures made from the industry partner fund and any other information requested by the legislature."

CORRECTION TO TITLE

On page 1, in line 4, delete "AND TO" and insert: ",,"; following "AUTHORITY" insert: "AND TO PROVIDE REPORTING REQUIREMENTS".

SENATE AMENDMENT TO S 1347

AMENDMENT TO SECTION 1

On page 2 of the printed bill, delete lines 11 through 17, and insert: "erty."; in line 24, following "accepted." delete "The" and insert: "Within sixty (60) days of the date a claim on the proceeds is due, tHe"; also in line 24, delete "then" and insert: "then"; in line 25, following "law" delete ", within"; in line 26, delete "sixty (60) days" and insert: ", within sixty (60) days or shall transfer the funds to the state treasurer as set forth in paragraph (d) of this subsection"; in line 30, following "record" insert: "or transferred to the state treasurer"; and following line 30, insert:

"(d) With the consent of the state treasurer, the board of county commissioners may transfer funds to be paid to parties in interest or the owner(s) of records pursuant to paragraph (c) of this subsection to the state treasurer. Upon transfer, the board of county commissioners shall immediately notify by first-class mail all parties that submitted a claim on the proceeds and the owner(s) of record of the transfer. The board of county commissioners shall provide such information to the state treasurer concerning the claims and the proceeds as the state treasurer shall reasonably request. The state treasurer shall keep and distribute the proceeds in accordance with chapter 5, title 14, Idaho Code."

CORRECTION TO TITLE

On page 1, in line 2, following ", TO" insert: "ALLOW"; also in line 2, following "TRANSFER" insert: "OF"; and in line 4, following "TREASURER" insert: "AND TO PROVIDE DUTIES OF THE BOARD OF COUNTY COMMISSIONERS".

The Committee also has [S 1357](#), [S 1303](#), and [S 1315](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

[S 1328](#), as amended, [S 1332](#), as amended, and [S 1347](#), 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.

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

Third Reading of Bills

On request by Senator Mortimer, granted by unanimous consent, [H 452](#) was referred to the Fourteenth Order of Business, General Calendar.

[S 1338](#) 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—Anthon, Bair, Bayer, Brackett, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 28.

NAYS—Burgoyne, Jordan, Lacey, Schmidt, Stennett, Ward-Engelking. Total - 6.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1338](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1300](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1300](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1256](#), as amended, 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—Anthon, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Mortimer, Patrick, Schmidt, Souza, Stennett, Ward-Engelking. Total - 23.

NAYS—Bair, Lakey, Martin, McKenzie, Nonini, Nuxoll, Rice, Siddoway, Thayn, Vick, Winder. Total - 11.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1256](#), as amended, as amended, passed, title was approved, and the bill ordered transmitted to the House.

[H 362](#), 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 362](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 379](#), 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 379](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 458](#), as amended in the Senate, 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 458](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 447](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Anthon and Jordan disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 447](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 385](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 385](#) passed, title was approved, and the bill ordered returned to the House.

[H 335](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 335](#) passed, title was approved, and the bill ordered returned to the House.

[H 336](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Souza, Thayn. Total - 2.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 336](#) passed, title was approved, and the bill ordered returned to the House.

[H 337](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 337](#) passed, title was approved, and the bill ordered returned to the House.

[H 338](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 338](#) passed, title was approved, and the bill ordered returned to the House.

[H 339](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 339](#) passed, title was approved, and the bill ordered returned to the House.

[H 340](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 340](#) passed, title was approved, and the bill ordered returned to the House.

[H 391](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 391](#) passed, title was approved, and the bill ordered returned to the House.

[H 392](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 392](#) passed, title was approved, and the bill ordered returned to the House.

[H 428](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 428](#) passed, title was approved, and the bill ordered returned to the House.

[H 346](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 346](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [S 1302](#) was returned to the third reading calendar.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by Senate Finance bills, followed by House bills amended in the Senate, followed by House bills, followed by House Appropriations bills.

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

Reports of Standing Committees

March 7, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1328](#), [S 1332](#), and [S 1347](#) have been correctly printed.

LODGE, Chairman

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

March 7, 2016

The JUDICIARY AND RULES Committee reports that [S 1328](#), as amended, [S 1332](#), as amended, and [S 1347](#), as amended, have been correctly engrossed.

LODGE, Chairman

[S 1328](#), as amended, [S 1332](#), as amended, and [S 1347](#), as amended, were filed for first reading.

The Senate advanced to the Eleventh Order of Business.

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

[S 1328](#), as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

[S 1332](#), as amended, by Education Committee, was read the first time at length and filed for second reading.

[S 1347](#), as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

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., Tuesday, March 8, 2016.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIFTY-EIGHTH LEGISLATIVE DAY
TUESDAY, MARCH 8, 2016

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:30 a.m.

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Nellie 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 7, 2016, 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

March 8, 2016

The JUDICIARY AND RULES Committee reports that [SCR 150](#), [S 1387](#), [S 1388](#), [S 1389](#), [S 1390](#), [S 1391](#), [S 1392](#), [S 1393](#), and [S 1394](#) have been correctly printed.

LODGE, Chairman

[SCR 150](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1387](#) was referred to the Commerce and Human Resources Committee.

[S 1388](#) was referred to the Judiciary and Rules Committee.

[S 1389](#) was referred to the State Affairs Committee.

[S 1390](#), [S 1391](#), [S 1392](#), [S 1393](#), and [S 1394](#) were referred to the Finance Committee.

March 7, 2016

The EDUCATION Committee reports out [H 515](#), [HCR 44](#), [HCR 45](#), and [S 1376](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 515](#) and [S 1376](#) were filed for second reading.

[HCR 44](#) and [HCR 45](#) 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 Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 7, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that L. Daniel Cravens of Blackfoot, Idaho, was appointed as a member of the Idaho Commission on Human Rights to serve a term commencing February 29, 2016, 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 State Affairs Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 7, 2016

Dear Mr. President:

I transmit herewith [HCR 50](#), [H 556](#), [H 533](#), [H 521](#), [H 538](#), [HCR 48](#), [H 477](#), as amended, [H 443](#), as amended, [H 406](#), as amended, [H 513](#), as amended, [H 558](#), [H 542](#), [H 540](#), [H 541](#), [H 531](#), and [HCR 49](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[HCR 50](#), [H 556](#), [H 533](#), [H 521](#), [H 538](#), [HCR 48](#), [H 477](#), as amended, [H 443](#), as amended, [H 406](#), as amended, [H 513](#), as amended, [H 558](#), [H 542](#), [H 540](#), [H 541](#), [H 531](#), and [HCR 49](#) were filed for first reading.

March 7, 2016

Dear Mr. President:

I return herewith [S 1218](#), [S 1314](#), [S 1268](#), [S 1232](#), [S 1267](#), [S 1290](#), and [S 1339](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[S 1218](#), [S 1314](#), [S 1268](#), [S 1232](#), [S 1267](#), [S 1290](#), and [S 1339](#) were referred to the Judiciary and Rules Committee for enrolling.

March 4, 2016

Dear Mr. President:

I transmit herewith Enrolled [HCR 36](#) for the signature of the President.

TAYLOR, Acting Chief Clerk

The President Pro Tempore signed Enrolled [HCR 36](#) and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senator Davis was recorded present at this order of business.

The President Pro Tempore announced that [HCR 29](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Winder, seconded by Senator Stennett, [HCR 29](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that [HCR 39](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Nonini, seconded by Senator Jordan, [HCR 39](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that [HCR 40](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Nonini, seconded by Senator Jordan, [HCR 40](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that [HCR 28](#), as amended, was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Winder, seconded by Senator Burgoyne, [HCR 28](#), as amended, was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that [HCR 47](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Lakey, [HCR 47](#) 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 50](#), by Education Committee, was introduced, read at length, and referred to the Education Committee.

[H 556](#), by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 533](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 521](#), by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 538](#), by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[HCR 48](#), by Commerce and Human Resources Committee, was introduced, read at length, and referred to the Commerce and Human Resources Committee.

[H 477](#), as amended, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 443](#), as amended, and [H 406](#), as amended, by Local Government Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 513](#), as amended, by State Affairs Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 558](#), by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 542](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 540](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 541](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 531](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[HCR 49](#), by State Affairs Committee, was introduced, read at length, and referred to the Agricultural Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 546](#), [H 547](#), [H 548](#), [H 549](#), [H 550](#), [H 551](#), and [H 552](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1379](#), [S 1380](#), and [S 1381](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 495](#), by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

[S 1343](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1350](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 350](#), [H 378](#), and [H 509](#), by Resources and Conservation Committee, were read the second time at length and filed for third reading.

[H 528](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1373](#), [S 1383](#), and [S 1328](#), as amended, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[S 1332](#), as amended, by Education Committee, was read the second time at length and filed for third reading.

[S 1347](#), as amended, 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

[S 1354](#) 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—Martin, Mortimer, Siddoway. Total - 3.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1354](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1302](#) 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1302](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 357](#) 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 357](#) passed, title was approved, and the bill ordered returned to the House.

[H 386](#) 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 386](#) 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 in recognition of Idaho's military families at 12 noon until the hour of 4 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 4 p.m. President Little assumed the Chair.

Roll call showed all members present except Senator Anthon, absent and formally excused by the Chair; and Senators Bair, Brackett, Den Hartog, Johnson, Rice, and Siddoway, 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 8, 2016

The JUDICIARY AND RULES Committee reports that [S 1218](#), [S 1314](#), [S 1268](#), [S 1232](#), [S 1267](#), [S 1290](#), and [S 1339](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1218](#), [S 1314](#), [S 1268](#), [S 1232](#), [S 1267](#), [S 1290](#), and [S 1339](#) and ordered them transmitted to the House for the signature of the Speaker.

March 8, 2016

The AGRICULTURAL AFFAIRS Committee reports out [H 469](#) and [H 524](#) with the recommendation that they do pass.

RICE, Chairman

[H 469](#) and [H 524](#) were filed for second reading.

March 8, 2016

The STATE AFFAIRS Committee reports out [H 356](#), as amended, with the recommendation that it do pass.

MCKENZIE, Chairman

[H 356](#), as amended, was filed for second reading.

March 8, 2016

The FINANCE Committee reports out [S 1390](#), [S 1391](#), [S 1392](#), [S 1393](#), and [S 1394](#) with the recommendation that they do pass.

KEOUGH, Chairman

[S 1390](#), [S 1391](#), [S 1392](#), [S 1393](#), and [S 1394](#) were filed for second reading.

Senator Brackett 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.

Senator Bair 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 [S 1303](#), [S 1315](#), and [H 452](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1303

AMENDMENT TO SECTION 1

On page 3 of the printed bill, in line 30, following "custodian to disclose" insert: "to the designated recipient".

On page 4, delete lines 4 through 7, and insert:

"(2) This chapter does not give a fiduciary or designated recipient any new or expanded rights other than those held by the user for whom, or for whose estate, the fiduciary or designated recipient acts or represents.

(3) A fiduciary's or designated recipient's access to digital assets may be modified or elimi-".

On page 8, in line 9, following "fiduciary's" insert: "or designated recipient's"; and delete line 14, and insert:

"(c) In the case of a fiduciary, is limited by the scope of the fiduciary's duties; and".

On page 9, in line 3, delete "15-14-114" and insert: "15-14-115".

SENATE AMENDMENT TO S 1315

AMENDMENT TO SECTION 1

On page 4 of the printed bill, following line 2, insert:

"(15) On or after the tenth day, as provided in subsection (11) of this section, if the property is reasonably determined by the purchaser to be unoccupied, the purchaser may:

(a) Dispose of any titled personal property remaining on the premises in the manner described by applicable law; and
(b) Remove any nontitled personal property from the premises and place it in suitable storage. The purchaser may dispose of the nontitled personal property only after providing ninety (90) days' written notice as follows:

(i) First class mail to the last known address of the last known occupant of the property; and

(ii) Posting a notice in a conspicuous place on the premises that such nontitled personal property may be disposed of following such ninety (90) day period, and providing a name, address and phone number to contact regarding further information as to the location and disposition of such nontitled personal property; and

(iii) The notice shall generally describe the nontitled personal property that was left on the premises and that the purchaser intends to dispose of the property and the anticipated method of disposition.

(c) If the owner of the nontitled personal property fails to claim the nontitled personal property within ninety (90) days of the date that written notice was provided under paragraph (b) of this subsection, then any and all of his rights in said property shall extinguish, and the purchaser shall have no further liability regarding said property or to any potential claimants of said property."

SENATE AMENDMENT TO H 452

AMENDMENT TO SECTION 1

On page 4 of the printed bill, following line 18, insert:

"(29) "Public education entity" means community colleges, public school districts, public charter schools and the Idaho digital learning academy;"

in line 19, delete "(29)" and insert: "(30)"; in line 22, delete "(30)" and insert: "(301)"; in line 26, delete "(31)" and insert: "(312)"; in line 29, delete "(32)" and insert: "(323)"; delete lines 31 through 35, and insert:

"(34) "State educational agency" means the following state agencies and educational institutions supervised by the Idaho state board of education:

(a) Boise state university;

(b) Idaho state university;

(c) University of Idaho;

(d) Lewis-Clark state college;

(e) Eastern Idaho technical college;

(f) Idaho public television;

(g) The division of vocational rehabilitation;

(h) The division of career technical education;

(i) The office of the state board of education; and

(j) The department of education;"

in line 36, delete "(34)" and insert: "(35)"; in line 46, delete "(345)" and insert: "(346)"; and in line 49, delete "(356)" and insert: "(357)".

AMENDMENT TO THE BILL

On page 5, delete lines 1 through 40, and insert:

"SECTION 2. That Section 67-5333A, Idaho Code, be, and the same is hereby amended to read as follows:

67-5333A. SICK LEAVE TRANSFERRED –
COMMUNITY COLLEGES — STATE EMPLOYMENT

PUBLIC EDUCATION ENTITY AND STATE EDUCATIONAL AGENCY. Notwithstanding any other provision of law to the contrary, any Any employee who has accrued sick leave while in the employment of one (1) of Idaho's community colleges and who, on or after January 1, 2012, is transferred to or otherwise becomes an eligible employee of a state of Idaho educational agency immediately following termination of employment with a community college public education entity shall be credited by the state of Idaho with the amount of any unused sick leave previously accrued and unused, up to a maximum of ninety (90) days, upon commencement of state educational agency employment. Any employee who becomes an eligible employee of a public education entity immediately following termination of state educational agency employment shall be credited by the public education entity with the amount of sick leave accrued upon commencement of public education entity employment. After such transfer, the use of sick leave shall be governed by the laws and rules and policies applicable to state employees and any applicable policies of the state educational agency or public education entity thereafter employing such employee.

SECTION 3. That Section 33-1217, Idaho Code, be, and the same is hereby amended to read as follows:

33-1217. ACCUMULATION OF ACCRUED UNUSED SICK LEAVE - TRANSFER - SICK LEAVE WHEN DISTRICTS DIVIDE OR CONSOLIDATE. Unused sick leave shall be accumulated accrue from year to year as long as an employee remains continuously in the service of the same school district, including charter districts, to ninety (90) days accumulation of leave. Termination of employment in any district shall terminate sick leave rights, both current and accumulated accrued, except when such employee is employed by another district or another a public education entity or by a state educational agency, as such terms are defined in section 67-5302, Idaho Code, during the school year immediately following the year of termination or within three (3) school years immediately following the year of termination if termination of employment is due to a reduction in force; and the accumulated accrued sick leave up to a maximum of ninety (90) days shall be secured for, and credited to, the employee by the district public education entity or state educational agency thereafter employing such employee. Any employee employed by a school district who was employed by a state educational agency employee or public education entity employee who obtains employment with a school district during the current or prior subsequent school year following termination shall be credited any unused sick leave accumulated accrued during state employment up to a maximum of ninety (90) days. Whenever new school districts are formed by the consolidation or by the division of existing districts, the accumulated accrued sick leave of school district employees who continue in service in the new district or districts created by such consolidation or division shall have such accumulated accrued sick leave secured for and credited to them in such newly created district or districts."

CORRECTION TO TITLE

On page 1, in line 3, delete "A TERM" and insert: "TERMS"; in line 5, following "FOR" insert: "CERTAIN"; and in line 6, delete "OF A STATE EDUCATIONAL AGENCY".

The Committee also has [S 1357](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

[S 1303](#), as amended, and [S 1315](#), 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 452](#), 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.

Senators Den Hartog, Johnson, Siddoway, and Rice were recorded present at this order of business.

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

Third Reading of Bills

[H 405](#) 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 405](#) passed, title was approved, and the bill ordered returned to the House.

[H 373](#) 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 373](#) passed, title was approved, and the bill ordered returned to the House.

[H 432](#) 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 432](#) passed, title was approved, and the bill ordered returned to the House.

[H 374](#) 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 374](#) passed, title was approved, and the bill ordered returned to the House.

[H 375](#) 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 375](#) passed, title was approved, and the bill ordered returned to the House.

[H 431](#) 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Rice, Siddoway, Thayn, Vick, Winder. Total - 23.

NAYS—Buckner-Webb, Burgoyne, Johnson, Jordan, Keough, Lacey, Nonini, Schmidt, Souza, Stennett, Ward-Engelking. Total - 11.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 431](#) passed, title was approved, and the bill ordered returned to the House.

[H 377](#) 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 377](#) passed, title was approved, and the bill ordered returned to the House.

[H 474](#) 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 474](#) 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 Senate Finance bills, followed by House bills amended in the Senate, followed by House bills, followed by House Appropriations bills.

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

Reports of Standing Committees

March 8, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1303](#), [S 1315](#), and [H 452](#) have been correctly printed.

LODGE, Chairman

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

March 8, 2016

The JUDICIARY AND RULES Committee reports that [S 1303](#), as amended, and [S 1315](#), as amended, have been correctly engrossed.

LODGE, Chairman

[S 1303](#), as amended, and [S 1315](#), 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 452](#), as amended in the Senate, by Education Committee, was read the first time at length and filed for second reading.

[S 1303](#), as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

[S 1315](#), as amended, by Commerce and Human Resources 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 5:55 p.m. until the hour of 10:30 a.m., Wednesday, March 9, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIFTY-NINTH LEGISLATIVE DAY
WEDNESDAY, MARCH 9, 2016

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 Father John Worster.

The Pledge of Allegiance was led by Anna Daley Laursen, 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 8, 2016, 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

March 8, 2016

The EDUCATION Committee reports out [H 526](#) with the recommendation that it do pass.

MORTIMER, Chairman

[H 526](#) was filed for second reading.

March 8, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 511](#) and [S 1387](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 511](#) and [S 1387](#) were filed for second reading.

March 8, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1317](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, [S 1317](#) was referred to the Fourteenth Order of Business, General Calendar.

March 9, 2016

The STATE AFFAIRS Committee reports out [H 512](#), [S 1360](#), and [S 1377](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[H 512](#), [S 1360](#), and [S 1377](#) 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 8, 2016

Dear Mr. President:

I transmit herewith [HCR 51](#), [H 560](#), [H 561](#), [H 562](#), [H 563](#), [H 564](#), [H 567](#), [H 537](#), [H 555](#), and [H 413](#), as amended, which have passed the House.

TAYLOR, Acting Chief Clerk

[HCR 51](#), [H 560](#), [H 561](#), [H 562](#), [H 563](#), [H 564](#), [H 567](#), [H 537](#), [H 555](#), and [H 413](#), as amended, were filed for first reading.

March 8, 2016

Dear Mr. President:

I return herewith [S 1248](#), [S 1294](#), [S 1246](#), [S 1261](#), [S 1262](#), [S 1258](#), [S 1353](#), and [S 1298](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[S 1248](#), [S 1294](#), [S 1246](#), [S 1261](#), [S 1262](#), [S 1258](#), [S 1353](#), and [S 1298](#) were referred to the Judiciary and Rules Committee for enrolling.

March 7, 2016

Dear Mr. President:

I transmit herewith Enrolled [H 445](#) for the signature of the President.

TAYLOR, Acting Chief Clerk

The President signed Enrolled [H 445](#) and ordered it returned to the House.

March 8, 2016

Dear Mr. President:

I return herewith Enrolled [S 1229](#), [S 1259](#), [S 1270](#), [S 1271](#), [S 1219](#), and [S 1249](#), which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled [S 1229](#), [S 1259](#), [S 1270](#), [S 1271](#), [S 1219](#), and [S 1249](#) 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 [SCR 150](#) was before the Senate for final consideration.

Moved by Senator Davis, seconded by Senator Stennett, that [SCR 150](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [SCR 150](#) adopted, title was approved, and the resolution ordered transmitted to the House.

The President announced that [HCR 44](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Thayn, seconded by Senator Buckner-Webb, [HCR 44](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [HCR 45](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Thayn, seconded by Senator Ward-Engelking, [HCR 45](#) 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 1395

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DIVISION OF VOCATIONAL REHABILITATION FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1396

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE OFFICE OF THE LIEUTENANT GOVERNOR FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS.

S 1397

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE STATE CONTROLLER FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR THE RECOVERY OF STATE CONTROLLER SERVICE COSTS TO THE GENERAL

FUND; PROVIDING CERTAIN DEDICATED FUND REAPPROPRIATION AUTHORITY; AND PROVIDING CERTAIN GENERAL FUND REAPPROPRIATION AUTHORITY.

[S 1395](#), [S 1396](#), and [S 1397](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HCR 51](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 560](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 561](#), [H 562](#), [H 563](#), [H 564](#), and [H 567](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 537](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 555](#), by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 413](#), as amended, by Transportation and Defense Committee, was 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 515](#), by Education Committee, was read the second time at length and filed for third reading.

[S 1376](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 469](#) and [H 524](#), by Agricultural Affairs Committee, were read the second time at length and filed for third reading.

[H 356](#), as amended, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

[S 1390](#), [S 1391](#), [S 1392](#), [S 1393](#), and [S 1394](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 452](#), as amended in the Senate, by Education Committee, was read the second time at length and filed for third reading.

[S 1303](#), as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1315](#), 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 Davis, granted by unanimous consent, [S 1343](#) retained its place on the third reading calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, [S 1328](#), as amended, retained its place on the third reading calendar for one legislative day.

[S 1350](#) 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—Hagedorn, Harris, Hill, Keough, Lakey, Lodge, McKenzie, Mortimer, Rice, Siddoway, Souza, Thayne. Total - 12.

NAYS—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Heider, Johnson, Jordan, Lacey, Lee, Martin, Nonini, Nuxoll, Patrick, Schmidt, Stennett, Vick, Ward-Engelking, Winder. Total - 23.

Total - 35.

Whereupon the President declared that [S 1350](#) had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

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 12:20 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 Anthon, Bayer, Brackett, Buckner-Webb, Den Hartog, Hagedorn, Johnson, Mortimer, Nonini, Patrick, Schmidt, Souza, Thayne, and Ward-Engelking, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

SCR 151 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 MITIGATING THE RISK OF BIAS IN 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, agency directors, boards and administrative hearing officers play an integral role in determining the outcome of contested cases and any orders that are issued; and

WHEREAS, those who adjudicate contested cases should have the independence and expertise to conduct fair and thorough hearings; and

WHEREAS, the Office of Performance Evaluations (OPE) on February 22, 2016, issued its study "Risk of Bias in Administrative Hearings"; and

WHEREAS, OPE found that the types of actions involving administrative hearings total 93 and, of that number, 48 of these actions, or 52%, present moderate or high risk for bias; and

WHEREAS, one recommendation of OPE was to consider whether current safeguards could be strengthened or new safeguards implemented to help mitigate the risk of bias as well as promote greater consistency in hearing procedures; and

WHEREAS, another recommendation of OPE was for the Legislature to consider whether a central panel is appropriate to mitigating the risk of bias in contested cases; and

WHEREAS, a further recommendation of OPE was that the Legislature should consider establishing an interim committee to study possible contested case changes; and

WHEREAS, the Legislature finds that 48 of 93 types of actions holding a moderate or high risk of bias is not acceptable.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second 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 potential approaches to mitigating the risk of bias in contested case proceedings including, but not limited to: the assignment of agency directors, boards and administrative hearing officers for the conduct and decision of contested cases; the appointment and compensation of administrative hearing officers; and appropriate means to mitigate actual and perceived bias, conflicts of interest and any other factors undermining the actual and perceived unfairness of contested case proceedings. The committee shall consist of ten legislators, with five from the Senate and five from the House of Representatives. The political party affiliations of the committee members from each legislative body shall be in the same proportions as they are in the legislative body in which such members serve. 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 First Regular Session of the Sixty-fourth Idaho Legislature.

[SCR 151](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

Senator Schmidt was recorded present at this order of business.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 9, 2016

The JUDICIARY AND RULES Committee reports that [S 1248](#), [S 1294](#), [S 1246](#), [S 1261](#), [S 1262](#), [S 1258](#), [S 1353](#), and [S 1298](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1248](#), [S 1294](#), [S 1246](#), [S 1261](#), [S 1262](#), [S 1258](#), [S 1353](#), and [S 1298](#) and ordered them transmitted to the House for the signature of the Speaker.

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

March 9, 2016

The JUDICIARY AND RULES Committee reports that Enrolled [S 1229](#), [S 1259](#), [S 1270](#), [S 1271](#), [S 1219](#), and [S 1249](#) were delivered to the Office of the Governor at 11:30 a.m., March 9, 2016.

LODGE, Chairman

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

March 9, 2016

The FINANCE Committee reports out [H 561](#), [H 562](#), [H 563](#), [H 564](#), and [H 567](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 561](#), [H 562](#), [H 563](#), [H 564](#), and [H 567](#) were filed for second reading.

March 9, 2016

The JUDICIARY AND RULES Committee reports out [H 439](#), [H 504](#), and [S 1388](#) with the recommendation that they do pass.

LODGE, Chairman

[H 439](#), [H 504](#), and [S 1388](#) were filed for second reading.

Senator Johnson 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

On request by Senator Davis, granted by unanimous consent, [S 1373](#) retained its place on the third reading calendar for one legislative day.

[S 1383](#) 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—Anthon, Bair, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 31.

NAYS—Bayer, Harris, Nonini, Vick. Total - 4.

Total - 35.

Whereupon the President declared [S 1383](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Mortimer, granted by unanimous consent, [S 1332](#), as amended, retained its place on the third reading calendar for Friday, March 11, 2016.

[S 1347](#), as amended, 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [S 1347](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1379](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [S 1379](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1380](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [S 1380](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1381](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [S 1381](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [H 463](#) retained its place on the third reading calendar for one legislative day.

[H 383](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 383](#) passed, title was approved, and the bill ordered returned to the House.

[H 417](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 417](#) passed, title was approved, and the bill ordered returned to the House.

[H 455](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 455](#) passed, title was approved, and the bill ordered returned to the House.

[H 341](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 341](#) passed, title was approved, and the bill ordered returned to the House.

[H 367](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 367](#) passed, title was approved, and the bill ordered returned to the House.

[H 369](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 369](#) passed, title was approved, and the bill ordered returned to the House.

[H 440](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 440](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Lakey, granted by unanimous consent, [S 1315](#), as amended, was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, [H 459](#) was placed at the head of the third reading calendar, followed by [H 463](#), followed by Senate bills, followed by Senate Finance bills, followed by House bills amended in the Senate, followed by House bills, followed by House Appropriations 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 5:10 p.m. until the hour of 10:30 a.m., Thursday, March 10, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SIXTIETH LEGISLATIVE DAY
THURSDAY, MARCH 10, 2016

Senate Chamber

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

Roll call showed all members present except Senators Davis, Guthrie, Johnson, Keough, Mortimer, Nuxoll, and Thayn, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Kennedy Jones, 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, 2016, 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 Mortimer was 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 10, 2016

The JUDICIARY AND RULES Committee reports that [SCR 151](#), [S 1395](#), [S 1396](#), and [S 1397](#) have been correctly printed.

LODGE, Chairman

[SCR 151](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1395](#), [S 1396](#), and [S 1397](#) were referred to the Finance Committee.

March 9, 2016

The RESOURCES AND ENVIRONMENT Committee reports out [H 351](#), [HCR 35](#), [HCR 43](#), and [HJM 13](#) with the recommendation that they do pass.

BAIR, Chairman

[H 351](#) was filed for second reading.

[HCR 35](#), [HCR 43](#), and [HJM 13](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 9, 2016

The EDUCATION Committee reports out [H 514](#) with the recommendation that it do pass.

MORTIMER, Chairman

[H 514](#) was filed for second reading.

March 9, 2016

The HEALTH AND WELFARE Committee reports out [S 1382](#) and [H 483](#) with the recommendation that they do pass.

HEIDER, Chairman

[S 1382](#) and [H 483](#) were filed for second reading.

Senators Thayn and Guthrie were recorded present at this order of business.

March 9, 2016

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

Jay Kunze to the Hazardous Waste Facility Siting License Application Review Panel, term to expire March 6, 2018.

HEIDER, 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, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 372](#), [H 534](#), and [H 535](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 372](#), [H 534](#), and [H 535](#) were filed for second reading.

Senator Nuxoll 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 9, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1202](#) and [S 1208](#)

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 9, 2016

Dear Mr. President:

I return herewith [S 1214](#), [S 1250](#), [S 1251](#), [S 1281](#), [S 1221](#), [S 1286](#), [S 1235](#), [S 1244](#), [S 1363](#), and [S 1364](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[S 1214](#), [S 1250](#), [S 1251](#), [S 1281](#), [S 1221](#), [S 1286](#), [S 1235](#), [S 1244](#), [S 1363](#), and [S 1364](#) were referred to the Judiciary and Rules Committee for enrolling.

March 9, 2016

Dear Mr. President:

I return herewith Enrolled [S 1218](#), [S 1314](#), [S 1268](#), [S 1232](#), [S 1267](#), [S 1290](#), and [S 1339](#), which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled [S 1218](#), [S 1314](#), [S 1268](#), [S 1232](#), [S 1267](#), [S 1290](#), and [S 1339](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 9, 2016

Dear Mr. President:

I return herewith [S 1287](#), which has failed to pass the House.

TAYLOR, Acting Chief Clerk

[S 1287](#) 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

On request by Senator Davis, granted by unanimous consent, [S 1388](#) was referred to the Fourteenth Order of Business, General Calendar.

[H 526](#), by Education Committee, was read the second time at length and filed for third reading.

[H 511](#), by Business Committee, was read the second time at length and filed for third reading.

[S 1387](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 512](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1360](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1377](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 561](#), [H 562](#), [H 563](#), [H 564](#), and [H 567](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[H 439](#) and [H 504](#), by Judiciary, Rules, and Administration Committee, were 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 Tenth Order of Business.

Motions and Resolutions

The President announced that [HCR 33](#) was before the Senate for final consideration.

Moved by Senator Winder, seconded by Senator Ward-Engelking, that [HCR 33](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [HCR 33](#) 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 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 1315](#), as amended, without recommendation, amended as follows:

SENATE AMENDMENT TO S 1315, As Amended AMENDMENT TO SECTION 1

On page 3 of the engrossed bill, in line 21, delete "The purchaser at"; and delete lines 22 through 26.

CORRECTION TO TITLE

On page 1, in line 3, delete "ANY" and insert: "TITLED OR".

The Committee also has [S 1357](#) and [S 1317](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

[S 1315](#), as amended, 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

H 459 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), Senator Lee disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Anthon, Bair, Brackett, Burgoyne, Davis, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 27.

NAYS—Bayer, Den Hartog, Guthrie, Harris, Lacey, Nonini, Nuxoll. Total - 7.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared **H 459** passed, title was approved, and the bill ordered returned to the House.

H 463 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?"

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

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 27.

NAYS—Buckner-Webb, Burgoyne, Jordan, Lacey, Martin, Schmidt, Stennett, Ward-Engelking. Total - 8.

Paired and voting included in roll call:

AYE - Winder NAY - Buckner-Webb

Total - 35.

Whereupon the President declared **H 463** passed, title was approved, and the bill ordered returned to the House.

S 1343 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 31.

NAYS—McKenzie, Nuxoll, Vick. Total - 3.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared **S 1343** passed, title was approved, and the bill ordered transmitted to the House.

S 1373 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Patrick, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—McKenzie, Nuxoll, Rice. Total - 3.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared **S 1373** 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 12:15 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 Davis, absent and formally excused by the Chair; and Senators Bayer, Guthrie, Rice, Thayn, and Vick, 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

Senator Rice was recorded present at this order of business.

March 10, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to **S 1315**, as amended, have been correctly printed.

LODGE, Chairman

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

March 10, 2016

The JUDICIARY AND RULES Committee reports that **S 1315**, as amended, as amended, has been correctly engrossed.

LODGE, Chairman

S 1315, as amended, as amended, was filed for first reading.

Senator Bayer was recorded present at this order of business.

March 10, 2016

The JUDICIARY AND RULES Committee reports that [S 1214](#), [S 1250](#), [S 1251](#), [S 1281](#), [S 1221](#), [S 1286](#), [S 1235](#), [S 1244](#), [S 1363](#), and [S 1364](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1214](#), [S 1250](#), [S 1251](#), [S 1281](#), [S 1221](#), [S 1286](#), [S 1235](#), [S 1244](#), [S 1363](#), and [S 1364](#) and ordered them transmitted to the House for the signature of the Speaker.

March 10, 2016

The JUDICIARY AND RULES Committee reports that Enrolled [S 1218](#), [S 1314](#), [S 1268](#), [S 1232](#), [S 1267](#), [S 1290](#), and [S 1339](#) were delivered to the Office of the Governor at 11:31 a.m., March 10, 2016.

LODGE, Chairman

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

March 10, 2016

The AGRICULTURAL AFFAIRS Committee reports out [H 525](#), as amended, [H 531](#), and [HCR 49](#) with the recommendation that they do pass.

RICE, Chairman

[H 525](#), as amended, and [H 531](#) were filed for second reading.

[HCR 49](#) 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, 2016

The AGRICULTURAL AFFAIRS Committee reports out [H 382](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

RICE, Chairman

There being no objection, [H 382](#) was referred to the Fourteenth Order of Business, General Calendar.

March 10, 2016

The FINANCE Committee reports out [S 1395](#), [S 1396](#), and [S 1397](#) with the recommendation that they do pass.

KEOUGH, Chairman

[S 1395](#), [S 1396](#), and [S 1397](#) were filed for second reading.

Senator Vick was recorded present at this order of business.

March 10, 2016

The EDUCATION Committee reports out [H 527](#) with the recommendation that it do pass.

MORTIMER, Chairman

[H 527](#) was filed for second reading.

March 10, 2016

The TRANSPORTATION Committee reports out [H 513](#), as amended, with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, [H 513](#), as amended, was referred to the Fourteenth Order of Business, General Calendar.

March 10, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 398](#), [H 454](#), [H 480](#), [H 482](#), [H 485](#), [H 501](#), and [HCR 48](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 398](#), [H 454](#), [H 480](#), [H 482](#), [H 485](#), and [H 501](#) were filed for second reading.

[HCR 48](#) 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, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 371](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, [H 371](#) 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

[S 1315](#), as amended, as amended, by Commerce and Human Resources 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 Thirteenth Order of Business.

Third Reading of Bills

[S 1328](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [S 1328](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1376](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Stennett. Total - 1.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [S 1376](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1303](#), as amended, 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?"

President Little called President Pro Tempore Hill to the Chair.

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1303](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1390](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1390](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1391](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Schmidt, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 29.

NAYS—Nonini, Nuxoll, Patrick, Rice, Vick. Total - 5.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1391](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1392](#) 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?"

President Pro Tempore Hill called Senator Lacey to the Chair.

Roll call resulted as follows:

AYES—Anthon, Bair, Brackett, Buckner-Webb, Burgoyne, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Rice, Schmidt, Siddoway, Stennett, Thayn, Ward-Engelking, Winder. Total - 28.

NAYS—Bayer, Den Hartog, Nuxoll, Patrick, Souza, Vick. Total - 6.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1392](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1393](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1393](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1394](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1394](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 452](#), 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—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Anthon, Den Hartog, Nuxoll, Rice. Total - 4.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared [H 452](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 476](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared [H 476](#) passed, title was approved, and the bill ordered returned to the House.

[H 355](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared [H 355](#) passed, title was approved, and the bill ordered returned to the House.

[H 473](#) 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?"

Acting President Lacey called Senator Anthon to the Chair.

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared [H 473](#) passed, title was approved, and the bill ordered returned to the House.

[H 381](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared [H 381](#) passed, title was approved, and the bill ordered returned to the House.

[H 471](#) 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, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Patrick, Schmidt, Stennett, Ward-Engelking. Total - 19.

NAYS—Anthon, Bair, Bayer, Den Hartog, Harris, Johnson, Mortimer, Nonini, Nuxoll, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 15.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared [H 471](#) passed, title was approved, and the bill ordered returned to the House.

[H 472](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared [H 472](#) passed, title was approved, and the bill ordered returned to the House.

[H 332](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared [H 332](#) passed, title was approved, and the bill ordered returned to the House.

[H 333](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the Acting President declared [H 333](#) passed, title was approved, and the bill ordered returned to the House.

[H 334](#) 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?"

President Pro Tempore Hill returned to the Chair.

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 334](#) 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 Senate Finance bills, followed by House bills amended in the Senate, followed by House bills, followed by House Appropriations 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 p.m. until the hour of 10 a.m., Friday, March 11, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SIXTY-FIRST LEGISLATIVE DAY
FRIDAY, MARCH 11, 2016

Senate Chamber

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

Roll call showed all members present except Senators Davis and Lacey, absent and formally excused by the Chair; and President Pro Tempore Hill and Senators Buckner-Webb, Lakey, Lodge, McKenzie, Nuxoll, Siddoway, and Stennett, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Zoe Esplin, 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, 2016, 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

March 10, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 406](#), as amended, [H 443](#), as amended, and [H 540](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 406](#), as amended, [H 443](#), as amended, and [H 540](#) were filed for second reading.

March 11, 2016

The HEALTH AND WELFARE Committee reports out [H 523](#) and [H 533](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 523](#) and [H 533](#) 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

March 10, 2016

Dear Mr. President:

I transmit herewith [H 575](#), [H 576](#), [H 577](#), [H 578](#), [H 579](#), [H 544](#), [H 536](#), and [H 553](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[H 575](#), [H 576](#), [H 577](#), [H 578](#), [H 579](#), [H 544](#), [H 536](#), and [H 553](#) were filed for first reading.

March 10, 2016

Dear Mr. President:

I return herewith [S 1368](#), which has failed to pass the House.

TAYLOR, Acting Chief Clerk

[S 1368](#) was ordered filed in the office of the Secretary of the Senate.

March 10, 2016

Dear Mr. President:

I return herewith [S 1365](#), [S 1366](#), [S 1367](#), [S 1369](#), [S 1280](#), as amended, [S 1320](#), and [S 1336](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[S 1365](#), [S 1366](#), [S 1367](#), [S 1369](#), [S 1280](#), as amended, [S 1320](#), and [S 1336](#) were referred to the Judiciary and Rules Committee for enrolling.

March 10, 2016

Dear Mr. President:

I transmit herewith Enrolled [HCR 32](#), [H 385](#), [H 335](#), [H 336](#), [H 337](#), [H 338](#), [H 339](#), [H 340](#), [H 391](#), [H 392](#), [H 428](#), [H 346](#), [HCR 29](#), [HCR 39](#), [HCR 40](#), [HCR 28](#), as amended, [HCR 47](#), [H 357](#), [H 386](#), [H 405](#), [H 373](#), [H 432](#), [H 374](#), [H 375](#), [H 431](#), [H 377](#), and [H 474](#) for the signature of the President.

TAYLOR, Acting Chief Clerk

The President signed Enrolled [HCR 32](#), [H 385](#), [H 335](#), [H 336](#), [H 337](#), [H 338](#), [H 339](#), [H 340](#), [H 391](#), [H 392](#), [H 428](#), [H 346](#), [HCR 29](#), [HCR 39](#), [HCR 40](#), [HCR 28](#), as amended, [HCR 47](#), [H 357](#), [H 386](#), [H 405](#), [H 373](#), [H 432](#), [H 374](#), [H 375](#), [H 431](#), [H 377](#), and [H 474](#) and ordered them returned to the House.

March 10, 2016

Dear Mr. President:

I return herewith Enrolled [S 1248](#), [S 1294](#), [S 1246](#), [S 1261](#), [S 1262](#), [S 1258](#), [S 1353](#), and [S 1298](#), which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled [S 1248](#), [S 1294](#), [S 1246](#), [S 1261](#), [S 1262](#), [S 1258](#), [S 1353](#), and [S 1298](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

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 1398

**BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR SPECIAL PROGRAMS FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR THE TRANSFER OF UNEXPENDED AND UNENCUMBERED MONEYS TO THE OPPORTUNITY SCHOLARSHIP PROGRAM ACCOUNT AT THE END OF FISCAL YEAR 2016; PROVIDING LEGISLATIVE INTENT REGARDING THE LEVEL OF SERVICES THAT THE GEOLOGICAL SURVEY PROGRAM WILL PROVIDE IN EASTERN IDAHO; AND DECLARING AN EMERGENCY.

S 1399

**BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR HEALTH EDUCATION PROGRAMS FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS; AND PROVIDING NON-GENERAL FUND REAPPROPRIATION.

S 1400

**BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING LEGISLATIVE INTENT FOR LOCAL DEPARTMENT OF LABOR OFFICES.

S 1401

**BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; EXEMPTING THE DEPARTMENT FROM CERTAIN TRANSFER LIMITATIONS; AND PROVIDING REAPPROPRIATION AUTHORITY FOR CERTAIN BALANCES.

S 1402

**BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE REVOLVING DEVELOPMENT FUND TO THE AQUIFER PLANNING AND MANAGEMENT FUND; TRANSFERRING MONEYS FROM THE ECONOMIC RECOVERY RESERVE FUND TO THE SECONDARY AQUIFER PLANNING, MANAGEMENT

AND IMPLEMENTATION FUND; TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE SECONDARY AQUIFER PLANNING, MANAGEMENT AND IMPLEMENTATION FUND; TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE MISCELLANEOUS REVENUE FUND FOR DEPOSIT TO THE PRIEST LAKE OUTLET SUBACCOUNT; AND PROVIDING LEGISLATIVE INTENT.

S 1403

**BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISIONS OF CHILD WELFARE, SERVICES FOR THE DEVELOPMENTALLY DISABLED AND SERVICE INTEGRATION FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; CLARIFYING RESPONSIBILITY FOR EDUCATION OF CERTAIN CHILDREN IN STATE CARE; AND DIRECTING EXPENDITURES FOR HEAD START APPROPRIATIONS FROM TEMPORARY ASSISTANCE FOR NEEDY FAMILIES.

[S 1398](#), [S 1399](#), [S 1400](#), [S 1401](#), [S 1402](#), and [S 1403](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 575](#), [H 576](#), [H 577](#), [H 578](#), and [H 579](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 544](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 536](#) and [H 553](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

President Pro Tempore Hill and Senators Siddoway and Stennett were recorded present at this order of business.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 351](#), by Resources and Conservation Committee, was read the second time at length and filed for third reading.

[H 514](#), by Education Committee, was read the second time at length and filed for third reading.

[S 1382](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[H 483](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 372](#), by Business Committee, was read the second time at length and filed for third reading.

[H 534](#) and [H 535](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

[H 525](#), as amended, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

[H 531](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1395](#), [S 1396](#), and [S 1397](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 527](#), by Education Committee, was read the second time at length and filed for third reading.

[H 398](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[H 454](#), by Environment, Energy, and Technology Committee, was read the second time at length and filed for third reading.

[H 480](#) and [H 482](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 485](#) and [H 501](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[S 1315](#), as amended, as amended, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

Senators Nuxoll and Lakey were recorded present at this order of business.

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

Senator Buckner-Webb 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 513](#), as amended, without recommendation, amended as follows:

SENATE AMENDMENT TO H 513, As Amended AMENDMENT TO SECTION 1

On page 1 of the engrossed bill, in line 22, delete "security"; in line 35, delete "; and" and insert: ". "; and delete lines 36 through 38.

The Committee also has [S 1357](#), [S 1317](#), [S 1388](#), [H 382](#), and [H 371](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

[H 513](#), as amended, 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.

Senators McKenzie and Lodge were recorded present at this order of business.

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

Third Reading of Bills

[S 1332](#), as amended, 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Davis, Lacey. Total - 2.

Total - 35.

Whereupon the President declared [S 1332](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1387](#) retained its place on the third reading calendar for Monday, March 14, 2016.

[S 1360](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Davis, Lacey. Total - 2.

Total - 35.

Whereupon the President declared [S 1360](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1377](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Davis, Lacey. Total - 2.

Total - 35.

Whereupon the President declared [S 1377](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 396](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Davis, Lacey. Total - 2.

Total - 35.

Whereupon the President declared [H 396](#) 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 Senate Finance bills, followed by House bills amended in the Senate, followed by House bills, followed by House Appropriations bills.

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

Reports of Standing Committees

March 11, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 513](#), as amended, have been correctly printed.

LODGE, Chairman

The report was 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 Eleventh Order of Business.

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

[H 513](#), as amended, as amended in the Senate, by State Affairs 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 11 a.m. until the hour of 10 a.m., Monday, March 14, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SIXTY-FOURTH LEGISLATIVE DAY
MONDAY, MARCH 14, 2016

Senate Chamber

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

Roll call showed all members present except Senators Hagedorn, Lakey, Lodge, and McKenzie, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Tabitha Manor, 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, 2016, 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 Lakey was recorded present at this order of business.

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

Petitions, Resolutions, and Memorials

SCR 152

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN RULES OF THE DEPARTMENT OF ADMINISTRATION RELATING TO RULES GOVERNING CAPITOL MALL PARKING.

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 Governing Capitol Mall Parking are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 38.04.04, Rules of the Department of

Administration, Rules Governing Capitol Mall Parking, Section 022., Subsections 02.b. and 08.d., and Section 040., Subsections 02.g. and 02.h., only, adopted as pending rules under Docket Number 38-0404-1501, be, and the same are hereby rejected and declared null, void and of no force and effect.

[SCR 152](#) 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 14, 2016

The JUDICIARY AND RULES Committee reports that [S 1398](#), [S 1399](#), [S 1400](#), [S 1401](#), [S 1402](#), and [S 1403](#) have been correctly printed.

LODGE, Chairman

[S 1398](#), [S 1399](#), [S 1400](#), [S 1401](#), [S 1402](#), and [S 1403](#) were referred to the Finance Committee.

Senator McKenzie was recorded present at this order of business.

March 11, 2016

The JUDICIARY AND RULES Committee reports that [S 1365](#), [S 1366](#), [S 1367](#), [S 1369](#), [S 1280](#), as amended, [S 1320](#), and [S 1336](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1365](#), [S 1366](#), [S 1367](#), [S 1369](#), [S 1280](#), as amended, [S 1320](#), and [S 1336](#) and ordered them transmitted to the House for the signature of the Speaker.

March 11, 2016

The JUDICIARY AND RULES Committee reports that Enrolled [S 1248](#), [S 1294](#), [S 1246](#), [S 1261](#), [S 1262](#), [S 1258](#), [S 1353](#), and [S 1298](#) were delivered to the Office of the Governor at 11 a.m., March 11, 2016.

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 11, 2016

The STATE AFFAIRS Committee reports out [H 516](#) and [HCR 41](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[H 516](#) was filed for second reading.

[HCR 41](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 11, 2016

The FINANCE Committee reports out [H 575](#), [H 576](#), [H 577](#), [H 578](#), and [H 579](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 575](#), [H 576](#), [H 577](#), [H 578](#), and [H 579](#) were filed for second reading.

March 11, 2016

The JUDICIARY AND RULES Committee reports out [H 503](#) and [H 521](#) with the recommendation that they do pass.

LODGE, Chairman

[H 503](#) and [H 521](#) were filed for second reading.

March 11, 2016

The JUDICIARY AND RULES Committee reports out [H 555](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [H 555](#) 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 11, 2016

Dear Mr. President:

I transmit herewith [H 574](#), [H 566](#), and [H 554](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[H 574](#), [H 566](#), and [H 554](#) were filed for first reading.

March 11, 2016

Dear Mr. President:

I return herewith [S 1288](#), [S 1222](#), [S 1223](#), [S 1224](#), [S 1225](#), [S 1237](#), [S 1340](#), [S 1344](#), [S 1370](#), [S 1371](#), [S 1372](#), [S 1295](#), [S 1296](#), and [S 1326](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[S 1288](#), [S 1222](#), [S 1223](#), [S 1224](#), [S 1225](#), [S 1237](#), [S 1340](#), [S 1344](#), [S 1370](#), [S 1371](#), [S 1372](#), [S 1295](#), [S 1296](#), and [S 1326](#) were referred to the Judiciary and Rules Committee for enrolling.

March 10, 2016

Dear Mr. President:

I transmit herewith Enrolled [HCR 44](#), [HCR 45](#), [H 383](#), [H 417](#), [H 455](#), [H 341](#), [H 367](#), [H 369](#), and [H 440](#) for the signature of the President.

TAYLOR, Acting Chief Clerk

The President signed Enrolled [HCR 44](#), [HCR 45](#), [H 383](#), [H 417](#), [H 455](#), [H 341](#), [H 367](#), [H 369](#), and [H 440](#) and ordered them returned to the House.

March 11, 2016

Dear Mr. President:

I return herewith Enrolled [S 1214](#), [S 1250](#), [S 1251](#), [S 1281](#), [S 1221](#), [S 1286](#), [S 1235](#), [S 1244](#), [S 1363](#), and [S 1364](#), which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled [S 1214](#), [S 1250](#), [S 1251](#), [S 1281](#), [S 1221](#), [S 1286](#), [S 1235](#), [S 1244](#), [S 1363](#), and [S 1364](#) 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 [SCR 151](#) was before the Senate for final consideration.

Moved by Senator Burgoyne, seconded by Senator Rice, that [SCR 151](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Harris, 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 - 34.

NAYS—None.

Absent and excused—Hagedorn. Total - 1.

Total - 35.

Whereupon the President declared [SCR 151](#) adopted, title was approved, and the resolution ordered transmitted to the House.

The President announced that [HCR 35](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

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

On motion by Senator Johnson, seconded by Senator Schmidt, [HCR 35](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [HCR 43](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator McKenzie, seconded by Senator Ward-Engelking, [HCR 43](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [HJM 13](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Brackett, seconded by Senator Mortimer, [HJM 13](#) was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

Senator Hagedorn was recorded present at this order of business.

The President announced that [HCR 49](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lee, seconded by Senator Burgoyne, [HCR 49](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

On request by Senator Martin, granted by unanimous consent, [HCR 48](#) retained its place on the calendar for Friday, March 18, 2016.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Jay Kunze was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Guthrie, seconded by Senator Lacey, the Gubernatorial reappointment of Jay Kunze 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.

The Senate advanced to the Eleventh Order of Business.

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

S 1404

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE IDAHO UNBORN INFANTS DIGNITY ACT; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 93, TITLE 39, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE LEGISLATIVE FINDINGS AND PURPOSE, TO DEFINE TERMS, TO PROVIDE FOR FINAL DISPOSITION OF CERTAIN REMAINS, TO PROVIDE FOR MISCARRIAGE CERTIFICATES, TO PROVIDE PROHIBITIONS, TO REQUIRE INFORMED CONSENT FOR EXPERIMENTATION UNDER CERTAIN CIRCUMSTANCES, TO ESTABLISH CRIMINAL PENALTIES, TO PROVIDE DUTIES OF THE ATTORNEY GENERAL AND PROSECUTING ATTORNEYS, TO PROVIDE FOR CERTAIN CIVIL AND ADMINISTRATIVE ACTIONS AND TO PROVIDE FOR STATUTORY CONSTRUCTION; AND PROVIDING SEVERABILITY.

[S 1404](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 574](#) and [H 566](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 554](#), by Commerce and Human Resources 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

[H 406](#), as amended, and [H 443](#), as amended, by Local Government Committee, were read the second time at length and filed for third reading.

[H 540](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[H 523](#) and [H 533](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 513](#), as amended, as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

Senator Davis, requested unanimous consent that the Senate advance to the Fourteenth Order of Business.

Senator Schmidt objected.

Moved by Senator Davis, seconded by Senator Bair, that the Senate advance to the Fourteenth Order of Business.

AYES—Anthon, Bair, Bayer, Brackett, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 28.

NAYS—Buckner-Webb, Burgoyne, Jordan, Lacey, Schmidt, Sennett, Ward-Engelking. Total - 7.

Total - 35.

More than two-thirds having voted in the affirmative the President declared the Senate advance 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 1388](#), without recommendation, amended as follows:

**SENATE AMENDMENT TO S 1388
AMENDMENT TO SECTION 6**

On page 8 of the printed bill, in line 34, following "recorded" insert: "purchase contract,"; and in line 36, delete "64-1009" and insert: "63-1009".

The Committee also has [S 1357](#), [S 1317](#), [H 382](#), and [H 371](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

[S 1388](#), 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 Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 14, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1388](#) have been correctly printed.

LODGE, Chairman

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

March 14, 2016

The JUDICIARY AND RULES Committee reports that [S 1388](#), as amended, has been correctly engrossed.

LODGE, Chairman

[S 1388](#), as amended, was 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**

[S 1388](#), as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

On request by Senator Winder, 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 12:15 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 Davis, absent and formally excused by the Chair, and Senators Bair, Buckner-Webb, Den Hartog, Lodge, Mortimer, Nonini, Nuxoll, Patrick, Siddoway, 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 14, 2016

The JUDICIARY AND RULES Committee reports that [S 1288](#), [S 1222](#), [S 1223](#), [S 1224](#), [S 1225](#), [S 1237](#), [S 1340](#), [S 1344](#), [S 1370](#), [S 1371](#), [S 1372](#), [S 1295](#), [S 1296](#), and [S 1326](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1288](#), [S 1222](#), [S 1223](#), [S 1224](#), [S 1225](#), [S 1237](#), [S 1340](#), [S 1344](#), [S 1370](#), [S 1371](#), [S 1372](#), [S 1295](#), [S 1296](#), and [S 1326](#) and ordered them transmitted to the House for the signature of the Speaker.

March 14, 2016

The JUDICIARY AND RULES Committee reports that Enrolled [S 1214](#), [S 1250](#), [S 1251](#), [S 1281](#), [S 1221](#), [S 1286](#), [S 1235](#), [S 1244](#), [S 1363](#), and [S 1364](#) were delivered to the Office of the Governor at 10:40 a.m., March 14, 2016.

LODGE, Chairman

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

March 14, 2016

The STATE AFFAIRS Committee reports out [H 478](#) and [S 1389](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[H 478](#) and [S 1389](#) were filed for second reading.

March 14, 2016

The FINANCE Committee reports out [H 566](#), [H 574](#), [S 1398](#), [S 1399](#), [S 1400](#), [S 1401](#), [S 1402](#), and [S 1403](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 566](#), [H 574](#), [S 1398](#), [S 1399](#), [S 1400](#), [S 1401](#), [S 1402](#), and [S 1403](#) were filed for second reading.

March 14, 2016

The JUDICIARY AND RULES Committee reports out [H 508](#) and [H 558](#) with the recommendation that they do pass.

LODGE, Chairman

[H 508](#) and [H 558](#) were filed for second reading.

March 14, 2016

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

Reed W. Larsen to the Idaho Judicial Council, term to expire June 30, 2021.

LODGE, Chairman

The Idaho State Bar 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 Lakey, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1387](#) 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, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Anthon, Burgoyne, Johnson, Lakey. Total - 4.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [S 1387](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1382](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—None.

Absent and excused—Davis, Lakey, McKenzie, Patrick, Rice. Total - 5.

Total - 35.

Whereupon the President declared [S 1382](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1315](#), as amended, as amended, retained its place on the third reading calendar.

[S 1395](#) 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 Vick disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [S 1395](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1315](#), as amended, as amended, was placed before the Senate for consideration at this time.

[S 1315](#), as amended, 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [S 1315](#), as amended, as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1396](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [S 1396](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1397](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [S 1397](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 397](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [H 397](#) passed, title was approved, and the bill ordered returned to the House.

[H 441](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [H 441](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 389](#) retained its place on the third reading calendar.

[H 390](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [H 390](#) passed, title was approved, and the bill ordered returned to the House.

[H 429](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 429](#) passed, title was approved, and the bill ordered returned to the House.

Senator Schmidt called for **S 1205** to be reported forthwith from the Health and Welfare Committee, pursuant to Senate Rule 14(E).

Moved by Senator Davis, seconded by Senator Heider, that the Health and Welfare Committee be excused from reporting out **S 1205**. The question being, "Shall the motion prevail?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 28.

NAYS—Buckner-Webb, Burgoyne, Jordan, Lacey, Schmidt, Stennett, Ward-Engelking. Total - 7.

Total - 35.

Whereupon the President declared that the motion had prevailed and declared that the Health and Welfare Committee was excused from reporting out **S 1205**. The President further declared that the bill could not be called for again pursuant to Senate Rule 14(E).

[H 491](#), 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 491](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 451](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 451](#) passed, title was approved, and the bill ordered returned to the House.

[H 456](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Martin, Mortimer, Thayn. Total - 3.

Total - 35.

Whereupon the President declared [H 456](#) passed, title was approved, and the bill ordered returned to the House.

[H 499](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 499](#) passed, title was approved, and the bill ordered returned to the House.

[H 343](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 343](#) passed, title was approved, and the bill ordered returned to the House.

[H 366](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 366](#) passed, title was approved, and the bill ordered returned to the House.

[H 368](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 368](#) passed, title was approved, and the bill ordered returned to the House.

[H 486](#) 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, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Ward-Engelking, Winder. Total - 29.

NAYS—Anthon, Bayer, Den Hartog, Nonini, Souza, Vick. Total - 6.

Total - 35.

Whereupon the President declared [H 486](#) passed, title was approved, and the bill ordered returned to the House.

[H 519](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 519](#) passed, title was approved, and the bill ordered returned to the House.

[H 496](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 496](#) passed, title was approved, and the bill ordered returned to the House.

[H 481](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [H 481](#) passed, title was approved, and the bill ordered returned to the House.

[H 500](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 500](#) passed, title was approved, and the bill ordered returned to the House.

[H 426](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 426](#) passed, title was approved, and the bill ordered returned to the House.

[H 427](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 427](#) passed, title was approved, and the bill ordered returned to the House.

[H 436](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 436](#) passed, title was approved, and the bill ordered returned to the House.

[H 464](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Burgoyne, Schmidt, Stennett. Total - 3.

Total - 35.

Whereupon the President declared [H 464](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Lakey, granted by unanimous consent, all Senate bills were placed at the head of the third reading calendar, followed by Senate Finance bills, followed by House bills amended in the Senate, followed by House bills, followed by House Appropriations 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 5:50 p.m. until the hour of 9:30 a.m., Tuesday, March 15, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SIXTY-FIFTH LEGISLATIVE DAY
TUESDAY, MARCH 15, 2016

Senate Chamber

President Pro Tempore Hill called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Den Hartog, Lakey, Lee, Lodge, and McKenzie, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Jaymond Richardson, 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 14, 2016, 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 15, 2016

The JUDICIARY AND RULES Committee reports that [SCR 152](#) and [S 1404](#) have been correctly printed.

LODGE, Chairman

[SCR 152](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1404](#) was referred to the State Affairs Committee.

March 14, 2016

The EDUCATION Committee reports out [H 537](#), [H 560](#), and [HCR 50](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 537](#) and [H 560](#) were filed for second reading.

[HCR 50](#) 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 14, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Grant A. Brackebusch of Silverton, Idaho, was appointed as a member of the Idaho Lottery Commission to serve a term commencing March 11, 2016, and expiring January 1, 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.

The Senate advanced to the Ninth Order of Business.

Messages from the House

President Little assumed the Chair.

March 14, 2016

Dear Mr. President:

I transmit herewith [H 570](#), [H 571](#), [H 557](#), [H 573](#), [H 569](#), [H 487](#), [H 587](#), [H 588](#), [H 589](#), [H 595](#), and [HJR 5](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[H 570](#), [H 571](#), [H 557](#), [H 573](#), [H 569](#), [H 487](#), [H 587](#), [H 588](#), [H 589](#), [H 595](#), and [HJR 5](#) were filed for first reading.

March 14, 2016

Dear Mr. President:

I return herewith [S 1318](#), [S 1212](#), [S 1238](#), [S 1239](#), [S 1269](#), and [S 1260](#), as amended, which have passed the House.

TAYLOR, Acting Chief Clerk

[S 1318](#), [S 1212](#), [S 1238](#), [S 1239](#), [S 1269](#), and [S 1260](#), as amended, were referred to the Judiciary and Rules Committee for enrolling.

March 14, 2016

Dear Mr. President:

I transmit herewith Enrolled [HCR 33](#), [H 459](#), [H 463](#), [H 476](#), [H 355](#), [H 473](#), [H 381](#), [H 471](#), [H 472](#), [H 332](#), [H 333](#), and [H 334](#) for the signature of the President.

TAYLOR, Acting Chief Clerk

The President signed Enrolled [HCR 33](#), [H 459](#), [H 463](#), [H 476](#), [H 355](#), [H 473](#), [H 381](#), [H 471](#), [H 472](#), [H 332](#), [H 333](#), and [H 334](#) and ordered them returned to the House.

Senator Lee was recorded present at this order of business.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Winder, granted by unanimous consent, [HCR 41](#) retained its place on the calendar.

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

Senators McKenzie, Lodge, Den Hartog, and Lakey were recorded present at this order of business.

[H 570](#) and [H 571](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

[H 557](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 573](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 569](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 487](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 587](#), [H 588](#), and [H 589](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 595](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[HJR 5](#), by State Affairs 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

[H 516](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 575](#), [H 576](#), [H 577](#), [H 578](#), and [H 579](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[H 503](#) and [H 521](#), by Judiciary, Rules, and Administration Committee, were read the second time at length and filed for third reading.

[S 1388](#), as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

[H 478](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1389](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 566](#) and [H 574](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1398](#), [S 1399](#), [S 1400](#), [S 1401](#), [S 1402](#), and [S 1403](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 508](#) and [H 558](#), by Judiciary, Rules, and Administration Committee, were 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 Tenth Order of Business.

Motions and Resolutions

The President announced that [HCR 41](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lodge, seconded by Senator Ward-Engelking, [HCR 41](#) 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 Idaho State Bar appointment of Reed W. Larsen 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 Idaho State Bar appointment of Reed W. Larsen as a member of the Idaho Judicial 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 Idaho State Bar appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Idaho State Bar and the Governor informing them 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

On request by Senator Winder, granted by unanimous consent, [H 513](#), as amended, as amended in the Senate, retained its place on the third reading calendar.

[H 389](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [H 389](#) passed, title was approved, and the bill ordered returned to the House.

[H 495](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, 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, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Harris. Total - 1.

Total - 35.

Whereupon the President declared [H 495](#) passed, title was approved, and the bill ordered returned to the House.

[H 350](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 350](#) passed, title was approved, and the bill ordered returned to the House.

[H 378](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 378](#) passed, title was approved, and the bill ordered returned to the House.

[H 509](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 509](#) passed, title was approved, and the bill ordered returned to the House.

[H 528](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 528](#) passed, title was approved, and the bill ordered returned to the House.

[H 515](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 515](#) passed, title was approved, and the bill ordered returned to the House.

[H 469](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 469](#) passed, title was approved, and the bill ordered returned to the House.

[H 524](#) 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—Anthon, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—Bair, Nuxoll, Siddoway, Thayn. Total - 4.

Total - 35.

Whereupon the President declared [H 524](#) passed, title was approved, and the bill ordered returned to the House.

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

Motions and Resolutions

At this time Senator Winder arose on a point of personal privilege to announce that a distinguished visitor had arrived, and the President appointed Senator Thayn, Chairman, and Senators Souza and Jordan to escort the Consul General of Canada, James Hill, into the Senate Chamber where he addressed the members of the Senate.

The President thanked Consul General Hill for his remarks and Senators Thayn, Souza and Jordan escorted the Consul from the Chamber, and the Committee was discharged.

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

Third Reading of Bills

[H 356](#), 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 356](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 526](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 526](#) passed, title was approved, and the bill ordered returned to the House.

[H 511](#) 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), Senators Lacey and Mortimer disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Bayer, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Lakey, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick. Total - 20.

NAYS—Anthon, Bair, Brackett, Davis, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, Schmidt, Ward-Engelking. Total - 14.

Absent and excused—Winder. Total - 1.

Total - 35.

Whereupon the President declared [H 511](#) 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 12:15 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 Buckner-Webb, absent and formally excused by the Chair; and Senators Anthon, Bair, Den Hartog, Lodge, Mortimer, Nonini, Patrick, Siddoway, Souza, Thayn, and Ward-Engelking, absent and excused.

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

March 15, 2016

The JUDICIARY AND RULES Committee reports that [S 1318](#), [S 1212](#), [S 1238](#), [S 1239](#), [S 1269](#), and [S 1260](#), as amended, have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1318](#), [S 1212](#), [S 1238](#), [S 1239](#), [S 1269](#), and [S 1260](#), as amended, and ordered them transmitted to the House for the signature of the Speaker.

March 15, 2016

The FINANCE Committee reports out [H 587](#), [H 588](#), and [H 589](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 587](#), [H 588](#), and [H 589](#) were filed for second reading.

March 15, 2016

The TRANSPORTATION Committee reports out [H 536](#) and [H 553](#) with the recommendation that they do pass.

BRACKETT, Chairman

[H 536](#) and [H 553](#) were filed for second reading.

March 15, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 554](#) with the recommendation that it do pass.

PATRICK, Chairman

[H 554](#) was filed for second 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 1405

**BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE COMMISSION FOR PARDONS AND PAROLE FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1406

**BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE IDAHO STATE CAPITOL COMMISSION FOR FISCAL YEAR 2017; MAKING A CASH TRANSFER; PROVIDING REAPPROPRIATION AUTHORITY FOR DEDICATED FUNDS; AND PROVIDING LEGISLATIVE INTENT.

S 1407

**BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE IDAHO STATE HISTORICAL SOCIETY FOR FISCAL YEAR 2017; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO STATE HISTORICAL SOCIETY FOR FISCAL YEAR 2017 THROUGH FISCAL YEAR 2018; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1408

**BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE BOND PAYMENT PROGRAM FOR FISCAL YEAR 2017.

S 1409

**BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1410

**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 AMERICAN LUNG ASSOCIATION OF IDAHO FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE IDAHO ASSOCIATION OF COUNTIES FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE PEER WELLNESS CENTER FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE CANYON COUNTY COMMUNITY CLINIC FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO RECOVERY IDAHO FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE SOJOURNERS' ALLIANCE FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE IDAHO PUBLIC HEALTH DISTRICTS FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE AMERICAN CANCER SOCIETY CANCER ACTION NETWORK FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE IDAHO PREVENTION PROJECT FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE IDAHO YOUTH RANCH FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO JANNUS, INC., FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE SAINT ALPHONSUS REGIONAL MEDICAL CENTER FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE BOYS AND GIRLS CLUB OF IDAHO FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE IDAHO DEPARTMENT OF JUVENILE CORRECTIONS FOR THE YOUTH PREVENTION AND CESSATION PROGRAMS FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE IDAHO STATE POLICE FOR TOBACCO PERMITTEE COMPLIANCE INSPECTIONS FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE IDAHO DEPARTMENT OF CORRECTION FOR THE COMMUNITY-BASED SUBSTANCE ABUSE TREATMENT SERVICES PROGRAM FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PROJECT FILTER IN THE PHYSICAL HEALTH SERVICES PROGRAM FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE COMMUNITY COALITIONS OF IDAHO FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE IDAHO ACADEMY OF FAMILY PHYSICIANS FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION FOR LEWIS-CLARK STATE COLLEGE FOR THE FRESH MOUTH CAMPAIGN FOR FISCAL YEAR 2017; APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR AN AWARENESS PROGRAM ON ELECTRONIC DEVICES USED TO INGEST NICOTINE AND THC BY YOUTH FOR FISCAL YEAR 2017; PROVIDING THAT CERTAIN UNEXPENDED AND UNENCUMBERED BALANCE OF MONEYS SHALL REVERT TO THE IDAHO MILLENNIUM INCOME FUND AT THE END OF FISCAL YEAR 2017; 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 2017.

S 1411

BY FINANCE COMMITTEE
AN ACT

RELATING TO APPROPRIATIONS FOR THE LEGISLATIVE BRANCH; APPROPRIATING MONEYS TO THE LEGISLATIVE SERVICES OFFICE FOR FISCAL YEAR 2017; 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 2017; AND EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS FOR THE OFFICE OF PERFORMANCE EVALUATIONS.

S 1412

BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; REAPPROPRIATING THE UNEXPENDED AND UNENCUMBERED FEDERAL GRANT FUND BALANCE INTO FISCAL YEAR 2017; AND REAPPROPRIATING THE UNEXPENDED AND UNENCUMBERED BALANCE IN THE PUBLIC CHARTER SCHOOL AUTHORIZERS FUND INTO FISCAL YEAR 2017.

S 1413

BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS 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 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; REQUIRING A REPORT ON THE USE OF VOCA FUNDS; DIRECTING MONTHLY MEDICAID TRACKING REPORTS; REQUIRING BIENNIAL REPORTS FOR THE MEDICAID PROGRAM INTEGRITY UNIT COLLECTIONS; DIRECTING PROGRAM TRANSFER REPORTS; REQUIRING A MONTHLY REPORT ON DEPARTMENT VACANCIES; REPORTING ON IMPLEMENTATION OF THE SHIP GRANT; AND REQUIRING QUARTERLY REPORTS ON FACILITY LICENSING AND CERTIFICATION.

S 1405, S 1406, S 1407, S 1408, S 1409, S 1410, S 1411, S 1412, and S 1413 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senators Nonini, Thayn, and Patrick were recorded present at this order of business.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Senators Mortimer, Lodge, Souza, Ward-Engelking, Siddoway, Bair, Anthon, and Den Hartog were recorded present at this order of business.

H 513, as amended, as amended in the Senate, having been held, 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 reopened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Stennett, Ward-Engelking, Winder. Total - 27.

NAYS—Bayer, Harris, Nonini, Nuxoll, Souza, Thayn, Vick. Total - 7.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared **H 513**, as amended, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

H 512 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—Anthon, Bair, Bayer, Brackett, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Burgoyne, Jordan. Total - 2.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared **H 512** passed, title was approved, and the bill ordered returned to the House.

H 439 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared **H 439** passed, title was approved, and the bill ordered returned to the House.

H 504 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared **H 504** passed, title was approved, and the bill ordered returned to the House.

H 351 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared **H 351** passed, title was approved, and the bill ordered returned to the House.

H 514 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—Anthon, Bair, Brackett, Burgoyne, Davis, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Schmidt, Siddoway, Stennett, Thayn, Ward-Engelking, Winder. Total - 26.

NAYS—Bayer, Den Hartog, Guthrie, Nonini, Nuxoll, Rice, Souza, Vick. Total - 8.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared **H 514** passed, title was approved, and the bill ordered returned to the House.

H 483 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, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Anthon, Nonini. Total - 2.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared **H 483** passed, title was approved, and the bill ordered returned to the House.

H 372 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), Senators Mortimer and Anthon disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Anthon, Bayer, Brackett, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Lee, Lodge, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Souza, Thayn, Vick, Winder. Total - 20.

NAYS—Bair, Buckner-Webb, Burgoyne, Davis, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Martin, Schmidt, Siddoway, Stennett, Ward-Engelking. Total - 15.

Paired and voting included in roll call:

AYE - Winder NAY - Buckner-Webb

Total - 35.

Whereupon the President declared **H 372** passed, title was approved, and the bill ordered returned to the House.

H 534 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking. Total - 33.

NAYS—None.

Absent and excused—Buckner-Webb, Winder. Total - 2.

Total - 35.

Whereupon the President declared **H 534** passed, title was approved, and the bill ordered returned to the House.

H 535 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [H 535](#) 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 Senate Finance bills, followed by House bills amended in the Senate, followed by House bills, followed by House Appropriations 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 5:40 p.m. until the hour of 10 a.m., Wednesday, March 16, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

**SIXTY-SIXTH LEGISLATIVE DAY
WEDNESDAY, MARCH 16, 2016**

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Logan Snell, 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 15, 2016, 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 Keough was recorded present at this order of business.

March 16, 2016

The JUDICIARY AND RULES Committee reports that [S 1405](#), [S 1406](#), [S 1407](#), [S 1408](#), [S 1409](#), [S 1410](#), [S 1411](#), [S 1412](#), and [S 1413](#) have been correctly printed.

LODGE, Chairman

[S 1405](#), [S 1406](#), [S 1407](#), [S 1408](#), [S 1409](#), [S 1410](#), [S 1411](#), [S 1412](#), and [S 1413](#) were referred to the Finance Committee.

March 15, 2016

The EDUCATION Committee reports out [H 477](#), as amended, with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, [H 477](#), as amended, 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 15, 2016

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 1219](#), [S 1229](#), [S 1249](#), [S 1259](#), [S 1270](#), and
[S 1271](#)

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 15, 2016

Dear Mr. President:

I transmit herewith [H 598](#), [H 600](#), and [H 601](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[H 598](#), [H 600](#), and [H 601](#) were filed for first reading.

March 15, 2016

Dear Mr. President:

I return herewith [S 1279](#), [S 1255](#), [S 1327](#), [S 1352](#), [S 1240](#), [S 1241](#), [S 1242](#), [S 1278](#), [S 1304](#), [S 1285](#), as amended, [S 1379](#), [S 1380](#), [S 1381](#), [S 1272](#), [S 1293](#), as amended, [S 1274](#), [S 1275](#), and [S 1283](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[S 1279](#), [S 1255](#), [S 1327](#), [S 1352](#), [S 1240](#), [S 1241](#), [S 1242](#), [S 1278](#), [S 1304](#), [S 1285](#), as amended, [S 1379](#), [S 1380](#), [S 1381](#), [S 1272](#), [S 1293](#), as amended, [S 1274](#), [S 1275](#), and [S 1283](#) were referred to the Judiciary and Rules Committee for enrolling.

March 15, 2016

Dear Mr. President:

I transmit herewith Enrolled [H 396](#) for the signature of the President.

TAYLOR, Acting Chief Clerk

The President signed Enrolled [H 396](#) and ordered it returned to the House.

March 15, 2016

Dear Mr. President:

I return herewith Enrolled [S 1365](#), [S 1366](#), [S 1367](#), [S 1369](#), [S 1280](#), as amended, [S 1320](#), [S 1336](#), [S 1288](#), [S 1222](#), [S 1223](#), [S 1224](#), [S 1225](#), [S 1237](#), [S 1340](#), [S 1344](#), [S 1370](#), [S 1371](#), [S 1372](#), [S 1295](#), [S 1296](#), and [S 1326](#), which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled [S 1365](#), [S 1366](#), [S 1367](#), [S 1369](#), [S 1280](#), as amended, [S 1320](#), [S 1336](#), [S 1288](#), [S 1222](#), [S 1223](#), [S 1224](#), [S 1225](#), [S 1237](#), [S 1340](#), [S 1344](#), [S 1370](#), [S 1371](#), [S 1372](#), [S 1295](#), and [S 1326](#) 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 598](#), [H 600](#), and [H 601](#), 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 537](#) and [H 560](#), by Education Committee, were read the second time at length and filed for third reading.

[H 587](#), [H 588](#), and [H 589](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[H 536](#) and [H 553](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[H 554](#), by Commerce and Human Resources 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 382](#), without recommendation, amended as follows:

SENATE AMENDMENT TO H 382 AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 41, following "discretion," insert: "after consultation with and approval of the board president or vice president if the president is unavailable."

On page 2, in line 1, following "pline." insert: "To further the purposes of an alternative to discipline, it will be offered only by or through the liaison officer and, unless the person violates its terms, the full board will not be informed of the alternative to discipline or have to expressly approve its terms."; in line 4, following "(i)" insert: "Within the preceding five (5) years.";

also in line 4, delete "The" and insert: "tHe"; in line 5, delete "within the past five (5) years" and insert: "within the past five (5) years or been the subject of an alternative to discipline under this subsection"; in line 11, delete "or"; in line 18, delete "." and insert: "; or"; following line 18, insert:

- "(v) The act or omission committed by the person:
1. Caused significant harm to an animal;
 2. Created a substantial risk likely to cause significant harm to an animal;
 - or
 3. Involved fraud or deception.";

in line 21, delete "board's"; also in line 21, following "instructions" insert: "of the board's liaison officer"; in line 23, delete "including reasonable paralegal"; and in line 24, delete "and attorney's fees" and insert: "associated with the file".

The Committee also has [S 1357](#), [S 1317](#), [H 371](#), and [H 555](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

[H 382](#), 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

Senator Nuxoll was recorded present at this order of business.

[S 1388](#), 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?"

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

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1388](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1389](#) 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—Anthon, Bair, Bayer, Brackett, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 27.

NAYS—Buckner-Webb, Burgoyne, Davis, Jordan, Lacey, Schmidt, Stennett, Ward-Engelking. Total - 8.

Paired and voting included in roll call:

AYE - Lakey NAY - Buckner-Webb

Total - 35.

Whereupon the President Pro Tempore declared [S 1389](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1398](#) 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—Anthon, Bair, Brackett, Burgoyne, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 30.

NAYS—Bayer, Den Hartog, Nuxoll, Vick. Total - 4.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1398](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1399](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1399](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1400](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1400](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1401](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1401](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1402](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1402](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1403](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1403](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, [H 525](#), as amended, retained its place on the third reading calendar.

[H 531](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 531](#) passed, title was approved, and the bill ordered returned to the House.

[H 527](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 527](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [H 398](#) and [H 454](#) retained their place on the third reading calendar.

[H 480](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 480](#) 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 noon until the hour of 3 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 3 p.m. President Little assumed the Chair.

Roll call showed all members present except Senator Buckner-Webb, absent and formally excused by the Chair; and Senators Anthon, Bair, Den Hartog, Mortimer, Nonini, Patrick, Souza, Stennett, 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 16, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 382](#) have been correctly printed.

LODGE, Chairman

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

March 16, 2016

The JUDICIARY AND RULES Committee reports that [S 1279](#), [S 1255](#), [S 1327](#), [S 1352](#), [S 1240](#), [S 1241](#), [S 1242](#), [S 1278](#), [S 1304](#), [S 1285](#), as amended, [S 1379](#), [S 1380](#), [S 1381](#), [S 1272](#), [S 1293](#), as amended, [S 1274](#), [S 1275](#), and [S 1283](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1279](#), [S 1255](#), [S 1327](#), [S 1352](#), [S 1240](#), [S 1241](#), [S 1242](#), [S 1278](#), [S 1304](#), [S 1285](#), as amended, [S 1379](#), [S 1380](#), [S 1381](#), [S 1272](#), [S 1293](#), as amended, [S 1274](#), [S 1275](#), and [S 1283](#) and ordered them transmitted to the House for the signature of the Speaker.

March 16, 2016

The JUDICIARY AND RULES Committee reports that Enrolled [S 1365](#), [S 1366](#), [S 1367](#), [S 1369](#), [S 1280](#), as amended, [S 1320](#), [S 1336](#), [S 1288](#), [S 1222](#), [S 1223](#), [S 1224](#), [S 1225](#), [S 1237](#), [S 1340](#), [S 1344](#), [S 1370](#), [S 1371](#), [S 1372](#), [S 1295](#), [S 1296](#), and [S 1326](#) were delivered to the Office of the Governor at 11 a.m., March 16, 2016.

LODGE, Chairman

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

March 16, 2016

The STATE AFFAIRS Committee reports out [HCR 38](#) and [HCR 46](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[HCR 38](#) and [HCR 46](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 16, 2016

The FINANCE Committee reports out [H 598](#), [H 600](#), [H 601](#), [S 1405](#), [S 1406](#), [S 1407](#), [S 1408](#), [S 1409](#), [S 1410](#), [S 1411](#), [S 1412](#), and [S 1413](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 598](#), [H 600](#), [H 601](#), [S 1405](#), [S 1406](#), [S 1407](#), [S 1408](#), [S 1409](#), [S 1410](#), [S 1411](#), [S 1412](#), and [S 1413](#) were filed for second reading.

Senator Stennett 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 16, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed within the time limited by law, and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1232](#), [S 1267](#), [S 1268](#), [S 1290](#), and [S 1314](#)

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.

March 16, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1218](#) and [S 1339](#)

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 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:

The Committee has [S 1357](#), [S 1317](#), [H 371](#), and [H 555](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

On request by Senator McKenzie, granted by unanimous consent, [S 1357](#) was referred to the State Affairs Committee.

Senators Anthon, Bair, Mortimer, Patrick, Siddoway, Souza, and Ward-Engelking were recorded present at this order of business.

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

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

[H 382](#), as amended in the Senate, by Agricultural Affairs Committee, was read the first time at length and filed for second reading.

Senators Den Hartog and Nonini were recorded present at this order of business.

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

Third Reading of Bills

[H 525](#), 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [H 525](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 398](#) 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, Burgoyne, Davis, Den Hartog, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Stennett, Ward-Engelking, Winder. Total - 26.

NAYS—Anthon, Harris, Nonini, Nuxoll, Souza, Thayn, Vick. Total - 7.

Absent and excused—Buckner-Webb, Guthrie. Total - 2.

Total - 35.

Whereupon the President declared [H 398](#) passed, title was approved, and the bill ordered returned to the House.

[H 454](#) 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—Anthon, Brackett, Burgoyne, Davis, Den Hartog, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Stennett, Thayn, Ward-Engelking, Winder. Total - 26.

NAYS—Bair, Bayer, Nonini, Nuxoll, Souza, Vick. Total - 6.

Absent and excused—Buckner-Webb, Guthrie, Siddoway. Total - 3.

Total - 35.

Whereupon the President declared [H 454](#) passed, title was approved, and the bill ordered returned to the House.

[H 482](#) 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—Anthon, Bair, Bayer, Brackett, Davis, Den Hartog, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—Burgoyne. Total - 1.

Absent and excused—Buckner-Webb, Guthrie, Siddoway. Total - 3.

Total - 35.

Whereupon the President declared [H 482](#) passed, title was approved, and the bill ordered returned to the House.

[H 485](#) 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—Anthon, Bair, Bayer, Brackett, Davis, Den Hartog, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Burgoyne, Jordan. Total - 2.

Absent and excused—Buckner-Webb, Guthrie, Siddoway. Total - 3.

Total - 35.

Whereupon the President declared [H 485](#) passed, title was approved, and the bill ordered returned to the House.

[H 501](#) 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?"

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

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [H 501](#) passed, title was approved, and the bill ordered returned to the House.

[H 406](#), as amended, 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [H 406](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 443](#), as amended, 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [H 443](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 540](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [H 540](#) passed, title was approved, and the bill ordered returned to the House.

[H 523](#) 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—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [H 523](#) passed, title was approved, and the bill ordered returned to the House.

[H 533](#) 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, Davis, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Schmidt, Siddoway, Souza, Stennett, Winder. Total - 21.

NAYS—Anthon, Bair, Bayer, Burgoyne, Den Hartog, Guthrie, Lakey, Nonini, Nuxoll, Rice, Thayn, Vick. Total - 12.

Absent and excused—Buckner-Webb, Ward-Engelking. Total - 2.

Total - 35.

Whereupon the President declared [H 533](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, all House non Appropriations bills were placed at the head of the third reading calendar, followed by remaining 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 5:10 p.m. until the hour of 9:45 a.m., Thursday, March 17, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SIXTY-SEVENTH LEGISLATIVE DAY
THURSDAY, MARCH 17, 2016

Senate Chamber

President Little called the Senate to order at 9:45 a.m.

Roll call showed all members present except Senator Johnson, absent and formally excused by the Chair; and President Pro Tempore Hill and Senators Davis, Keough, McKenzie, Mortimer, and Patrick, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Luke Henrie, 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, 2016, 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 Patrick was 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 16, 2016

The RESOURCES AND ENVIRONMENT Committee reports out [H 569](#) and [H 595](#) with the recommendation that they do pass.

BAIR, Chairman

[H 569](#) and [H 595](#) were filed for second reading.

March 16, 2016

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:

Ford Elsaesser to the Lake Pend Oreille Basin Commission, term to expire July 24, 2018.

Linda Mitchell to the Lake Pend Oreille Basin Commission, term to expire July 24, 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.

March 16, 2016

The EDUCATION Committee reports out [H 570](#) and [H 571](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 570](#) and [H 571](#) 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 16, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1214](#), [S 1221](#), [S 1235](#), [S 1244](#), [S 1246](#),
[S 1248](#), [S 1250](#), [S 1251](#), [S 1258](#), [S 1261](#),
[S 1262](#), [S 1281](#), [S 1286](#), [S 1294](#), [S 1298](#),
[S 1353](#), [S 1363](#), and [S 1364](#)

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 Winder, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 16, 2016

Dear Mr. President:

I transmit herewith [HCR 57](#) and [HCR 54](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[HCR 57](#) and [HCR 54](#) were filed for first reading.

March 16, 2016

Dear Mr. President:

I return herewith [S 1333](#), [S 1334](#), [S 1390](#), [S 1391](#), [S 1392](#),
[S 1393](#), [S 1394](#), [S 1330](#), [S 1356](#), [S 1234](#), [SCR 134](#), and [SCR 148](#),
which have passed the House.

TAYLOR, Acting Chief Clerk

[S 1333](#), [S 1334](#), [S 1390](#), [S 1391](#), [S 1392](#), [S 1393](#), [S 1394](#), [S 1330](#), [S 1356](#), [S 1234](#), [SCR 134](#), and [SCR 148](#) were referred to the Judiciary and Rules Committee for enrolling.

March 16, 2016

Dear Mr. President:

I transmit herewith Enrolled [H 362](#), as amended in the Senate, [H 447](#), as amended in the Senate, [H 379](#), as amended in the Senate, [H 458](#), as amended in the Senate, [HCR 35](#), [HCR 43](#), [HJM 13](#), [HCR 49](#), [H 397](#), [H 441](#), [H 390](#), [H 429](#), [H 491](#), as amended, [H 451](#), [H 456](#), [H 499](#), [H 343](#), [H 366](#), [H 368](#), [H 486](#), [H 519](#), [H 496](#), [H 481](#), [H 500](#), [H 426](#), [H 427](#), [H 436](#), and [H 464](#) for the signature of the President.

TAYLOR, Acting Chief Clerk

The President signed Enrolled [H 362](#), as amended in the Senate, [H 447](#), as amended in the Senate, [H 379](#), as amended in the Senate, [H 458](#), as amended in the Senate, [HCR 35](#), [HCR 43](#), [HJM 13](#), [HCR 49](#), [H 397](#), [H 441](#), [H 390](#), [H 429](#), [H 491](#), as amended, [H 451](#), [H 456](#), [H 499](#), [H 343](#), [H 366](#), [H 368](#), [H 486](#), [H 519](#), [H 496](#), [H 481](#), [H 500](#), [H 426](#), [H 427](#), [H 436](#), and [H 464](#) and ordered them returned to the House.

March 16, 2016

Dear Mr. President:

I return herewith Enrolled [S 1318](#), [S 1212](#), [S 1238](#), [S 1239](#), [S 1269](#), and [S 1260](#), as amended, which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled [S 1318](#), [S 1212](#), [S 1238](#), [S 1239](#), [S 1269](#), and [S 1260](#), as amended, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

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

[HCR 57](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

[HCR 54](#), 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

Senators McKenzie, Mortimer, and Keough were recorded present at this order of business.

[H 598](#), [H 600](#), and [H 601](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1405](#), [S 1406](#), [S 1407](#), [S 1408](#), [S 1409](#), [S 1410](#), [S 1411](#), [S 1412](#), and [S 1413](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 382](#), as amended in the Senate, by Agricultural Affairs 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 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 371](#), [H 555](#), and [H 477](#), as amended, without recommendation, amended as follows:

SENATE AMENDMENT TO H 371 AMENDMENT TO SECTION 5

On page 4 of the printed bill, in line 1, following "board" insert: "shall serve at the pleasure of the governor and"; and in line 8, following "years" insert: "and shall serve at the pleasure of the governor".

CORRECTION TO TITLE

On page 1, in line 14, following the first "BOARD" insert: ", TO SPECIFY THAT THE BOARD SHALL SERVE AT THE PLEASURE OF THE GOVERNOR".

SENATE AMENDMENT TO H 555 AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 14, following "without" insert: "being induced by"; in line 17, following "and" insert: "knowingly and willfully"; in line 18, delete "minor" and insert: "person or persons"; and delete lines 20 through 41, and insert: "guilty of a misdemeanor provided that the image was communicated in a form that there was a single recipient.

(2) A minor child who, without being induced by coercion, manipulation or fraud, creates or causes to be created any photographic, electronic or video content of said minor child that would be characterized under any of the classifications defined in section 18-1507(1)(c) through (j), Idaho Code, and knowingly and willfully distributes it in such a way and through such a medium that the minor intended or had reason to believe that multiple parties would receive or have access to the image:

- (a) Is guilty of a misdemeanor on the first adjudicated offense; and
- (b) Is guilty of a felony on the second or subsequent adjudicated offense.

(3) A minor who is found to be in knowing and willful possession of the content created and sent as described in subsection (1) or (2) of this section is guilty of a misdemeanor if the content depicts a minor who is not greater than three (3) years younger than the minor who is found to be in possession. A minor who is found to be in knowing and willful possession of content described in this subsection that depicts a minor greater than three (3) years younger than themselves is guilty of a violation of section 18-1507(2)(a), Idaho Code.

(4) A minor who is found to be in possession of content described in subsection (1) or (2) of this section who knowingly and willfully transmits or displays the image to one (1) or more third parties:

- (a) Is guilty of a misdemeanor on the first adjudicated offense; and

(b) Is guilty of a felony on any second or subsequent adjudicated offense.

(5) A minor who receives content under circumstances described in subsection (1) or (2) of this section and distributes or threatens to distribute the image for the purposes of coercing any action, causing any embarrassment or otherwise controlling or manipulating the sender is guilty of a felony.

(6) A minor who receives content under circumstances described in subsection (1) or (2) of this section and distributes the image to a parent, guardian, one having custody of the minor or a law enforcement official for the purpose of reporting the activity is not guilty of a crime under the provisions of this section."

On page 2, in line 1, delete "4" and insert: "7".

AMENDMENT TO THE BILL

On page 2, following line 3, insert:

"SECTION 2. That Section 18-1507, Idaho Code, be, and the same is hereby amended to read as follows:

18-1507. DEFINITIONS – SEXUAL EXPLOITATION OF A CHILD – PENALTIES. (1) As used in this section, unless the context otherwise requires:

(a) "Bestiality" means a sexual connection in any manner between a human being and any animal.

(b) "Child" means a person who is less than eighteen (18) years of age.

(c) "Erotic fondling" means touching a person's clothed or unclothed genitals or pubic area, developing or undeveloped genitals or pubic area (if the person is a child), buttocks, breasts (if the person is a female), or developing or undeveloped breast area (if the person is a female child), for the purpose of real or simulated overt sexual gratification or stimulation of one (1) or more of the persons involved. "Erotic fondling" shall not be construed to include physical contact, even if affectionate, which is not for the purpose of real or simulated overt sexual gratification or stimulation of one (1) or more of the persons involved.

(d) "Erotic nudity" means the display of the human male or female genitals or pubic area, the undeveloped or developing genitals or pubic area of the human male or female child, the human female breasts, or the undeveloped or developing breast area of the human female child, for the purpose of real or simulated overt sexual gratification or stimulation of one (1) or more of the persons involved.

(e) "Explicit sexual conduct" means sexual intercourse, erotic fondling, erotic nudity, masturbation, sadomasochism, sexual excitement, or bestiality.

(f) "Masturbation" means the real or simulated touching, rubbing, or otherwise stimulating of a person's own clothed or unclothed genitals or pubic area, developing or undeveloped genitals or pubic area (if the person is a child), buttocks, breasts (if the person is a female), or developing or undeveloped breast area (if the person is a female child), by manual manipulation or self-induced or with an artificial instrument, for the purpose of real or simulated overt sexual gratification or arousal of the person.

(g) "Sadomasochism" means:

(i) Real or simulated flagellation or torture for the purpose of real or simulated sexual stimulation or gratification; or

(ii) The real or simulated condition of being fettered, bound, or otherwise physically restrained for sexual stimulation or gratification of a person.

(h) "Sexual excitement" means the real or simulated condition of human male or female genitals when in a state of real or simulated overt sexual stimulation or arousal.

(i) "Sexual intercourse" means real or simulated intercourse, whether genital-genital, oral-genital, anal-genital, or oral-anal, between persons of the same or opposite sex, or between a human and an animal, or with an artificial genital.

(j) "Sexually exploitative material" means any image, photograph, motion picture, video, print, negative, slide, or other mechanically, electronically, digitally or chemically produced or reproduced visual material which shows a child engaged in, participating in, observing, or being used for explicit sexual conduct, or showing a child engaging in, participating in, observing or being used for explicit sexual conduct, in actual time, including, but not limited to, video chat, webcam sessions or video calling.

(2) A person commits sexual exploitation of a child if he knowingly and willfully:

(a) Possesses or accesses through any means including, but not limited to, the internet, any sexually exploitative material; or

(b) Causes, induces or permits a child to engage in, or be used for, any explicit sexual conduct for the purpose of producing or making sexually exploitative material; or

(c) Promotes, prepares, publishes, produces, makes, finances, offers, exhibits or advertises any sexually exploitative material; or

(d) Distributes through any means including, but not limited to, mail, physical delivery or exchange, use of a computer or any other electronic or digital method, any sexually exploitative material. Distribution of sexually exploitative material does not require a pecuniary transaction or exchange of interests in order to complete the offense.

(3) The sexual exploitation of a child pursuant to subsection (2)(a) of this section is a felony and shall be punishable by imprisonment in the state prison for a period not to exceed ten (10) years or by a fine not to exceed ten thousand dollars (\$10,000), or by both such imprisonment and fine.

(4) The sexual exploitation of a child pursuant to subsections (2)(b), (c) and (d) of this section is a felony and shall be punishable by imprisonment in the state prison for a term not to exceed thirty (30) years or by a fine not to exceed fifty thousand dollars (\$50,000) or by both such fine and imprisonment.

(5) Notwithstanding any other provisions of this section, a person eighteen (18) years of age or older who is found to be in knowing and willful possession of content created and distributed under circumstances defined in section 18-1507A(1) or (2), Idaho Code, is guilty of a misdemeanor provided that:

(a) The minor depicted in the content distributed the content in such a way that the minor intended the person found to be in possession to receive it;

(b) The minor depicted in the content is not greater than three (3) years younger than the person found to be in possession; and

(c) The person found to be in possession of the content did not use coercion, manipulation or fraud to obtain possession of the content.

(6) If any provision of this section or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this section which can be given effect without the invalid provision or application, and to this end the provisions of this section are declared to be severable.

SECTION 3. That Section 18-8304, Idaho Code, be, and the same is hereby amended to read as follows:

18-8304. APPLICATION OF CHAPTER – RULEMAKING AUTHORITY. (1) The provisions of this chapter shall apply to any person who:

(a) On or after July 1, 1993, is convicted of the crime, or an attempt, a solicitation, or a conspiracy to commit a crime provided for in section 18-909 (assault with intent to commit rape, infamous crime against nature, or lewd and lascivious conduct with a minor, but excluding mayhem, murder or robbery), 18-911 (battery with intent to commit rape, infamous crime against nature, or lewd and lascivious conduct with a minor, but excluding mayhem, murder or robbery), 18-919 (sexual exploitation by a medical care provider), 18-1505B (sexual abuse and exploitation of a vulnerable adult), 18-1506 (sexual abuse of a child under sixteen years of age), 18-1506A (ritualized abuse of a child), felony violations of 18-1507 (sexual exploitation of a child), 18-1508 (lewd conduct with a minor child), 18-1508A (sexual battery of a minor child sixteen or seventeen years of age), 18-1509A (enticing a child over the internet), 18-4003(d) (murder committed in perpetration of rape), 18-4116 (indecent exposure, but excluding a misdemeanor conviction), 18-4502 (first degree kidnapping committed for the purpose of rape, committing the infamous crime against nature or for committing any lewd and lascivious act upon any child under the age of sixteen, or for purposes of sexual gratification or arousal), 18-4503 (second degree kidnapping where the victim is an unrelated minor child), 18-5605 (detention for prostitution), 18-5609 (inducing person under eighteen years of age into prostitution), 18-5610 (utilizing a person under eighteen years of age for prostitution), 18-5611 (inducing person under eighteen years of age to patronize a prostitute), 18-6101 (rape, but excluding 18-6101(1) where the defendant is eighteen years of age), 18-6108 (male rape, but excluding 18-6108(1) where the defendant is eighteen years of age), 18-6110 (sexual contact with a prisoner), 18-6602 (incest), 18-6605 (crime against nature), 18-6608 (forcible sexual penetration by use of a foreign object), 18-6609 (video voyeurism where the victim is a minor or upon a second or subsequent conviction), 18-7804 (if the racketeering act involves kidnapping of a minor) or 18-8602(1), Idaho Code, (sex trafficking).

(b) On or after July 1, 1993, has been convicted of any crime, an attempt, a solicitation or a conspiracy to commit a crime in another jurisdiction or who has a foreign conviction that is substantially equivalent to the offenses listed in subsection (1)(a) of this section and enters this state to establish residence or for employment purposes or to attend, on a full-time or part-time basis, any public or private educational institution including any secondary school, trade or professional institution or institution of higher education.

(c) Has been convicted of any crime, an attempt, a solicitation or a conspiracy to commit a crime in another jurisdiction, including military courts, that is substantially equivalent to the offenses listed in subsection (1)(a) of this section and was required to register as a sex offender in any other state or jurisdiction when he established residency in Idaho.

(d) Pleads guilty to or has been found guilty of a crime covered in this chapter prior to July 1, 1993, and the person, as a result of the offense, is incarcerated in a county jail facility or a penal facility or is under probation or parole supervision, on or after July 1, 1993.

(e) Is a nonresident regularly employed or working in Idaho or is a student in the state of Idaho and was convicted, found guilty or pleaded guilty to a crime covered by this chapter and, as a result of such conviction, finding or plea, is required to register in his state of residence.

(2) An offender shall not be required to comply with the registration provisions of this chapter while incarcerated in a correctional institution of the department of correction, a county jail facility, committed to the department of juvenile corrections or committed to a mental health institution of the department of health and welfare.

(3) A conviction for purposes of this chapter means that the person has pled guilty or has been found guilty, notwithstanding the form of the judgment or withheld judgment.

(4) The department shall have authority to promulgate rules to implement the provisions of this chapter."

CORRECTION TO TITLE

On page 1, in line 7, following "INSTANCES" insert: ", TO PROVIDE THAT A MINOR WHO RECEIVES CONTENT AND REPORTS IT TO CERTAIN PERSONS SHALL NOT BE GUILTY OF A CRIME"; and in line 8, following "ACT" insert: "; AMENDING SECTION 18-1507, IDAHO CODE, TO PROVIDE THAT SEXUAL EXPLOITATION OF A CHILD BY CERTAIN ELECTRONIC MEANS SHALL BE A MISDEMEANOR IN CERTAIN INSTANCES; AND AMENDING SECTION 18-8304, IDAHO CODE, TO PROVIDE FOR FELONY SEXUAL EXPLOITATION OF A CHILD".

SENATE AMENDMENT TO H 477, as Amended AMENDMENT TO SECTION 3

On page 2 of the engrossed bill, in line 4, delete "an amount equal to the tuition and fees charged by the" and insert: "the amount of eight thousand dollars (\$8,000) that shall be used for tuition and fees at any"; in line 5, delete "where the scholarship is to be applied. The awards shall" and insert: "."; delete lines 6 through 8; in line 11, delete "The" and insert: "For subsection (1)(a) through (c) of this section, the"; in line 12, delete ". One-quarter" and insert: "and one-quarter"; in line 19, following "year" insert: ", provided that the match funds for each scholarship must come from a business or industry, or entities representing business or industry, and may not be from a foundation affiliated with the postsecondary institution or from appropriated or nonappropriated funds of the postsecondary institution"; and delete lines 27 through 29.

On page 3, following line 5, insert:

"(11) As used in this section, "merit-based scholarship" means a scholarship in which academic achievement at the high school level is a minimum eligibility requirement and awards are made based on the achievement of the student."

The Committee also has [S 1317](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

[H 371](#), as amended in the Senate, [H 555](#), as amended in the Senate, and [H 477](#), 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 Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 17, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 371](#), [H 555](#), and [H 477](#), as amended, have been correctly printed.

LODGE, Chairman

The report was 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 Eleventh Order of Business.

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

[H 371](#), as amended in the Senate, by Education Committee, was read the first time at length and filed for second reading.

[H 555](#), as amended in the Senate, by Judiciary, Rules, and Administration Committee, was read the first time at length and filed for second reading.

[H 477](#), as amended, as amended in the Senate, by Education Committee, was read the first time at length and filed for second reading.

President Pro Tempore Hill and Senator Davis were recorded present at this order of business.

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

Third Reading of Bills

On request by Senator Lodge, granted by unanimous consent, [H 521](#) and [H 508](#) were referred to the Fourteenth Order of Business, General Calendar.

[H 516](#) 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—Anthon, Bair, Bayer, Brackett, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 28.

NAYS—Buckner-Webb, Burgoyne, Jordan, Lacey, Schmidt, Stennett, Ward-Engelking. Total - 7.

Total - 35.

Whereupon the President declared [H 516](#) passed, title was approved, and the bill ordered returned to the House.

[H 503](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 503](#) passed, title was approved, and the bill ordered returned to the House.

[H 478](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 478](#) passed, title was approved, and the bill ordered returned to the House.

[H 558](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 558](#) passed, title was approved, and the bill ordered returned to the House.

[H 537](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 537](#) passed, title was approved, and the bill ordered returned to the House.

[H 560](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 560](#) passed, title was approved, and the bill ordered returned to the House.

[H 536](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 30.

NAYS—Burgoyne, Jordan, Schmidt, Stennett, Ward-Engelking. Total - 5.

Total - 35.

Whereupon the President declared [H 536](#) passed, title was approved, and the bill ordered returned to the House.

[H 553](#) 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—Anthon, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Patrick, Schmidt, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 26.

NAYS—Bair, Davis, Harris, Hill, Jordan, Mortimer, Nuxoll, Rice, Siddoway. Total - 9.

Total - 35.

Whereupon the President declared [H 553](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator McKenzie, granted by unanimous consent, [H 554](#) retained its place on the third reading calendar.

[H 532](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 532](#) passed, title was approved, and the bill ordered returned to the House.

[H 546](#) 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?"

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

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 546](#) passed, title was approved, and the bill ordered returned to the House.

[H 547](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared [H 547](#) passed, title was approved, and the bill ordered returned to the House.

[H 548](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 548](#) passed, title was approved, and the bill ordered returned to the House.

[H 549](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 549](#) passed, title was approved, and the bill ordered returned to the House.

[H 550](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 550](#) passed, title was approved, and the bill ordered returned to the House.

[H 551](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 551](#) passed, title was approved, and the bill ordered returned to the House.

[H 552](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 552](#) passed, title was approved, and the bill ordered returned to the House.

President Little called President Pro Tempore Hill to the Chair.

Having voted on the prevailing side by which [H 536](#) passed the Senate, Senator Davis served notice that he may on this or the next legislative day move for reconsideration of the vote.

[H 536](#) was ordered held at the Secretary's desk.

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 3:30 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 3:30 p.m. President Little returned to the Chair.

Roll call showed all members present except Senators Anthon, Burgoyne, Mortimer, Nuxoll, and Rice, 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 Fourteenth Order of Business.

Senator Burgoyne 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 [S 1317](#) and [H 521](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1317 AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 38 through 41, and insert:

"(3) Attorney's fees and costs shall not accrue and shall not be assessed or collected by the homeowner's association until the homeowner's association has complied with the requirements of subsection (2) of this section and the member has failed to address the violation as prescribed in subsection (2)(c) of this section. A court of competent jurisdiction may determine the reasonableness of attorney's fees and costs assessed against a member. In an action to determine the reasonableness of attorney's fees and costs assessed by the homeowner's association against a member, the court may award reasonable attorney's fees and costs to the prevailing party."

CORRECTION TO TITLE

On page 1, delete lines 3 through 6, and insert: "TO PROVIDE CONDITIONS WHEN ATTORNEY'S FEES AND COSTS MAY ACCRUE AND MAY BE ASSESSED OR COLLECTED."

SENATE AMENDMENT TO H 521 AMENDMENT TO THE BILL

On page 1 of the printed bill, following line 28, insert: "SECTION 2. The provisions of Section 1 of this act shall be null, void and of no force and effect on and after June 30, 2019."

CORRECTION TO TITLE

On page 1, in line 5, following "CHARGES" insert: "; AND PROVIDING A SUNSET CLAUSE".

The Committee also has [H 508](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

[S 1317](#), 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 521](#), 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

March 17, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1317](#) and [H 521](#) have been correctly printed.

LODGE, Chairman

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

March 17, 2016

The JUDICIARY AND RULES Committee reports that [S 1317](#), as amended, has been correctly engrossed.

LODGE, Chairman

[S 1317](#), as amended, was filed for first reading.

March 17, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 487](#), [H 538](#), and [H 541](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 487](#), [H 538](#), and [H 541](#) were filed for second reading.

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

Motions and Resolutions

[H 536](#) having been held at the desk for possible reconsideration of the vote by which it passed the Senate, and no motion for reconsideration having been received, [H 536](#) was ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [HCR 50](#) was referred to the Education 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 1414

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING AND TRANSFERRING MONEYS TO THE WOLF CONTROL FUND FOR FISCAL YEAR 2017.

S 1415

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED 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 1416

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE SOIL AND WATER CONSERVATION COMMISSION FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT REGARDING DISTRIBUTIONS TO THE CONSERVATION DISTRICTS; AND PROVIDING LEGISLATIVE INTENT REGARDING MONEYS PROVIDED FOR NORTH CENTRAL IDAHO WILDFIRE RESTORATION.

S 1417

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT; AND DECLARING AN EMERGENCY.

[S 1414](#), [S 1415](#), [S 1416](#), and [S 1417](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 521](#), as amended in the Senate, by Judiciary, Rules, and Administration Committee, was read the first time at length and filed for second reading.

[S 1317](#), as amended, by Commerce and Human Resources 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

[H 554](#) 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—Anthon, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

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

Total - 35.

Whereupon the President declared [H 554](#) passed, title was approved, and the bill ordered returned to the House.

[H 561](#) 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—Anthon, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Schmidt. Total - 1.

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

Total - 35.

Whereupon the President declared [H 561](#) passed, title was approved, and the bill ordered returned to the House.

[H 562](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Lakey. Total - 1.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [H 562](#) passed, title was approved, and the bill ordered returned to the House.

[H 563](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider,

Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [H 563](#) passed, title was approved, and the bill ordered returned to the House.

[H 564](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [H 564](#) passed, title was approved, and the bill ordered returned to the House.

[H 567](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [H 567](#) passed, title was approved, and the bill ordered returned to the House.

[H 575](#) 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—Anthon, Bair, Brackett, Buckner-Webb, Burgoyne, Davis, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Schmidt, Siddoway, Stennett, Thayn, Ward-Engelking, Winder. Total - 27.

NAYS—Bayer, Den Hartog, Guthrie, Harris, Nuxoll, Souza, Vick. Total - 7.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [H 575](#) passed, title was approved, and the bill ordered returned to the House.

[H 576](#) 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 Lee disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [H 576](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [H 577](#) retained its place on the third reading calendar for Wednesday, March 23, 2016.

[H 578](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [H 578](#) passed, title was approved, and the bill ordered returned to the House.

[H 579](#) 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 Nuxoll disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [H 579](#) passed, title was approved, and the bill ordered returned to the House.

[H 566](#) 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—Anthon, Bair, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Patrick, Schmidt, Siddoway, Souza, Stennett, Ward-Engelking, Winder. Total - 28.

NAYS—Bayer, Mortimer, Nonini, Nuxoll, Thayn, Vick. Total - 6.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [H 566](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [H 382](#), as amended in the Senate, was placed at the head of the third reading calendar, [H 577](#) was placed at the bottom of the third reading 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 5:05 p.m. until the hour of 10:30 a.m., Friday, March 18, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SIXTY-EIGHTH LEGISLATIVE DAY
FRIDAY, MARCH 18, 2016

Senate Chamber

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

Roll call showed all members present except Senators Patrick and Vick, absent and formally excused by the Chair; and Senator Stennett, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Cardston Stanford, 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, 2016, 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, 2016

The JUDICIARY AND RULES Committee reports that [S 1414](#), [S 1415](#), [S 1416](#), and [S 1417](#) have been correctly printed.

LODGE, Chairman

[S 1414](#), [S 1415](#), [S 1416](#), and [S 1417](#) were referred to the Finance Committee.

March 17, 2016

The JUDICIARY AND RULES Committee reports that [S 1333](#), [S 1334](#), [S 1390](#), [S 1391](#), [S 1392](#), [S 1393](#), [S 1394](#), [S 1330](#), [S 1356](#), [S 1234](#), [SCR 134](#), and [SCR 148](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1333](#), [S 1334](#), [S 1390](#), [S 1391](#), [S 1392](#), [S 1393](#), [S 1394](#), [S 1330](#), [S 1356](#), [S 1234](#), [SCR 134](#), and [SCR 148](#) and ordered them transmitted to the House for the signature of the Speaker.

March 17, 2016

The JUDICIARY AND RULES Committee reports that Enrolled [S 1318](#), [S 1212](#), [S 1238](#), [S 1239](#), [S 1269](#), and [S 1260](#), as amended, were delivered to the Office of the Governor at 10:35 a.m., March 17, 2016.

LODGE, Chairman

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

March 17, 2016

The HEALTH AND WELFARE Committee reports out [H 557](#) with the recommendation that it do pass.

HEIDER, Chairman

[H 557](#) 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 17, 2016

Dear Mr. President:

I transmit herewith [H 597](#), [H 582](#), and [HCR 55](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[H 597](#), [H 582](#), and [HCR 55](#) were filed for first reading.

March 17, 2016

Dear Mr. President:

I return herewith [S 1323](#), [S 1341](#), as amended, [S 1395](#), [S 1396](#), [S 1397](#), [SCR 136](#), [SCR 137](#), and [SCR 138](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[S 1323](#), [S 1341](#), as amended, [S 1395](#), [S 1396](#), [S 1397](#), [SCR 136](#), [SCR 137](#), and [SCR 138](#) were referred to the Judiciary and Rules Committee for enrolling.

March 17, 2016

Dear Mr. President:

I transmit herewith Enrolled [HCR 41](#), [H 389](#), [H 495](#), [H 350](#), [H 378](#), [H 509](#), [H 528](#), [H 515](#), [H 469](#), [H 524](#), [H 356](#), as amended, [H 526](#), [H 511](#), [H 512](#), [H 439](#), [H 504](#), [H 351](#), [H 514](#), [H 483](#), [H 372](#), [H 534](#), [H 535](#), and [H 452](#), as amended in the Senate, for the signature of the President.

TAYLOR, Acting Chief Clerk

The President signed Enrolled [HCR 41](#), [H 389](#), [H 495](#), [H 350](#), [H 378](#), [H 509](#), [H 528](#), [H 515](#), [H 469](#), [H 524](#), [H 356](#), as amended, [H 526](#), [H 511](#), [H 512](#), [H 439](#), [H 504](#), [H 351](#), [H 514](#), [H 483](#), [H 372](#), [H 534](#), [H 535](#), and [H 452](#), as amended in the Senate, and ordered them returned to the House.

March 17, 2016

Dear Mr. President:

I return herewith Enrolled [S 1279](#), [S 1255](#), [S 1327](#), [S 1352](#), [S 1240](#), [S 1241](#), [S 1242](#), [S 1278](#), [S 1304](#), [S 1285](#), as amended, [S 1379](#), [S 1380](#), [S 1381](#), [S 1272](#), [S 1293](#), as amended, [S 1274](#), [S 1275](#), and [S 1283](#), which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled [S 1279](#), [S 1255](#), [S 1327](#), [S 1352](#), [S 1240](#), [S 1241](#), [S 1242](#), [S 1278](#), [S 1304](#), [S 1285](#), as amended, [S 1379](#), [S 1380](#), [S 1381](#), [S 1272](#), [S 1293](#), as amended, [S 1274](#), [S 1275](#), and [S 1283](#) 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

On request by Senator Martin, granted by unanimous consent, [HCR 48](#) retained its place on the calendar for Tuesday, March 22, 2016.

Senator Stennett was recorded present at this order of business.

The President announced that [SCR 152](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Davis, seconded by Senator Burgoyne, [SCR 152](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [HCR 38](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Harris, seconded by Senator Stennett, [HCR 38](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [HCR 46](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Thayn, seconded by Senator Buckner-Webb, [HCR 46](#) 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 Ford Elsaesser 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 Ford Elsaesser 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 President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Linda Mitchell 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 Linda Mitchell 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

[H 597](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 582](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[HCR 55](#), 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

[H 569](#), by Ways and Means Committee, was read the second time at length and filed for third reading.

[H 595](#), by Resources and Conservation Committee, was read the second time at length and filed for third reading.

[H 570](#) and [H 571](#), by Education Committee, were read the second time at length and filed for third reading.

[H 371](#), as amended in the Senate, by Business Committee, was read the second time at length and filed for third reading.

[H 555](#), as amended in the Senate, by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

[H 477](#), as amended, as amended in the Senate, by Education Committee, was read the second time at length and filed for third reading.

[H 487](#), by Business Committee, was read the second time at length and filed for third reading.

[H 538](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[H 541](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[H 521](#), as amended in the Senate, by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

[S 1317](#), 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 Davis, granted by unanimous consent, **S 1317**, as amended, was placed at the head of the third reading calendar, followed by **H 382**, as amended in the Senate, followed by **H 521**, as amended in the Senate, followed by **H 477**, as amended, as amended in the Senate, followed by **H 555**, as amended in the Senate, followed by **H 371**, as amended in the Senate, followed by remaining bills, **H 577** was placed at the bottom of the third reading 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 11:15 a.m. until the hour of 9:30 a.m., Monday, March 21, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SEVENTY-FIRST LEGISLATIVE DAY
MONDAY, MARCH 21, 2016

Senate Chamber

President Little called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Anthon, Bayer, Keough, Nuxoll, Rice, Thayn, and Vick, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Nellie 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 18, 2016, 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, 2016

The JUDICIARY AND RULES Committee reports that [S 1323](#), [S 1341](#), as amended, [S 1395](#), [S 1396](#), [S 1397](#), [SCR 136](#), [SCR 137](#), and [SCR 138](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1323](#), [S 1341](#), as amended, [S 1395](#), [S 1396](#), [S 1397](#), [SCR 136](#), [SCR 137](#), and [SCR 138](#) and ordered them transmitted to the House for the signature of the Speaker.

Senators Bayer, Vick, and Nuxoll were recorded present at this order of business.

March 18, 2016

The JUDICIARY AND RULES Committee reports that Enrolled [S 1279](#), [S 1255](#), [S 1327](#), [S 1352](#), [S 1240](#), [S 1241](#), [S 1242](#), [S 1278](#), [S 1304](#), [S 1285](#), as amended, [S 1379](#), [S 1380](#), [S 1381](#), [S 1272](#), [S 1293](#), as amended, [S 1274](#), [S 1275](#), and [S 1283](#) were delivered to the Office of the Governor at 11:50 a.m., March 18, 2016.

LODGE, Chairman

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

Senator Thayn was recorded present at this order of business.

March 18, 2016

The STATE AFFAIRS Committee reports out [H 544](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, [H 544](#) was referred to the Fourteenth Order of Business, General Calendar.

March 18, 2016

The STATE AFFAIRS Committee reports out [S 1404](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, [S 1404](#) was referred to the Fourteenth Order of Business, General Calendar.

March 18, 2016

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:

Paul J. Schneider to the Idaho State Racing Commission, term to expire January 15, 2022.

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 18, 2016

The FINANCE Committee reports out [S 1414](#), [S 1415](#), [S 1416](#), and [S 1417](#) with the recommendation that they do pass.

KEOUGH, Chairman

[S 1414](#), [S 1415](#), [S 1416](#), and [S 1417](#) were filed for second reading.

March 18, 2016

The JUDICIARY AND RULES Committee reports out [H 494](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [H 494](#) 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

Senator Keough was recorded present at this order of business.

March 18, 2016

Dear Mr. President:

I transmit herewith [H 580](#), [HCR 53](#), [H 608](#), [H 609](#), [H 610](#), [H 611](#), and [H 612](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[H 580](#), [HCR 53](#), [H 608](#), [H 609](#), [H 610](#), [H 611](#), and [H 612](#) were filed for first reading.

March 18, 2016

Dear Mr. President:

I return herewith [S 1402](#), [S 1325](#), [S 1359](#), [S 1351](#), [S 1361](#), [S 1338](#), [S 1347](#), as amended, [S 1398](#), [S 1399](#), [S 1400](#), [S 1401](#), [S 1403](#), and [S 1389](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[S 1402](#), [S 1325](#), [S 1359](#), [S 1351](#), [S 1361](#), [S 1338](#), [S 1347](#), as amended, [S 1398](#), [S 1399](#), [S 1400](#), [S 1401](#), [S 1403](#), and [S 1389](#) were referred to the Judiciary and Rules Committee for enrolling.

March 18, 2016

Dear Mr. President:

I transmit herewith Enrolled [H 531](#), [H 527](#), [H 480](#), [H 525](#), as amended, [H 398](#), [H 454](#), [H 482](#), [H 485](#), [H 501](#), [H 406](#), as amended, [H 443](#), as amended, [H 540](#), [H 523](#), and [H 533](#) for the signature of the President.

TAYLOR, Acting Chief Clerk

The President signed Enrolled [H 531](#), [H 527](#), [H 480](#), [H 525](#), as amended, [H 398](#), [H 454](#), [H 482](#), [H 485](#), [H 501](#), [H 406](#), as amended, [H 443](#), as amended, [H 540](#), [H 523](#), and [H 533](#) and ordered them returned to the House.

Senator Rice 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

March 21, 2016

The JUDICIARY AND RULES Committee reports that [S 1402](#) and [S 1389](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1402](#) and [S 1389](#) 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 Eleventh Order of Business.

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

[H 580](#), by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[HCR 53](#), by Ways and Means Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

[H 608](#), [H 609](#), [H 610](#), [H 611](#), and [H 612](#), 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 557](#), 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 returned to the Eleventh Order of Business.

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

S 1418

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE SECRETARY OF STATE FOR FISCAL YEAR 2016; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES; AND DECLARING AN EMERGENCY.

S 1419

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING AND TRANSFERRING ADDITIONAL MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2017; 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 THE EMPLOYEE GROUP INSURANCE PLAN STRUCTURE; AND DECLARING AN EMERGENCY.

S 1420

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO SALARIES OF JUDGES; AMENDING SECTION 59-502, IDAHO CODE, TO REVISE THE SALARIES OF DISTRICT JUDGES.

S 1421

BY FINANCE COMMITTEE

AN ACT

RELATING TO LEGAL COSTS OF THE STATE OF IDAHO; APPROPRIATING AND TRANSFERRING MONEYS TO THE CONSTITUTIONAL DEFENSE FUND FOR FISCAL YEAR 2016; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE PURCHASING PROGRAM FOR FISCAL YEAR 2016; AND DECLARING AN EMERGENCY.

[S 1418](#), [S 1419](#), [S 1420](#), and [S 1421](#) 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 returned to the Sixth Order of Business.

Reports of Standing Committees

March 21, 2016

The JUDICIARY AND RULES Committee reports that [S 1418](#), [S 1419](#), [S 1420](#), and [S 1421](#) have been correctly printed.

LODGE, Chairman

[S 1418](#) and [S 1419](#) were referred to the Finance Committee.

[S 1420](#) was referred to the Judiciary and Rules Committee.

[S 1421](#) was 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

[S 1317](#), 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), Senators Rice, Mortimer, and Lacey disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Anthon, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Bair. Total - 1.

Total - 35.

Whereupon the President declared [S 1317](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[H 382](#), as amended in the Senate, 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 382](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

[H 521](#), as amended in the Senate, 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 521](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

[H 477](#), 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 Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Brackett, Buckner-Webb, Burgoyne, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Bayer, Den Hartog, Rice. Total - 3.

Total - 35.

Whereupon the President declared [H 477](#), as amended, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

[H 555](#), as amended in the Senate, 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 555](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

[H 371](#), as amended in the Senate, 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 371](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

H 574 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—Anthon, Bair, Brackett, Buckner-Webb, Burgoyne, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 29.

NAYS—Bayer, Den Hartog, Nonini, Nuxoll, Patrick, Vick. Total - 6.

Total - 35.

Whereupon the President declared **H 574** passed, title was approved, and the bill ordered returned to the House.

H 587 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared **H 587** passed, title was approved, and the bill ordered returned to the House.

H 588 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared **H 588** passed, title was approved, and the bill ordered returned to the House.

H 589 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—Anthon, Bair, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 32.

NAYS—Bayer, Rice, Vick. Total - 3.

Total - 35.

Whereupon the President declared **H 589** passed, title was approved, and the bill ordered returned to the House.

H 598 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?"

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

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared **H 598** 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 11:30 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 Little presiding.

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

Prior to recess the Senate was at the Fourth Order of Business, Reading of Communications.

The Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 153 BY STATE AFFAIRS COMMITTEE A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND APPROVING ADMINISTRATIVE RULES THAT IMPOSE A FEE OR CHARGE, WITH EXCEPTIONS, AND REJECTING CERTAIN AGENCY RULE DOCKETS THAT ARE 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 Idaho State Police, Alcohol Beverage Control Bureau, Rules Governing Alcohol Beverage Control, is not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Department of Health and Welfare, Rules Governing Certified Family Homes, 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 Second 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 2016 legislative session, which impose a fee or charge, be, and the same are approved, with the exception of the following enumerated pending fee rules:

IDAPA 11.05.01, the Idaho State Police, Alcohol Beverage Control Bureau, Rules Governing Alcohol Beverage Control, adopted as a pending fee rule under Docket Number 11-0501-1501, the entire rulemaking docket.

IDAPA 16.03.19, the Department of Health and Welfare, Rules Governing Certified Family Homes, adopted as a pending fee rule under Docket Number 16-0319-1502, the entire rulemaking docket.

BE IT FURTHER RESOLVED that IDAPA 11.05.01, the Idaho State Police, Alcohol Beverage Control Bureau, Rules Governing Alcohol Beverage Control, adopted as a pending fee rule under Docket Number 11-0501-1501, the entire rulemaking docket, and IDAPA 16.03.19, the Department of Health and Welfare, Rules Governing Certified Family Homes, adopted as a pending fee rule under Docket Number 16-0319-1502, the entire rulemaking docket, are hereby rejected and not approved, and thereby pursuant to Section 67-5291 and Section 67-5224, Idaho Code, are 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 154

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 Second 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 2016 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 First Regular Session of the Sixty-fourth 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 2016 legislative session shall expire by operation of statute upon adjournment of the Second Regular Session of the Sixty-third Idaho Legislature, unless approved by adoption of a separate concurrent resolution by both houses of the Legislature.

[SCR 153](#) and [SCR 154](#) 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 21, 2016

The JUDICIARY AND RULES Committee reports that [S 1325](#), [S 1359](#), [S 1351](#), [S 1361](#), [S 1338](#), [S 1347](#), as amended, [S 1398](#), [S 1399](#), [S 1400](#), [S 1401](#), and [S 1403](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1325](#), [S 1359](#), [S 1351](#), [S 1361](#), [S 1338](#), [S 1347](#), as amended, [S 1398](#), [S 1399](#), [S 1400](#), [S 1401](#), and [S 1403](#) and ordered them transmitted to the House for the signature of the Speaker.

March 21, 2016

The STATE AFFAIRS Committee reports out [H 542](#), [H 331](#), as amended, [HJR 5](#), [HCR 51](#), and [HCR 57](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[H 542](#), [H 331](#), as amended, and [HJR 5](#) were filed for second reading.

[HCR 51](#) and [HCR 57](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 21, 2016

The STATE AFFAIRS Committee reports out [H 497](#) and [H 597](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, [H 497](#) and [H 597](#) were referred to the Fourteenth Order of Business, General Calendar.

March 21, 2016

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:

Bud Tracy to the State Building Authority, term to expire January 1, 2021.

Shelly Jo Enderud to the State Building Authority, term to expire January 1, 2021.

Grant A. Brackebusch to the Idaho Lottery Commission, term to expire January 1, 2021.

L. Daniel Cravens to the Idaho Commission on Human Rights, term to expire July 1, 2017.

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.

Senator Lodge was recorded present at this order of business.

March 21, 2016

The FINANCE Committee reports out [H 608](#), [H 609](#), [H 610](#), [H 611](#), [H 612](#), [S 1418](#), [S 1419](#), and [S 1421](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 608](#), [H 609](#), [H 610](#), [H 611](#), [H 612](#), [S 1418](#), [S 1419](#), and [S 1421](#) were filed for second reading.

March 21, 2016

The RESOURCES AND ENVIRONMENT Committee reports out [HCR 55](#) with the recommendation that it do pass.

BAIR, Chairman

[HCR 55](#) 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 Fourteenth Order of Business.

General Calendar

On request by Senator Davis, granted by unanimous consent, [H 544](#) was filed for second reading.

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

Messages from the House

March 21, 2016

Dear Mr. President:

I transmit herewith Enrolled [H 516](#), [H 503](#), [H 478](#), [H 558](#), [H 537](#), [H 560](#), [H 553](#), [H 532](#), [H 546](#), [H 547](#), [H 548](#), [H 549](#), [H 550](#), [H 551](#), and [H 552](#) for the signature of the President.

TAYLOR, Acting Chief Clerk

The President signed Enrolled [H 516](#), [H 503](#), [H 478](#), [H 558](#), [H 537](#), [H 560](#), [H 553](#), [H 532](#), [H 546](#), [H 547](#), [H 548](#), [H 549](#), [H 550](#), [H 551](#), and [H 552](#) and ordered them returned to the House.

March 21, 2016

Dear Mr. President:

I return herewith Enrolled [S 1389](#), [S 1402](#), [S 1333](#), [S 1334](#), [S 1390](#), [S 1391](#), [S 1392](#), [S 1393](#), [S 1394](#), [S 1330](#), [S 1356](#), and [S 1234](#), which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled [S 1389](#), [S 1402](#), [S 1333](#), [S 1334](#), [S 1390](#), [S 1391](#), [S 1392](#), [S 1393](#), [S 1394](#), [S 1330](#), [S 1356](#), and [S 1234](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 21, 2016

Dear Mr. President:

I return herewith Enrolled [SCR 134](#) and [SCR 148](#), which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled [SCR 134](#) and [SCR 148](#) 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 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 1404](#), [H 494](#), [H 497](#), and [H 597](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1404

AMENDMENT TO SECTION 1

On page 1 of the printed bill, following line 29, insert:

"(c) It is contrary to the public policy of the state of Idaho for an individual to become pregnant for the purpose of aborting an unborn infant and thereafter selling, transferring, distributing or donating the unborn infant's bodily remains for experimentation or other use."

On page 2, in line 46, delete ", regardless of the duration of the pregnancy" and insert: "involving miscarriage or stillbirth"; and in line 48, following "extracted" insert: ", or the individual's designee,".

On page 3, in line 1, delete "receive and dispose" and insert: "direct the receipt and disposition"; in line 35, delete "chapter" and insert: "section"; and in line 36, delete "to a medical waste disposal facility".

SENATE AMENDMENT TO H 494

AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 7, delete "~~shall~~, in its discretion," and insert: "shall"; in line 8, delete "~~may~~"; in line 31, delete "~~, except that~~" and insert: "~~; and~~"; delete lines 32

through 35; in line 36, following "A" insert: "first"; and in line 38, delete "Subsequent violations under this subsection" and insert: "Violations under this subsection that occur following the effective date of this act".

AMENDMENT TO SECTION 4

On page 5, in line 12, following "upon" insert: "a"; and in line 13, delete "conviction and" and insert: "violation and".

SENATE AMENDMENT TO H 497

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 9, delete "department" and insert: "agency"; in line 11, delete "branch" and insert: "department"; and in line 14, delete "department" and insert: "agency".

SENATE AMENDMENT TO H 597

AMENDMENT TO THE BILL

On page 1 of the printed bill, following line 6, insert: "SECTION 1. That Section 23-902, Idaho Code, be, and the same is hereby amended to read as follows:

23-902. DEFINITIONS. The following words and phrases used in this chapter shall be given the following interpretation:

(1) "Club" includes any of the following organizations where the sale of spirituous liquor for consumption on the premises is made to members and to bona fide guests of members only:

(a) A post, chapter, camp or other local unit composed solely of veterans and their duly recognized auxiliary, and which is a post, chapter, camp or other local unit composed solely of veterans which has been chartered by the congress of the United States for patriotic, fraternal or benevolent purposes, and which has, as the owner, lessee or occupant, operated an establishment for that purpose in this state; or

(b) A chapter, aerie, parlor, lodge or other local unit of an American national fraternal organization, which has as the owner, lessee or occupant, operated an establishment for fraternal purposes in this state and actively operates in not less than thirty-six (36) states or has been in continuous existence for not less than twenty (20) years; and which has not less than fifty (50) bona fide members in each unit, and which owns, maintains or operates club quarters, and is authorized and incorporated to operate as a nonprofit club under the laws of this state, and which has recognized tax exempt status under section 501(c)(8) or 501(c)(10) of the Internal Revenue Code, and has been continuously incorporated and operating for a period of not less than one (1) year. The club shall have had during that period of one (1) year, a bona fide membership with regular meetings conducted at least once each month, and the membership shall be and shall have been actively engaged in carrying out the objects of the club. The club membership shall consist of bona fide dues paying members, recorded by the secretary of the club, paying at least six dollars (\$6.00) per year in dues, payable monthly, quarterly or annually; and the members at the time of application for a club license shall be in good standing, having paid dues for at least one (1) full year.

(2) "Convention" means a formal meeting of members, representatives, or delegates, as of a political party, fraternal society, profession or industry.

(3) "Director" means the director of the Idaho state police.

(4) "Gaming" means any and all gambling or games of chance defined in chapters 38 and 49, title 18, Idaho Code, or

any section or sections thereof, whether those games are licensed or unlicensed.

(5) "Interdicted person" means a person to whom the sale of liquor is prohibited under law.

(6) "License" means a license issued by the director to a qualified person, under which it shall be lawful for the licensee to sell and dispense liquor by the drink at retail, as provided by law.

(7) "Licensee" means the person to whom a license is issued under the provisions of law.

(8) "Liquor" means all kinds of liquor sold by and in a state liquor store of the state of Idaho.

(9) "Live performance" means a performance occurring in a theater and not otherwise in violation of any provision of Idaho law.

(10) "Municipal license" means a license issued by a municipality of the state of Idaho under the provisions of law.

(11) "Party" means a social gathering especially for pleasure or amusement and includes, but is not limited to, such social events as weddings, birthdays, and special holiday celebrations to include, but not be limited to, New Year's celebrations, Super Bowl Sunday, St. Patrick's Day, the Fourth of July and Labor Day.

(12) "Person" means every individual, partnership, corporation, organization, or association holding a retail liquor license, whether conducting the business singularly or collectively.

(13) "Premises" means the building and contiguous property owned, or leased or used under a government permit by a licensee as part of the business establishment in the business of sale of liquor by the drink at retail, which property is improved to include decks, docks, boardwalks, lawns, gardens, golf courses, ski resorts, courtyards, patios, poolside areas or similar improved appurtenances in which the sale of liquor by the drink at retail is authorized under the provisions of law.

(14) "Rules" means rules promulgated by the director in accordance with the provisions of law.

(15) "State liquor store" means a liquor store or distributor established under and pursuant to the laws of the state of Idaho for the package sale of liquor at retail.

(16) "Theater" means a room, place or outside structure for performances or readings of dramatic literature, plays or dramatic representations of an art form not in violation of any provision of Idaho law.

(17) "Brewery" means a place, premises or establishment within the state of Idaho for the manufacture, bottling or canning of beer for sale.

(18) "Winery" means a place, premises or establishment within the state of Idaho for the manufacture or bottling of table wine or dessert wine for sale. Two (2) or more wineries may use the same premises and the same equipment to manufacture their respective wines, to the extent permitted by federal law.

(179) All other words and phrases used in this chapter, the definitions of which are not herein given, shall be given their ordinary and commonly understood and acceptable meanings."; in line 7, delete "1" and insert: "2".

CORRECTION TO TITLE

On page 1, in line 2, following "BREWERIES;" insert: "AMENDING SECTION 23-902, IDAHO CODE, TO DEFINE "BREWERY" AND "WINERY"; AND".

The Committee also has [H 508](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

[S 1404](#), 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 494](#), as amended in the Senate, [H 497](#), as amended in the Senate, and [H 597](#), 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

[H 600](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Siddoway, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Rice, Thayn. Total - 2.

Total - 35.

Whereupon the President declared [H 600](#) passed, title was approved, and the bill ordered returned to the House.

[H 601](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Siddoway, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Schmidt. Total - 1.

Absent and excused—Rice, Thayn. Total - 2.

Total - 35.

Whereupon the President declared [H 601](#) passed, title was approved, and the bill ordered returned to the House.

The President announced that Senator Thayn requested and has received an excused absence for the remainder of the day.

[S 1405](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Siddoway, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Rice, Thayn. Total - 2.

Total - 35.

Whereupon the President declared [S 1405](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1406](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Siddoway, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Rice, Thayn. Total - 2.

Total - 35.

Whereupon the President declared [S 1406](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1407](#) 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—Anthon, Bair, Brackett, Buckner-Webb, Burgoyne, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Schmidt, Siddoway, Souza, Stennett, Ward-Engelking, Winder. Total - 27.

NAYS—Bayer, Den Hartog, Nuxoll, Patrick, Rice, Vick. Total - 6.

Absent and excused—McKenzie, Thayn. Total - 2.

Total - 35.

Whereupon the President declared [S 1407](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1408](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—McKenzie, Thayn. Total - 2.

Total - 35.

Whereupon the President declared [S 1408](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1409](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Ward-Engelking, Winder. Total - 31.

NAYS—Nuxoll, Vick. Total - 2.

Absent and excused—McKenzie, Thayn. Total - 2.

Total - 35.

Whereupon the President declared [S 1409](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1410](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—McKenzie, Thayn. Total - 2.

Total - 35.

Whereupon the President declared [S 1410](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1411](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—McKenzie, Thayn. Total - 2.

Total - 35.

Whereupon the President declared [S 1411](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1412](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Thayn. Total - 1.

Total - 35.

Whereupon the President declared [S 1412](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1413](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Thayn. Total - 1.

Total - 35.

Whereupon the President declared [S 1413](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 569](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Thayn. Total - 1.

Total - 35.

Whereupon the President declared [H 569](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 595](#) retained its place on the third reading calendar for one legislative day.

[H 570](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Thayn. Total - 1.

Total - 35.

Whereupon the President declared [H 570](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [H 487](#) retained its place on the third reading calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, [H 538](#) retained its place on the third reading calendar for Wednesday, March 23, 2016.

[H 571](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Thayn. Total - 1.

Total - 35.

Whereupon the President declared [H 571](#) passed, title was approved, and the bill ordered returned to the House.

[H 541](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Thayn. Total - 1.

Total - 35.

Whereupon the President declared [H 541](#) passed, title was approved, and the bill ordered returned to the House.

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 557](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [H 557](#) be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, 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.

[H 557](#) 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—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Thayn. Total - 1.

Total - 35.

Whereupon the President declared [H 557](#) 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 21, 2016

Dear Mr. President:

I transmit herewith [H 617](#), [H 618](#), [H 619](#), [H 620](#), [H 621](#), [H 622](#), [H 623](#), and [H 603](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[H 617](#), [H 618](#), [H 619](#), [H 620](#), [H 621](#), [H 622](#), [H 623](#), and [H 603](#) were filed for first reading.

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

Reports of Standing Committees

March 21, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1404](#), [H 494](#), [H 497](#), and [H 597](#) have been correctly printed.

LODGE, Chairman

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

March 21, 2016

The JUDICIARY AND RULES Committee reports that [S 1404](#), as amended, has been correctly engrossed.

LODGE, Chairman

[S 1404](#), 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

S 1422

BY FINANCE COMMITTEE AN ACT

APPROPRIATING ADDITIONAL 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 FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE DIVISION OF PUBLIC WORKS FOR FISCAL YEAR 2017; AUTHORIZING AND DIRECTING THE ALLOCATION OF FUNDS FOR SPECIFIC PROJECTS FOR FISCAL YEAR 2017; 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 1423

BY FINANCE COMMITTEE AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2017; 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 AND THE STRATEGIC INITIATIVES PROGRAM FUND; PROVIDING REAPPROPRIATION FOR AIRPORT DEVELOPMENT GRANTS; AUTHORIZING A TRANSFER OF FUNDS FOR DEBT SERVICE; PROVIDING A CASH TRANSFER TO THE GARVEE DEBT SERVICE FUND; PROVIDING A CASH TRANSFER TO THE LOCAL HIGHWAY TRUST FUND; AND DECLARING AN EMERGENCY.

S 1424

BY FINANCE COMMITTEE AN ACT

REDUCING THE APPROPRIATION TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT RELATED TO SCHOOL DISTRICT BROADBAND SERVICES; AND DECLARING AN EMERGENCY.

S 1425

BY FINANCE COMMITTEE AN ACT

APPROPRIATING MONEYS TO THE STEM ACTION CENTER FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

[S 1422](#), [S 1423](#), [S 1424](#), and [S 1425](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 494](#), as amended in the Senate, by Judiciary, Rules, and Administration Committee, was read the first time at length and filed for second reading.

[H 497](#), as amended in the Senate, and [H 597](#), as amended in the Senate, by State Affairs Committee, were read the first time at length and filed for second reading.

[S 1404](#), as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

[H 617](#), [H 618](#), [H 619](#), [H 620](#), [H 621](#), [H 622](#), and [H 623](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 603](#), by Education Committee, was 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 21, 2016

The JUDICIARY AND RULES Committee reports that [S 1422](#), [S 1423](#), [S 1424](#), and [S 1425](#) have been correctly printed.

LODGE, Chairman

[S 1422](#), [S 1423](#), [S 1424](#), and [S 1425](#) were 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 4:30 p.m. until the hour of 10 a.m., Tuesday, March 22, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SEVENTY-SECOND LEGISLATIVE DAY
TUESDAY, MARCH 22, 2016

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Alaire Chambers, Page.

President Little assumed the Chair.

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 21, 2016, 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 Stennett was recorded present at this order of business.

March 22, 2016

The JUDICIARY AND RULES Committee reports that [SCR 153](#) and [SCR 154](#) have been correctly printed.

LODGE, Chairman

[SCR 153](#) and [SCR 154](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 21, 2016

The JUDICIARY AND RULES Committee reports that Enrolled [S 1389](#), [S 1402](#), [S 1333](#), [S 1334](#), [S 1390](#), [S 1391](#), [S 1392](#), [S 1393](#), [S 1394](#), [S 1330](#), [S 1356](#), and [S 1234](#) were delivered to the Office of the Governor at 2:40 p.m., March 21, 2016.

LODGE, Chairman

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

March 21, 2016

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 134](#) and [SCR 148](#) were delivered to the Office of the Secretary of State at 2:52 p.m., March 21, 2016.

LODGE, Chairman

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

Senator McKenzie was recorded present at this order of business.

March 21, 2016

The FINANCE Committee reports out [H 617](#), [H 618](#), [H 619](#), [H 620](#), [H 621](#), [H 622](#), [H 623](#), [S 1422](#), [S 1423](#), [S 1424](#), and [S 1425](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 617](#), [H 618](#), [H 619](#), [H 620](#), [H 621](#), [H 622](#), [H 623](#), [S 1422](#), [S 1423](#), [S 1424](#), and [S 1425](#) 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 21, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have appointed Troy Rohn of Boise, Idaho, to be Acting State Senator for Legislative District 19, Ada County, State of Idaho.

This appointment commences on March 22, 2016, through Friday, March 25, 2016.

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 Present, that pursuant to the provisions of Section 59-917, *Idaho Code*, Cherie Buckner-Webb, State Senator, District 19, Ada County, State of Idaho, has nominated Troy Rohn to perform the duties of this office temporarily as Acting State Senator District 19, Ada County, State of Idaho.

NOW, THEREFORE, I, C.L. "Butch" Otter, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Troy Rohn, of Boise, Idaho, to the office of State Senator District 19, for a term commencing Tuesday March 22, 2016, through Friday, March 25, 2016

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-first day of March, in the year of our Lord two thousand and sixteen and of the Independence of the United States of America, the two hundred and fortieth 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 Rohn, and he was recorded present at this order of business.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 21, 2016

Dear Mr. President:

I return herewith [S 1332](#), as amended, [S 1376](#), [S 1382](#), and [S 1342](#), as amended, which have passed the House.

TAYLOR, Acting Chief Clerk

[S 1332](#), as amended, [S 1376](#), [S 1382](#), and [S 1342](#), as amended, 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 Martin, granted by unanimous consent, [HCR 48](#) retained its place on the calendar for Wednesday, March 23, 2016.

The President announced that [HCR 51](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Winder, seconded by Senator Burgoyne, [HCR 51](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [HCR 57](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator McKenzie, seconded by Senator Lacey, [HCR 57](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that [HCR 55](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Vick, seconded by Senator Stennett, [HCR 55](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

Senator Lodge was recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the committee report of the gubernatorial appointment confirmation of Paul J. Schneider retained its place on the calendar.

The President announced that the State Affairs Committee report relative to the gubernatorial reappointment of Bud Tracy was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Anthon, seconded by Senator Stennett, the gubernatorial reappointment of Bud Tracy as a member of the State Building 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 reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

Senator Davis was recorded present at this order of business.

The President announced that the State Affairs Committee report relative to the gubernatorial reappointment of Shelly Jo Enderud was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Nonini, seconded by Senator Burgoyne, the gubernatorial reappointment of Shelly Jo Enderud as a member of the State Building 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 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 Grant A. Brackebusch was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Nuxoll, seconded by Senator Stennett, the gubernatorial appointment of Grant A. Brackebusch as a member of the Idaho Lottery 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 L. Daniel Cravens was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bair, seconded by Senator Lacey, the gubernatorial appointment of L. Daniel Cravens 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 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 reappointment of Paul J. Schneider 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 reappointment of Paul J. Schneider as a member of the Idaho State Racing 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 Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 22, 2016

The JUDICIARY AND RULES Committee reports out [H 556](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [H 556](#) was referred to the Fourteenth Order of Business, General Calendar.

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 556](#), without recommendation, amended as follows:

SENATE AMENDMENT TO H 556 AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 23 through 41; and delete pages 2 through 15; and insert:

"SECTION 1. That Section 16-1506, Idaho Code, be, and the same is hereby amended to read as follows:

16-1506. PROCEEDINGS ON ADOPTION. (1) Proceedings to adopt a child shall be commenced by the filing of a petition together with a copy thereof. The petition shall be initiated by the person or persons proposing to adopt the child and shall be filed with the district court of the county in which said person or persons reside. If the adoption arises from a child protective act case, the petition shall be filed in the court having jurisdiction over the child protective act case unless that court relinquishes jurisdiction over the adoption proceeding. The petitioners shall have resided and maintained a dwelling within the state of Idaho for at least six (6) consecutive months prior to the filing of a petition. The petition shall set forth the name and address of the petitioner or petitioners, the name of the child proposed to be adopted and the name by which the person to be adopted shall be known if and when adopted, the degree of relationship of the child, if any, to the petitioner or petitioners and the names of any person or agency whose consent to said adoption is necessary. At the time fixed for hearing such petition the person adopting a child, and the child adopted, and the spouse of the petitioner if a natural parent of the child, must

appear before the court of the county wherein the petition was filed. The petitioner shall at such time execute an agreement to the effect that the child shall be adopted and treated in all respects as his own lawful child should be treated.

(2) If the adoption arises from a child protective act case, then, in addition to the petition filed pursuant to subsection (1) of this section, the department of health and welfare shall file the permanency plan prepared pursuant to section 16-1620 or 16-1622, Idaho Code, associated with the child protective act case. If the court determines that the person proposing to adopt the child is not the proposed adoptive parent named in the permanency plan, then the judge shall stay the proceeding pending the department preparing and filing an amended permanency plan pursuant to section 16-1620 or 16-1622, Idaho Code, and the approval of the amended permanency plan by the judge presiding over the child protective act proceeding.

(3) Any person or persons whose consent is required shall execute such consent in writing, in a form consistent with the provisions of section 16-2005(4), Idaho Code, which consent being filed in the court where the application is made, shall be deemed a sufficient appearance on the part of such person or persons. If any adoptive parent, or a person not a minor being adopted by a resident adult under the provisions of section 16-1501, Idaho Code, is a member of the armed services and is unable to attend the hearing, his appearance and testimony shall be received by means of deposition, which shall be filed in the court at the time of the hearing.

(34) Prior to the placement for adoption of any child in the home of prospective adoptive parents, it shall be required that a thorough social investigation of the prospective adoptive family and all of its members, consistent with the rules regarding such investigations promulgated by the department of health and welfare, shall be completed and that a positive recommendation for adoptive placement shall have been made. The social investigation may be performed by any individual who meets the requirements of the law. A copy of the study must be submitted to the department and the department may impose a reasonable fee, not to exceed fifty dollars (\$50.00), for oversight of such privately conducted studies. If the prospective adoptive parent has a disability as defined in this chapter, the prospective adoptive parent shall have the right, as a part of the social study, to provide information regarding the manner in which the use of adaptive equipment or supportive services will enable the parent to carry out the responsibilities of parenting the child. The person performing the social investigation shall advise the prospective adoptive parent of such right and shall consider all such information in any findings or recommendations. The social investigation of any prospective adoptive parent with a disability shall be conducted by, or with the assistance of, an individual with expertise in the use of such equipment and services. Nothing in this chapter shall be construed to create any new or additional obligation on state or local governments to purchase or provide adaptive equipment or supportive services for parents with disabilities. In those instances where the prospective adoptive parent is married to the birth parent or is the grandparent of the child to be adopted, such social investigation shall be completed with regard to the prospective adoptive parent only upon order of the court. In exigent circumstances where the prospective adoptive parents are determined by the court to have been unable to complete a social investigation of the family with a positive recommendation prior to the time the child is placed in the home, the child shall remain in the home unless the court determines the best interests of the child are served by other placement. If exigent circumstances exist, a social investigation shall be initiated within five (5) days of placement. Once initiated, all studies shall be completed within sixty (60) days. Upon the

filing of a petition to adopt a minor child by a person unrelated to the child or unmarried to a natural parent of the child and at the discretion of the court upon the filing of any other petition for adoption, a copy of such petition, together with a statement containing the full names and permanent addresses of the child and the petitioners, shall be served by the court receiving the petition within five (5) days on the director of the department of health and welfare by registered mail or personal service. If no private investigation is conducted, it shall then be the duty of the said director, through the personnel of the department or through such qualified child-placing children's adoption agency incorporated under chapter 3, title 30, Idaho Code, as the director may designate, to verify the allegations of the petition, and as soon as possible not exceeding thirty (30) days after service of the petition on the director to make a thorough investigation of the matter to include in all cases information as to the alleged date and place of birth and as to parentage of the child to be adopted as well as the source of all such information and report his findings in writing to the court. The investigative report shall include reasonably known or available medical and genetic information regarding both natural parents and sources of such information as well as reasonably known or available providers of medical care and services to the natural parents. A copy of all medical and genetic information compiled in the investigation shall be made available to the adopting family by the department or other investigating children's adoption agency prior to entry of the final order of adoption. The petition, statement and all other papers, records or files relating to the adoption, including the preplacement investigation and recommendation, shall be returned to the court with the investigative report. The department of health and welfare or other children's adoption agency may require the petitioner to pay all or any part of the costs of the investigation. If the report disapproves of the adoption of the child, motion may be made to the court to dismiss the petition.

(45) Proceedings for termination of parent-child relationship in accordance with chapter 20, title 16, Idaho Code, and proceedings for adoption may be consolidated and determined at one (1) hearing provided that all of the requirements of this chapter as well as chapter 20, title 16, Idaho Code, be fully complied with. Nothing in either chapter shall be construed as limiting the initiation of any petition for approval of a verified financial plan for adoption expenses pursuant to section 18-1511, Idaho Code, prior to the birth of the child which is the subject of any adoption proceeding. In all disputed matters under this chapter or chapter 20, title 16, Idaho Code, the paramount criterion for consideration and determination by the court shall be the best interests of the child.

(56) Proceedings for the adoption of an adult shall be as provided in subsection (1) of this section and any consents required shall be executed as provided in subsection (23) of this section. Upon a finding by the court that the consent of all persons for whom consent is required has been given and that the requirements of section 16-1501, Idaho Code, have been proven to the satisfaction of the court, the court shall enter an order granting the adoption. In cases where the adult proposed to be adopted is incapacitated or disabled, the court may require that an investigation be performed. The form and extent of the investigation to be undertaken may be as provided in subsection (34) of this section, or as otherwise ordered by the court. If an investigation is performed, the court must review and approve the findings of the investigation before issuing an order approving the adoption.

SECTION 2. That Section 16-1619, Idaho Code, be, and the same is hereby amended to read as follows:

16-1619. ADJUDICATORY HEARING – CONDUCT OF HEARING – CONSOLIDATION. (1) When a petition has been filed, the court shall set an adjudicatory hearing to be held no later than thirty (30) days after the filing of the petition.

(2) A pretrial conference shall be held outside the presence of the court within three (3) to five (5) days before the adjudicatory hearing. Investigative reports required under section 16-1616, Idaho Code, shall be delivered to the court with copies to each of the parents and other legal custodians, guardian ad litem and attorney for the child prior to the pretrial conference.

(3) At the adjudicatory hearing, parents or guardians with disabilities shall have the right to introduce admissible evidence regarding how use of adaptive equipment or supportive services may enable the parent or guardian to carry out the responsibilities of parenting the child by addressing the reason for the removal of the child.

(4) If a preponderance of the evidence at the adjudicatory hearing shows that the child comes within the court's jurisdiction under this chapter upon the grounds set forth in section 16-1603, Idaho Code, the court shall so decree and in its decree shall make a finding on the record of the facts and conclusions of law upon which it exercises jurisdiction over the child.

(5) Upon entering its decree the court shall consider any information relevant to the disposition of the child but in any event shall:

(a) Place the child under the protective supervision of the department for an indeterminate period not to exceed the child's eighteenth birthday; or

(b) Vest legal custody in the department or other authorized agency subject to residual parental rights and subject to full judicial review by the court and, when contested by any party, judicial approval of all matters relating to the custody of the child by the department or other authorized agency.

(6) If the court vests legal custody in the department or other authorized agency, the court shall make detailed written findings based on facts in the record, that, in addition to the findings required in subsection (4) of this section, continuation of residence in the home would be contrary to the welfare of the child and that vesting legal custody with the department or other authorized agency would be in the best interests of the child. In addition the court shall make detailed written findings based on facts in the record as to whether the department made reasonable efforts to prevent the placement of the child in foster care, including findings, when appropriate, that:

(a) Reasonable efforts were made but were not successful in eliminating the need for foster care placement of the child;

(b) The department made reasonable efforts to prevent removal but was not able to safely provide preventive services;

(c) Reasonable efforts to temporarily place the child with related persons were made but were not successful; or

(d) Reasonable efforts to reunify the child with one (1) or both parents were not required because aggravated circumstances were present. If aggravated circumstances are found, a permanency hearing for the child shall be held within thirty (30) days of the determination of aggravated circumstances.

(7) A decree vesting legal custody in the department shall be binding upon the department and may continue until the child's eighteenth birthday.

(8) A decree vesting legal custody in an authorized agency other than the department shall be for a period of time not to exceed the child's eighteenth birthday, and on such other terms as the court shall state in its decree to be in the best interests

of the child and which the court finds to be acceptable to such authorized agency.

(9) In order to preserve the unity of the family system and to ensure the best interests of the child whether issuing an order of protective supervision or an order of legal custody, the court may consider extending or initiating a protective order as part of the decree. The protective order shall be determined as in the best interests of the child and upon a showing of continuing danger to the child. The conditions and terms of the protective order shall be clearly stated in the decree.

(10) If the court does not find that the child comes within the jurisdiction of this chapter pursuant to subsection (4) of this section it shall dismiss the petition.

SECTION 3. That Section 16-1620, Idaho Code, be, and the same is hereby amended to read as follows:

16-1620. FINDING OF AGGRAVATED CIRCUMSTANCES – PERMANENCY PLAN – HEARING. (1) After a judicial determination that reasonable efforts to return the child to his home are not required because aggravated circumstances were found to be present, the court shall hold a permanency hearing within thirty (30) days after the finding. The department shall prepare a permanency plan and file the permanency plan with the court at least five (5) days prior to the permanency hearing. If the permanency plan has a goal of termination of parental rights and adoption, the department shall file the petition to terminate as required in section 16-1624(2), Idaho Code. Copies of the permanency plan shall be delivered to the parents and other legal guardians, prosecuting attorney or deputy attorney general, the guardian ad litem and attorney for the child.

(2) The permanency plan shall have a permanency goal of termination of parental rights and adoption, guardianship or another planned permanent living arrangement and shall set forth the reasonable efforts necessary to finalize the permanency goal.

(3) The permanency plan shall also:

(a) Identify the services to be provided to the child, including services to identify and meet any special educational, emotional, physical or developmental needs the child may have, to assist the child in adjusting to the placement or to ensure the stability of the placement;

(b) Address all options for permanent placement of the child, including consideration of options for in-state and out-of-state placement of the child;

(c) Address the advantages and disadvantages of each option and include a recommendation as to which option is in the child's best interest;

(d) Specifically identify the actions necessary to implement the recommended option;

(e) Specifically set forth a schedule for accomplishing the actions necessary to implement the permanency goal;

(f) Consider the options for maintaining the child's connection to the community, including individuals with a significant relationship to the child, and organizations or community activities with which the child has a significant connection; ~~and~~

(g) In the case of a child who has attained the age of sixteen (16) years, identify the services needed to assist the child to make the transition from foster care to independent living; ~~and~~

(h) Identify the prospective adoptive parents, if known; if the prospective adoptive parents are not known, the department shall amend the plan to name the proposed adoptive parents as soon as such persons become known.

(4) The court shall hold a permanency hearing to determine whether the best interest of the child is served by adopting, rejecting or modifying the permanency plan proposed by the department.

(5) Notice of the permanency hearing shall be provided to the parents and other legal guardians, prosecuting attorney or deputy attorney general, guardian ad litem, attorney for the child, the department and foster parents; provided however, that foster parents are not thereby made parties to the child protective act action.

(6) The permanency plan as approved by the court shall be entered into the record as an order of the court. The order may include interim and final deadlines for implementing the permanency plan and finalizing the permanency goal.

(7) If the permanency goal is not termination of parental rights and adoption or guardianship, the court may approve a permanency plan with a permanency goal of another planned permanent living arrangement only upon written case-specific findings that specify why a more permanent plan is not in the best interest of the child.

(8) The court may authorize the department to suspend further efforts to reunify the child with the child's parent, pending further order of the court, when a petition or other motion is filed in a child protection proceeding seeking a determination of the court that aggravated circumstances were present.

SECTION 4. That Section 16-1621, Idaho Code, be, and the same is hereby amended to read as follows:

16-1621. CASE PLAN HEARING – NO FINDING OF AGGRAVATED CIRCUMSTANCES. (1) In every case in which the child is determined to be within the jurisdiction of the court, and there is no judicial determination that aggravated circumstances were present, the department shall prepare a written case plan, including cases in which the parent(s) is incarcerated. The court shall schedule a case plan hearing to be held within thirty (30) days after the adjudicatory hearing. The case plan shall be filed with the court no later than five (5) days prior to the case plan hearing. Copies of the case plan shall be delivered to the parents and other legal guardians, the prosecuting attorney or deputy attorney general, the guardian ad litem and attorney for the child. The court shall hold a case plan hearing to determine whether the best interest of the child is served by adopting, rejecting or modifying the case plan proposed by the department.

(2) Notice of the case plan hearing shall be provided to the parents, and other legal guardians, the prosecuting attorney or deputing attorney general, guardian ad litem, attorney for the child, the department and foster parents. Although foster parents are provided notice of this hearing, they are not parties to the child protective act action.

(3) If the child is placed in the legal custody of the department, the case plan filed by the department shall set forth reasonable efforts that will be made to make it possible for the child to return home. The case plan shall also:

(a) Identify the services to be provided to the child, including services to identify and meet any special educational, emotional, physical or developmental needs the child may have, to assist the child in adjusting to the placement or to ensure the stability of the placement.

(b) Address options for maintaining the child's connection to the community, including individuals with a significant relationship to the child, and organizations or community activities with which the child has a significant connection.

(c) Include a goal of reunification and a plan for achieving that goal. The reunification plan shall identify all issues

that need to be addressed before the child can safely be returned home without department supervision. The court may specifically identify issues to be addressed by the plan. The reunification plan shall specifically identify the tasks to be completed by the department, each parent or others to address each issue, including services to be made available by the department to the parents and in which the parents are required to participate, and deadlines for completion of each task. The case plan shall state with specificity the role of the department toward each parent. When appropriate, the reunification plan should identify terms for visitation, supervision of visitation and child support.

(d) Include a concurrent permanency goal and a plan for achieving that goal. The concurrent permanency goal may be one (1) of the following: termination of parental rights and adoption, guardianship or another planned permanent living arrangement. The concurrent plan shall:

- (i) Address all options for permanent placement of the child, including consideration of options for in-state and out-of-state placement of the child;
- (ii) Address the advantages and disadvantages of each option and include a recommendation as to which option is in the child's best interest;
- (iii) Specifically identify the actions necessary to implement the recommended option;
- (iv) Specifically set forth a schedule for accomplishing the actions necessary to implement the concurrent permanency goal;
- (v) Address options for maintaining the child's connection to the community, including individuals with a significant relationship to the child, and organizations or community activities with which the child has a significant connection;
- (vi) Identify the names of the proposed adoptive parents when known if the permanency goal is termination of parental rights and adoption;
- (vii) In the case of a child who has attained the age of sixteen (16) years, include the services needed to assist the child to make the transition from foster care to independent living; and
- (viii) Identify further investigation necessary to identify or assess other options for permanent placement, to identify actions necessary to implement the recommended placement or to identify options for maintaining the child's significant connections.

(4) If the child has been placed under protective supervision of the department, the case plan, filed by the department, shall:

- (a) Identify the services to be provided to the child, including services to identify and meet any special educational, emotional, physical or developmental needs the child may have, to assist the child in adjusting to the placement or to ensure the stability of the placement. The plan shall also address options for maintaining the child's connection to the community, including individuals with a significant relationship to the child, and organizations or community activities with which the child has a significant connection.
- (b) Identify all issues that need to be addressed to allow the child to remain at home without department supervision. The court may specifically identify issues to be addressed by the plan. The case plan shall specifically identify the tasks to be completed by the department, the parents or others to address each issue, including services to be made available by the department to the parents and in which the parents are required to participate, and deadlines for completion of

each task. The plan shall state with specificity the role of the department toward each parent.

(5) The case plan, as approved by the court, shall be entered into the record as an order of the court. The order may include interim and final deadlines for implementing the case plan and finalizing the permanency goal. The court's order shall provide that reasonable efforts shall be made to reunify the family in a timely manner in accordance with the case plan. Unless the child has been placed under the protective supervision of the department, the court's order shall also require the department to simultaneously take steps to accomplish the goal of reunification and the concurrent permanency goal.

SECTION 5. That Section 16-1622, Idaho Code, be, and the same is hereby amended to read as follows:

16-1622. REVIEW HEARINGS – ANNUAL PERMANENCY HEARINGS. (1) Review hearing.

(a) A hearing for review of the child's case and permanency plan shall be held no later than six (6) months after entry of the court's order taking jurisdiction under this act and every six (6) months thereafter. The purpose of the review hearing is to determine:

- (i) The safety of the child;
- (ii) The continuing necessity for and appropriateness of the placement;
- (iii) The extent of compliance with the case plan;
- (iv) The extent of progress that has been made toward alleviating or mitigating the causes necessitating placement in foster care; and
- (v) When reasonable, to project a likely date by which the child may be safely returned to and maintained in the home or placed in another permanent placement.

(b) A motion for revocation or modification of an order issued under section 16-1619, Idaho Code, may be filed by the department or any party; provided that no motion may be filed by the respondents under this section within three (3) months of a prior hearing on care and placement of the child. Notice of a motion for review of a child's case shall be provided to the parents and other legal guardians, the prosecuting attorney or deputy attorney general, guardian ad litem, attorney for the child, the department and foster parents.

(c) If the motion filed under paragraph (b) of this subsection alleges that the child's best interests are no longer served by carrying out the order issued under section 16-1619, Idaho Code, or that the department or other authorized agency has failed to provide adequate care for the child, the court shall hold a hearing on the motion.

(d) The department or authorized agency may move the court at any time to vacate any order placing a child in its custody or under its protective supervision.

(2) Permanency plan and hearing.

(a) The permanency plan shall include a permanency goal. The permanency goal may be one (1) of the following: continued efforts at reunification, in the absence of a judicial determination of aggravated circumstances; or termination of parental rights and adoption, guardianship or another planned permanent living arrangement. Every permanency plan shall include the information set forth in section 16-1621(3)(a), Idaho Code. If the permanency plan has reunification as a permanency goal, the plan shall include information set forth in section 16-1621(3)(c), Idaho Code. If the permanency plan has a permanency goal other than reunification, the plan shall include the information set forth in section 16-1621(3)(d), Idaho Code, and, if

the permanency goal is termination of parental rights and adoption, then in addition to the information set forth in section 16-1620(3), Idaho Code, the permanency plan shall also name the proposed adoptive parents when known. If the adoptive parents are not known at the time the permanency plan is prepared, then the department shall amend the plan to name the proposed adoptive parents as soon as such person or persons become known. The court may approve a permanency plan which includes a primary goal and a concurrent goal.

(b) A permanency hearing shall be held no later than twelve (12) months from the date the child is removed from the home or the date of the court's order taking jurisdiction under this chapter, whichever occurs first, and at least every twelve (12) months thereafter, so long as the court has jurisdiction over the child. The court shall approve, reject or modify the permanency plan of the department and review progress in accomplishing the permanency goal. A permanency hearing may be held at any time and may be combined with the review hearing required under subsection (1) of this section.

(c) The court shall make written case-specific findings whether the department made reasonable efforts to finalize the primary permanency goal in effect for the child. Lack of reasonable efforts to reunify may be a basis for an order approving a permanency plan with a permanency goal of reunification.

(d) Where the permanency goal is not reunification, the hearing shall include a review of the department's consideration of options for in-state and out-of-state placement of the child. In the case of a child in an out-of-state placement, the court shall determine whether the out-of-state placement continues to be appropriate and in the best interest of the child.

(e) In the case of a child who has attained the age of sixteen (16) years, the hearing shall include a determination of the services needed to assist the child to make the transition from foster care to independent living.

(f) The court may approve a primary permanency goal of another planned permanent living arrangement only upon written, case-specific findings that there are compelling reasons why a more permanent goal is not in the best interests of the child.

(g) If the child has been in the temporary or legal custody of the department for fifteen (15) of the most recent twenty-two (22) months, the department shall file, prior to the last day of the fifteenth month, a petition to terminate parental rights, unless the court finds that:

- (i) The child is placed permanently with a relative;
- (ii) There are compelling reasons why termination of parental rights is not in the best interests of the child; or
- (iii) The department has failed to provide reasonable efforts to reunify the child with his family.

(h) The court may authorize the department to suspend further efforts to reunify the child with the child's parent, pending further order of the court, when a permanency plan is approved by the court and the permanency plan does not include a permanency goal of reunification.

SECTION 6. That Section 16-1629, Idaho Code, be, and the same is hereby amended to read as follows:

16-1629. POWERS AND DUTIES OF THE DEPARTMENT. The department, working in conjunction with the court and other public and private agencies and persons, shall have the primary responsibility to implement the purpose

of this chapter. To this end, the department is empowered and shall have the duty to do all things reasonably necessary to carry out the purpose of this chapter, including, but not limited to, the following:

(1) The department shall administer treatment programs for the protection and care of neglected, abused and abandoned children, and in so doing may place in foster care, shelter care, or other diagnostic, treatment, or care centers or facilities, children of whom it has been given custody. The department is to be governed by the standards found in chapter 12, title 39, Idaho Code.

(2) On December 1, the department shall make an annual statistical report to the governor covering the preceding fiscal year showing the number and status of persons in its custody and including such other data as will provide sufficient facts for sound planning in the conservation of children and youth. All officials and employees of the state and of every county and city shall furnish the department, upon request, such information within their knowledge and control as the department deems necessary. Local agencies shall report in such uniform format as may be required by the department.

(3) The department shall be required to maintain a central registry for the reporting of child neglect, abuse and abandonment information. Provided however, that the department shall not retain any information for this purpose relating to a child, or parent of a child, abandoned pursuant to chapter 82, title 39, Idaho Code.

(4) The department shall make periodic evaluation of all persons in its custody or under its protective supervision for the purpose of determining whether existing orders and dispositions in individual cases shall be modified or continued in force. Evaluations may be made as frequently as the department considers desirable and shall be made with respect to every person at intervals not exceeding six (6) months. Reports of evaluation made pursuant to this section shall be filed with the court that has jurisdiction. Reports of evaluation shall be provided to persons having full or partial legal or physical custody of a child. Failure of the department to evaluate a person or to reevaluate him within six (6) months of a previous examination shall not of itself entitle the person to a change in disposition but shall entitle him, his parent, guardian or custodian or his counsel to petition the court pursuant to section 16-1622, Idaho Code.

(5) In a consultative capacity, the department shall assist communities in the development of constructive programs for the protection, prevention and care of children and youth.

(6) The department shall keep written records of investigations, evaluations, prognoses and all orders concerning disposition or treatment of every person over whom it has legal custody or under its protective supervision. Department records shall be subject to disclosure according to chapter 1, title 74, Idaho Code, unless otherwise ordered by the court, the person consents to the disclosure, or disclosure is necessary for the delivery of services to the person. Notwithstanding the provisions restricting disclosure or the exemptions from disclosure provided in chapter 1, title 74, Idaho Code, all records pertaining to investigations, the rehabilitation of youth, the protection of children, evaluation, treatment and/or disposition records pertaining to the statutory responsibilities of the department shall be disclosed to any duly elected state official carrying out his official functions.

(7) The department shall establish appropriate administrative procedures for the processing of complaints of child neglect, abuse and abandonment received and for the implementation of the protection, treatment and care of children formally or informally placed in the custody of the department

or under its protective supervision under this chapter including, but not limited to:

(a) Department employees whose job duties are related to the child protective services system under this chapter shall first be trained as to their obligations under this chapter regarding the protection of children whose health and safety may be endangered. The curriculum shall include information regarding their legal duties, how to conduct their work in conformity with the requirements of this chapter, information regarding applicable federal and state laws with regard to the rights of the child, parent and others who may be under investigation under the child protective services system, and the applicable legal and constitutional parameters within which they are to conduct their work.

(b) Department employees whose job duties are related to the child protective services system shall advise the individual of the complaints or allegations made against the individual at the time of the initial contact, consistent with protecting the identity of the referent.

(8) The department having been granted legal custody of a child, ~~subject to the judicial review provisions of this subsection,~~ shall have the right to determine where and with whom the child shall live, provided that the child shall not be placed outside the state without the court's consent. ~~Provided however, that~~ The court shall retain jurisdiction over the child, which jurisdiction shall be entered on any order or petition granting legal custody to the department, and the court shall have jurisdiction over all matters relating to the child. The department shall not place the child in the home from which the court ordered the child removed without first obtaining the approval of the court. Notwithstanding the provisions of this subsection, all other determinations relating to where and with whom the child shall live shall be subject to judicial review by the court and, when contested by any party, judicial approval.

(9) The department shall give to the court any information concerning the child that the court may at any time require, but in any event shall report the progress of the child under its custody or under its protective supervision at intervals of not to exceed six (6) months. The department shall file with the court at least five (5) days prior to the permanency hearing either under section 16-1622, Idaho Code, or, in the case of a finding of aggravated circumstances, section 16-1620, Idaho Code, the permanency plan and recommendations of the department.

(10) The department shall establish appropriate administrative procedures for the conduct of administrative reviews and hearings as required by federal statute for all children committed to the department and placed in out of the home care.

(11) At any time the department is considering a placement pursuant to this chapter, the department shall make a reasonable effort to place the child in the least restrictive environment to the child and in so doing shall consider, consistent with the best interest and special needs of the child, placement priority of the child in the following order:

- (a) A fit and willing relative.
- (b) A fit and willing nonrelative with a significant relationship with the child.
- (c) Foster parents and other persons licensed in accordance with chapter 12, title 39, Idaho Code, with a significant relationship with the child.
- (d) Foster parents and other persons licensed in accordance with chapter 12, title 39, Idaho Code.

(12) If the caseworker assigned to a foster care case recommends removing the child from a foster home in which the child has been placed for sixty (60) or more days, for placement in another foster home, then the case worker's supervisor shall

conduct a review of the foster care case and must approve such recommendation before a change in foster home placement occurs. The supervisor shall consider the best interests and special needs of the child, including:

- (a) The clearly stated reasons for the recommended change in placement;
- (b) The number of times the child's placement has been changed since removal from their home and the reasons for each change;
- (c) Whether the child will change schools as a result of the change in placement; and
- (d) Whether the change in placement will separate or reunite siblings or affect sibling visitation.

(13) If the supervisor determines that the recommended change in foster care placement is in the best interests of the child, then the department may change the placement of the child; provided that, the department shall give the foster parents written notice of the planned change at least seven (7) days before the change in placement.

(14) If the caseworker determines that there is abuse or neglect or a substantial risk of abuse or neglect in the foster home, then the department may change the placement of the child without a supervisor's review; provided that, the department shall give the foster parents written notice of the unplanned change within seven (7) days after the change in placement.

(15) In its written notice of a planned or unplanned change required under this section, the department shall clearly state the reasons for the change in placement of the child.

SECTION 7. That Chapter 16, Title 16, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 16-1644, Idaho Code, and to read as follows:

16-1644. EXEMPTION. Notwithstanding any other provision of law, nothing in this chapter modifies or supersedes the requirements of the Indian child welfare act of 1978, 25 U.S.C. 1901, et seq."

CORRECTION TO TITLE

On page 1, delete lines 2 through 21; and insert:

"RELATING TO JUVENILE PROCEEDINGS; AMENDING SECTION 16-1506, IDAHO CODE, TO ESTABLISH ADDITIONAL PROVISIONS REGARDING PROCEEDINGS ON ADOPTION; AMENDING SECTION 16-1619, IDAHO CODE, TO PROVIDE FOR JUDICIAL APPROVAL; AMENDING SECTION 16-1620, IDAHO CODE, TO PROVIDE THAT THE PERMANENCY PLAN SHALL INCLUDE CERTAIN INFORMATION; AMENDING SECTION 16-1621, IDAHO CODE, TO PROVIDE THAT THE CONCURRENT PLAN SHALL INCLUDE CERTAIN INFORMATION; AMENDING SECTION 16-1622, IDAHO CODE, TO PROVIDE THAT THE PERMANENCY PLAN SHALL INCLUDE CERTAIN INFORMATION; AMENDING SECTION 16-1629, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND WELFARE, TO PROVIDE FOR JUDICIAL APPROVAL, TO ESTABLISH ADDITIONAL PROVISIONS REGARDING THE PLACEMENT PRIORITY OF CERTAIN CHILDREN, TO PROVIDE FOR A REVIEW PROCESS WHEN A CHANGE IN FOSTER HOME PLACEMENT IS RECOMMENDED AND TO PROVIDE NOTICE REQUIREMENTS; AND

AMENDING CHAPTER 16, TITLE 16, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 16-1644, IDAHO CODE, TO PROVIDE AN EXEMPTION."

The Committee also has [H 508](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

[H 556](#), 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 advanced to the Sixth Order of Business.

Reports of Standing Committees

March 22, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 556](#) have been correctly printed.

LODGE, Chairman

The report was 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 Eleventh Order of Business.

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

S 1426

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2017; AND EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS.

[S 1426](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 556](#), as amended in the Senate, by Judiciary, Rules, and Administration 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 1414](#), [S 1415](#), [S 1416](#), and [S 1417](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 542](#) and [H 331](#), as amended, by State Affairs Committee, were read the second time at length and filed for third reading.

[HJR 5](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 608](#), [H 609](#), [H 610](#), [H 611](#), and [H 612](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1418](#), [S 1419](#), and [S 1421](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 544](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 494](#), as amended in the Senate, by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

[H 497](#), as amended in the Senate, and [H 597](#), as amended in the Senate, by State Affairs Committee, were read the second time at length and filed for third reading.

[S 1404](#), as amended, 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

[H 595](#) 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Davis, Mortimer. Total - 2.

Total - 35.

Whereupon the President declared [H 595](#) passed, title was approved, and the bill ordered returned to the House.

[H 487](#) 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?"

President Little called President Pro Tempore Hill to the Chair.

Roll call resulted as follows:

AYES—Anthon, Bayer, Brackett, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Keough, Lee, Lodge, Martin, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Vick, Winder. Total - 22.

NAYS—Bair, Rohn (Buckner-Webb), Burgoyne, Johnson, Jordan, Lacey, Lakey, McKenzie, Mortimer, Schmidt, Stennett, Thayn, Ward-Engelking. Total - 13.

Total - 35.

Whereupon the President Pro Tempore declared [H 487](#) passed, title was approved, and the bill ordered returned 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 22, 2016

The JUDICIARY AND RULES Committee reports out [H 580](#) and [S 1420](#) with the recommendation that they do pass.

LODGE, Chairman

[H 580](#) and [S 1420](#) were filed for second reading.

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

Petitions, Resolutions, and Memorials

On motion by Senator Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 11:55 a.m. until the hour of 2 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 2 p.m. President Little returned to the Chair.

Roll call showed all members present except President Pro Tempore Hill and Senators Burgoyne, Lee, Rice, Siddoway, 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

March 22, 2016

The JUDICIARY AND RULES Committee reports that [S 1332](#), as amended, [S 1376](#), [S 1382](#), and [S 1342](#), as amended, have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1332](#), as amended, [S 1376](#), [S 1382](#), and [S 1342](#), as amended, and ordered them transmitted to the House for the signature of the Speaker.

Senator Lee was recorded present at this order of business.

March 22, 2016

The EDUCATION Committee reports out [H 603](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, [H 603](#) was referred to the Fourteenth Order of Business, General Calendar.

Senator Siddoway 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

Senator Rice was recorded present at this order of business.

March 22, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1370](#), [S 1369](#), [S 1326](#), [S 1336](#), [S 1365](#),
[S 1366](#), [S 1371](#), [S 1372](#), [S 1344](#), [S 1340](#),
[S 1288](#), [S 1295](#), [S 1296](#), [S 1320](#), [S 1222](#),
[S 1223](#), [S 1237](#), [S 1224](#), [S 1225](#), and [S 1280](#),
as amended

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.

March 22, 2016

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 1367](#)

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 Thirteenth Order of Business.

Third Reading of Bills

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 494](#), as amended in the Senate, be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [H 494](#), as amended in the Senate, be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Hill, Mortimer, Vick. Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 494](#), 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [H 494](#), 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 passage of [H 497](#), as amended in the Senate, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Patrick. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 497](#), as amended in the Senate, 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Patrick. Total - 1.

Total - 35.

Whereupon the President declared [H 497](#), 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 passage of [H 597](#), as amended in the Senate, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Patrick. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 597](#), as amended in the Senate, 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Nonini, Nuxoll, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Hill, Martin. Total - 2.

Absent and excused—Patrick. Total - 1.

Total - 35.

Whereupon the President declared [H 597](#), 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, the Senate returned to the Twelfth Order of Business.

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [S 1420](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Patrick. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

S 1420 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?"

Pursuant to Senate Rule 39(H), Senators Burgoyne, Lee, and Lodge disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared **S 1420** 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 passage of **H 556**, as amended in the Senate, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

H 556, 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 Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared **H 556**, 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, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of **H 542** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Hagedorn, Lakey. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

H 542 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—Anthon, Bair, Bayer, Brackett, Davis, Den Hartog, Guthrie, Harris, Heider, Hill, Keough, Lee, Lodge, McKenzie, Mortimer, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 23.

NAYS—Rohn (Buckner-Webb), Burgoyne, Johnson, Jordan, Lacey, Martin, Nonini, Schmidt, Stennett, Ward-Engelking. Total - 10.

Absent and excused—Hagedorn, Lakey. Total - 2.

Total - 35.

Whereupon the President declared **H 542** passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Burgoyne, that all rules of the Senate interfering with the immediate passage of **H 331**, as amended, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Hagedorn, Lakey. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

H 331, as amended, 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, Brackett, Rohn (Buckner-Webb), Davis, Hagedorn, Harris, Heider, Hill, Jordan, Lacey, Martin, McKenzie, Mortimer, Siddoway, Souza, Stennett, Winder. Total - 17.

NAYS—Bayer, Burgoyne, Den Hartog, Guthrie, Johnson, Keough, Lee, Lodge, Nonini, Nuxoll, Patrick, Rice, Schmidt, Thayn, Vick, Ward-Engelking. Total - 16.

Absent and excused—Anthon, Lakey. Total - 2.

Total - 35.

Whereupon the President declared [H 331](#), 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 passage of [H 544](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 544](#) 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, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Martin. Total - 1.

Absent and excused—Anthon, Siddoway. Total - 2.

Total - 35.

Whereupon the President declared [H 544](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Winder, that all rules of the Senate interfering with the immediate passage of [S 1404](#), as amended, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 27.

NAYS—Rohn (Buckner-Webb), Burgoyne, Jordan, Lacey, Schmidt, Stennett, Ward-Engelking. Total - 7.

Absent and excused—Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1404](#), as amended, 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 27.

NAYS—Rohn (Buckner-Webb), Burgoyne, Jordan, Lacey, Schmidt, Stennett, Ward-Engelking. Total - 7.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1404](#), as amended, 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 passage of [S 1414](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1414](#) 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?"

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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 29.

NAYS—Rohn (Buckner-Webb), Burgoyne, Jordan, Schmidt, Stennett. Total - 5.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1414](#) 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 passage of [S 1415](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1415](#) 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 Nonini disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1415](#) 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 passage of [S 1416](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1416](#) 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, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1416](#) 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 passage of [S 1417](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1417](#) 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, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1417](#) passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Burgoyne, that all rules of the Senate interfering with the immediate passage of [H 608](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 608](#) 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, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 608](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Burgoyne, that all rules of the Senate interfering with the immediate passage of [H 609](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 609](#) 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 Winder disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 609](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Burgoyne, that all rules of the Senate interfering with the immediate passage of [H 610](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 610](#) 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, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 610](#) passed, title was approved, and the bill ordered returned to the House.

Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Burgoyne, that all rules of the Senate interfering with the immediate passage of [H 611](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [H 611](#) be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 611](#) 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, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 611](#) 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 passage of [H 612](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 612](#) 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, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [H 612](#) 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 passage of [S 1418](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1418](#) 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, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1418](#) 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 passage of [S 1419](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1419](#) 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, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1419](#) 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 passage of [S 1421](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1421](#) 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, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Thayn, Vick, Winder. Total - 29.

NAYS—Rohn (Buckner-Webb), Burgoyne, Jordan, Stennett, Ward-Engelking. Total - 5.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1421](#) 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 Twelfth Order of Business.

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [S 1425](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1425](#) 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, Rohn (Buckner-Webb), Burgoyne, Davis, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Den Hartog. Total - 1.

Absent and excused—Anthon, Hill. Total - 2.

Total - 35.

Whereupon the President declared [S 1425](#) 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 passage of [S 1424](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1424](#) 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, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1424](#) 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 passage of [S 1422](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1422](#) 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 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, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1422](#) 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 Ninth Order of Business.

Messages from the House

March 22, 2016

Dear Mr. President:

I transmit herewith [HCR 58](#), [HJM 14](#), [H 625](#), [H 626](#), [H 604](#), [H 606](#), as amended, and [HCR 59](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[HCR 58](#), [HJM 14](#), [H 625](#), [H 626](#), [H 604](#), [H 606](#), as amended, and [HCR 59](#) 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 1427 BY FINANCE COMMITTEE AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR THE DISTRICT COURTS PROGRAM FOR FISCAL YEAR 2017; APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR THE MAGISTRATES DIVISION PROGRAM FOR FISCAL YEAR 2017; AND EXEMPTING APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS.

[S 1427](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HCR 58](#), by Health and Welfare Committee, was introduced, read at length, and referred to the Commerce and Human Resources Committee.

[HJM 14](#), by State Affairs Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

[H 625](#) and [H 626](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 604](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 606](#), as amended, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[HCR 59](#), by Ways and Means Committee, was introduced, read at length, and 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 5:20 p.m. until the hour of 9:30 a.m., Wednesday, March 23, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SEVENTY-THIRD LEGISLATIVE DAY
WEDNESDAY, MARCH 23, 2016

Senate Chamber

President Little called the Senate to order at 9:30 a.m.

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

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Anna Daley Laursen, 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 22, 2016, 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 Burgoyne was recorded present at this order of business.

The Senate advanced to the Fourth Order of Business.

Reading of Communications

March 22, 2016

PETITION TO WAIVE JOINT RULE 20

We, the majority and minority leadership of the Senate, petition the President to waive the provisions of Joint Rule 20. HJR 5 was transmitted from the House of Representatives to the Senate on March 15, 2016, after the fifty-fifth legislative day. No leadership petition waiver was submitted to the President at the time of the introduction of HJR 5 in the Senate. This disregard or omission constitutes a suspension or temporary repeal of JR 20, pursuant to Mason's Manual Section 15 (2010). Regardless, the joint leadership of the Senate petition the President to additionally waive, *nunc pro tunc*, JR 20 to the first call of the ninth order of business on March 15, 2016 in order to permit and ratify the consideration of HJR 5. This joint resolution proposes to add a new Section 29 to Article III, to preserve legislative review (approve or reject) of administrative rules.

/s/ Brent Hill, President Pro Tempore
/s/ Bart Davis, Senate Majority Leader
/s/ Chuck Winder, Assistant Majority Leader

/s/ Todd Lakey, Majority Caucus Chair
/s/ Michelle Stennett, Senate Minority Leader
/s/ Grant Burgoyne, Minority Caucus Chair

The Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 155

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF THE INCOME TAX STRUCTURE IN IDAHO.

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

WHEREAS, Idaho's income tax policy is vitally important to all Idahoans as well as to Idaho's businesses, commerce and economy; and

WHEREAS, Idaho's income tax policy has not been studied in a comprehensive manner in a number of years; and

WHEREAS, taxes play an integral role in our state's success regionally, nationally and globally; and

WHEREAS, it is the belief of the Legislature that a tax structure should encourage economic development and not hinder it; and

WHEREAS, it is the desire of the Legislature to make a comprehensive review of income tax policy in Idaho, with the goal of restructuring the income tax system to achieve lower individual and corporate income tax rates.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second 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 state income tax policy in Idaho and to make recommendations for improvement and to achieve lower corporate and individual income tax rates. The Legislative Council shall determine the 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 the committee is also authorized to retain the services of a consultant or analyst, with the prior approval of the President Pro Tempore of the Senate and the Speaker of the House of Representatives, who is familiar with tax policy and who can provide necessary economic or other research that can assist the committee and the Legislature in making an informed decision on this important topic. Other nonlegislative members of the committee may be appointed by the cochairs of the committee who are appointed by the Legislative Council. The nonlegislative members shall act in an advisory capacity and shall not have voting privileges regarding the committee's recommendations or proposed legislation. With the exception of a consultant approved by the Pro Tempore of the Senate and the Speaker of the House of Representatives, nonlegislative members shall not be reimbursed from legislative funds for per diem, mileage or other expenses.

BE IT FURTHER RESOLVED that the committee shall report its findings, recommendations and proposed legislation to the First Regular Session of the Sixty-fourth Legislature.

SCR 155 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

March 22, 2016

Reports of Standing Committees

March 23, 2016

The JUDICIARY AND RULES Committee reports that [S 1426](#) and [S 1427](#) have been correctly printed.

LODGE, Chairman

[S 1426](#) and [S 1427](#) were referred to the Finance Committee.

March 23, 2016

The FINANCE Committee reports out [H 625](#) and [H 626](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 625](#) and [H 626](#) were filed for second reading.

March 23, 2016

The JUDICIARY AND RULES Committee reports out [HCR 59](#) with the recommendation that it do pass.

LODGE, Chairman

[HCR 59](#) 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 22, 2016

Dear Mr. President:

I return herewith [S 1257](#), as amended in the House, [S 1322](#), as amended in the House, [S 1265](#), as amended in the House, and [S 1354](#), as amended in the House, which have passed the House.

TAYLOR, Acting Chief Clerk

On request by Senator Davis, granted by unanimous consent, [S 1257](#), as amended in the House, [S 1322](#), as amended in the House, [S 1265](#), as amended in the House, and [S 1354](#), as amended in the House, were referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

March 22, 2016

Dear Mr. President:

I return herewith [S 1377](#), [S 1302](#), [S 1303](#), as amended, [S 1328](#), as amended, [S 1343](#), [S 1362](#), [S 1373](#), [SCR 141](#), [SCR 140](#), [SCR 139](#), [SCR 146](#), [SCR 147](#), [SCR 149](#), [SCR 143](#), [SCR 144](#), [SCR 150](#), and [S 1388](#), as amended, which have passed the House.

TAYLOR, Acting Chief Clerk

[S 1377](#), [S 1302](#), [S 1303](#), as amended, [S 1328](#), as amended, [S 1343](#), [S 1362](#), [S 1373](#), [SCR 141](#), [SCR 140](#), [SCR 139](#), [SCR 146](#), [SCR 147](#), [SCR 149](#), [SCR 143](#), [SCR 144](#), [SCR 150](#), and [S 1388](#), as amended, were referred to the Judiciary and Rules Committee for enrolling.

Dear Mr. President:

I transmit herewith Enrolled [H 574](#), [H 587](#), [H 588](#), [H 589](#), [H 598](#), [H 600](#), [H 601](#), [H 569](#), [H 570](#), [H 571](#), [H 541](#), [H 557](#), [H 536](#), [H 554](#), [H 561](#), [H 562](#), [H 563](#), [H 564](#), [H 567](#), [H 575](#), [H 576](#), [H 578](#), [H 579](#), [H 566](#), [HCR 38](#), and [HCR 46](#) for the signature of the President.

TAYLOR, Acting Chief Clerk

The President signed Enrolled [H 574](#), [H 587](#), [H 588](#), [H 589](#), [H 598](#), [H 600](#), [H 601](#), [H 569](#), [H 570](#), [H 571](#), [H 541](#), [H 557](#), [H 536](#), [H 554](#), [H 561](#), [H 562](#), [H 563](#), [H 564](#), [H 567](#), [H 575](#), [H 576](#), [H 578](#), [H 579](#), [H 566](#), [HCR 38](#), and [HCR 46](#) and ordered them returned to the House.

March 22, 2016

Dear Mr. President:

I return herewith Enrolled [S 1323](#), [S 1341](#), as amended, [S 1395](#), [S 1396](#), [S 1397](#), [S 1325](#), [S 1359](#), [S 1351](#), [S 1361](#), [S 1338](#), [S 1347](#), as amended, [S 1398](#), [S 1399](#), [S 1400](#), [S 1401](#), and [S 1403](#), which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled [S 1323](#), [S 1341](#), as amended, [S 1395](#), [S 1396](#), [S 1397](#), [S 1325](#), [S 1359](#), [S 1351](#), [S 1361](#), [S 1338](#), [S 1347](#), as amended, [S 1398](#), [S 1399](#), [S 1400](#), [S 1401](#), and [S 1403](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 22, 2016

Dear Mr. President:

I return herewith Enrolled [SCR 136](#), [SCR 137](#), and [SCR 138](#), which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled [SCR 136](#), [SCR 137](#), and [SCR 138](#) 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 announced that the House amendments to [S 1322](#), 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 1322](#), as amended in the House?"

On request by Senator Heider, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1322](#), as amended in the House.

[S 1322](#), as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The President announced that the House amendments to [S 1265](#), 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 1265](#), as amended in the House?"

On request by Senator Martin, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1265](#), as amended in the House.

[S 1265](#), as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The President announced that the House amendments to [S 1354](#), 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 1354](#), as amended in the House?"

On request by Senator Stennett, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1354](#), as amended in the House.

[S 1354](#), as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The President announced that the House amendments to [S 1257](#), 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 1257](#), as amended in the House?"

On request by Senator Brackett, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1257](#), as amended in the House.

[S 1257](#), as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

On request by Senator Davis, granted by unanimous consent, [HCR 48](#) retained its place on the calendar.

The President announced that [SCR 153](#) was before the Senate for final consideration.

Moved by Senator McKenzie, seconded by Senator Stennett, that [SCR 153](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [SCR 153](#) adopted, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 154](#) was before the Senate for final consideration.

Moved by Senator McKenzie, seconded by Senator Stennett, that [SCR 154](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [SCR 154](#) 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 1428

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING AND TRANSFERRING MONEYS TO THE LEGISLATIVE LEGAL DEFENSE FUND FOR FISCAL YEAR 2016; AND DECLARING AN EMERGENCY.

[S 1428](#) was 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

[H 617](#), [H 618](#), [H 619](#), [H 620](#), [H 621](#), [H 622](#), and [H 623](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1423](#), by Finance Committee, was read the second time at length and filed for third reading.

[H 580](#), 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

On request by Senator Davis, granted by unanimous consent, [H 538](#), [H 577](#), and [HJR 5](#) retained their place on the third reading calendar.

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 580](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [H 580](#) be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 580](#) 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 580](#) 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 passage of [H 617](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 617](#) 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 617](#) 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 passage of [H 618](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 618](#) 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 618](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Burgoyne, that all rules of the Senate interfering with the immediate passage of [H 619](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 619](#) 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 619](#) 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 passage of [H 620](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 620](#) 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 620](#) 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 passage of [H 621](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 621](#) 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 621](#) 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 passage of [H 622](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 622](#) 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie,

Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 622](#) 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 passage of [H 623](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 623](#) 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 623](#) 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 passage of [S 1423](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1423](#) 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1423](#) 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 Tenth Order of Business.

Motions and Resolutions

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [HCR 59](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Nuxoll. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [HCR 59](#) was before the Senate for final consideration.

Moved by Senator Lodge, seconded by Senator Burgoyne, that [HCR 59](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Nuxoll. Total - 1.

Total - 35.

Whereupon the President declared [HCR 59](#) 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 Sixth Order of Business.

Reports of Standing Committees

March 23, 2016

The JUDICIARY AND RULES Committee reports that [SCR 155](#) and [S 1428](#) have been correctly printed.

LODGE, Chairman

[SCR 155](#) 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, [S 1428](#) was referred to the Twelfth Order of Business, Second reading of bills.

March 23, 2016

The JUDICIARY AND RULES Committee reports that [S 1257](#), as amended in the House, [S 1322](#), as amended in the House, [S 1265](#), as amended in the House, and [S 1354](#), as amended in the House, have been correctly engrossed.

LODGE, Chairman

[S 1257](#), as amended in the House, [S 1322](#), as amended in the House, [S 1265](#), as amended in the House, and [S 1354](#), as amended in the House, were filed for first reading.

March 23, 2016

The JUDICIARY AND RULES Committee reports that Enrolled [S 1323](#), [S 1341](#), as amended, [S 1395](#), [S 1396](#), [S 1397](#), [S 1325](#), [S 1359](#), [S 1351](#), [S 1361](#), [S 1338](#), [S 1347](#), as amended, [S 1398](#), [S 1399](#), [S 1400](#), [S 1401](#), and [S 1403](#) were delivered to the Office of the Governor at 11 a.m., March 23, 2016.

LODGE, Chairman

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

March 23, 2016

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 136](#), [SCR 137](#), and [SCR 138](#) were delivered to the Office of the Secretary of State at 11:23 a.m., March 23, 2016.

LODGE, Chairman

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

March 23, 2016

The JUDICIARY AND RULES Committee reports that [S 1377](#), [S 1302](#), [S 1303](#), as amended, [S 1328](#), as amended, [S 1343](#), [S 1362](#), [S 1373](#), [SCR 141](#), [SCR 140](#), [SCR 139](#), [SCR 146](#), [SCR 147](#), [SCR 149](#), [SCR 143](#), [SCR 144](#), [SCR 150](#), and [S 1388](#), as amended, have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1377](#), [S 1302](#), [S 1303](#), as amended, [S 1328](#), as amended, [S 1343](#), [S 1362](#), [S 1373](#), [SCR 141](#), [SCR 140](#), [SCR 139](#), [SCR 146](#), [SCR 147](#), [SCR 149](#), [SCR 143](#), [SCR 144](#), [SCR 150](#), and [S 1388](#), as amended, 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 Eleventh Order of Business.

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

[S 1257](#), as amended in the House, by Education Committee, was read the first time at length and filed for second reading.

[S 1322](#), as amended in the House, by Health and Welfare Committee, was read the first time at length and filed for second reading.

[S 1265](#), as amended in the House, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

[S 1354](#), as amended in the House, 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 noon until the hour of 2 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 2 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senator Johnson, absent and formally excused by the Chair; and President Pro Tempore Hill and Senators Bayer, Burgoyne, Guthrie, Jordan, McKenzie, Rice, Siddoway, Souza, Stennett, and Vick, 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 23, 2016

The FINANCE Committee reports out [S 1426](#) and [S 1427](#) with the recommendation that they do pass.

KEOUGH, Chairman

[S 1426](#) and [S 1427](#) 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, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed within the time limited by law and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1212](#), [S 1239](#), [S 1260](#), as amended, [S 1269](#), and [S 1318](#)

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.

March 23, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1240](#), [S 1241](#), [S 1242](#), [S 1255](#), [S 1272](#),
[S 1274](#), [S 1275](#), [S 1278](#), [S 1279](#), [S 1283](#),
[S 1285](#), as amended, [S 1293](#), as amended,
[S 1304](#), [S 1327](#), [S 1352](#), [S 1379](#), [S 1380](#), and
[S 1381](#)

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.

March 23, 2016

The Honorable Brent Hill
President Pro Tem of the Senate
Idaho Legislature

Dear Mr. President Pro Tem:

I hereby advise you that I have transmitted today to the Secretary of State, the following Senate Bill, which was allowed to become law without my signature:

[S 1238](#)

as prescribed by the Constitution.

I applaud the efforts of the Idaho Department of Environmental Quality, in collaboration with industry, to achieve primacy over permitting the safe use of Idaho's water by developing the Idaho Pollution Discharge Elimination System (IPDES) and its subsequent water-quality records oversight.

However, I am allowing this bill to become law without my signature. My intention is to remind the U.S. Environmental Protection Agency and the federal government more generally that changing the rules of custodial recordkeeping amounts only to forcing states to jump through extra hoops to achieve primacy.

Mandating this kind of bureaucratic paper-shuffling exercise as we continue working to assume the extensive protection processes under the federal Clean Water Act is exactly why we need regulations focused at the state level-not driven by priorities in Washington, D.C.

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 1429 BY FINANCE COMMITTEE AN ACT

RELATING TO EDUCATIONAL APPROPRIATIONS;
APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO
COMMISSION FOR LIBRARIES FOR FISCAL YEAR 2017;

PROVIDING LEGISLATIVE INTENT THAT SERVICES SHALL BE COMPLIANT WITH LAW; APPROPRIATING MONEYS AND PROVIDING A CASH TRANSFER TO THE HIGHER EDUCATION STABILIZATION FUND; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2017; APPROPRIATING MONEYS AND PROVIDING A CASH TRANSFER TO THE BROADBAND INFRASTRUCTURE IMPROVEMENT GRANT FUND; APPROPRIATING ADDITIONAL MONEYS TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION FOR FISCAL YEAR 2017; APPROPRIATING MONEYS AND PROVIDING A CASH TRANSFER TO THE STEM EDUCATION FUND; APPROPRIATING ADDITIONAL MONEYS TO THE STEM ACTION CENTER FOR FISCAL YEAR 2017; APPROPRIATING ADDITIONAL MONEYS TO THE STEM ACTION CENTER FOR FISCAL YEAR 2017; AND AUTHORIZING ONE ADDITIONAL FULL-TIME EQUIVALENT POSITION.

S 1430
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING AND TRANSFERRING MONEYS FROM THE ECONOMIC RECOVERY RESERVE FUND TO THE CHARTER SCHOOL DEBT RESERVE FUND.

[S 1429](#) and [S 1430](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senators Bayer, Burgoyne, Guthrie, Jordan, McKenzie, Rice, Siddoway, Stennett, Vick, and Souza 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 23, 2016

The JUDICIARY AND RULES Committee reports that [S 1429](#) and [S 1430](#) have been correctly printed.

LODGE, Chairman

On request by Senator Davis, granted by unanimous consent, [S 1429](#) and [S 1430](#) were referred to the Twelfth Order of Business, Second reading of bills.

March 23, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 606](#), as amended, with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SIDDOWNAY, Chairman

There being no objection, [H 606](#), as amended, 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

President Pro Tempore Hill was recorded present at this order of business.

[H 538](#) 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Johnson, Rice, Siddoway. Total - 3.

Total - 35.

Whereupon the President declared [H 538](#) 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

The President announced that [HCR 48](#) was before the Senate for final consideration.

Moved by Senator Martin, seconded by Senator Jordan, that [HCR 48](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking. Total - 34.

NAYS—None.

Absent and excused—Winder. Total - 1.

Total - 35.

Whereupon the President declared [HCR 48](#) adopted, title was approved, and the resolution 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 [SCR 155](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking. Total - 34.

NAYS—None.

Absent and excused—Winder. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [SCR 155](#) was before the Senate for final consideration.

Moved by President Pro Tempore Hill, seconded by Senator Burgoyne, that [SCR 155](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

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

NAYS—Rice. Total - 1.

Total - 35.

Whereupon the President declared [SCR 155](#) adopted, title was approved, and the resolution 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

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [S 1426](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

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

NAYS—Schmidt. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1426](#) 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 Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [S 1426](#) 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 1257](#), as amended in the House, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1257](#), as amended in the House, was before the Senate for final consideration.

[S 1257](#), 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 Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—Burgoyne, Jordan. Total - 2.

Total - 35.

Whereupon the President declared [S 1257](#), 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 1322](#), as amended in the House, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1322](#), as amended in the House, was before the Senate for final consideration.

[S 1322](#), 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 Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [S 1322](#), 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 1265](#), as amended in the House, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1265](#), as amended in the House, was before the Senate for final consideration.

[S 1265](#), 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 Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—Nuxoll. Total - 1.

Total - 35.

Whereupon the President declared [S 1265](#), 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 1354](#), as amended in the House, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [S 1354](#), as amended in the House, was before the Senate for final consideration.

[S 1354](#), 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. Acting Senator Rohn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—Bair, Martin, Siddoway. Total - 3.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [S 1354](#), 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 passage of [S 1427](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1427](#) 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?"

Pursuant to Senate Rule 39(H), Senators Burgoyne, Lee, McKenzie, and Lodge disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [S 1427](#) 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 passage of [S 1428](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1428](#) 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—Anthon, Bair, Brackett, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Schmidt, Siddoway, Souza, Thayne, Winder. Total - 24.

NAYS—Bayer, Rohn (Buckner-Webb), Burgoyne, Den Hartog, Jordan, Nonini, Nuxoll, Stennett, Vick, Ward-Engelking. Total - 10.

Absent and excused—Rice. Total - 1.

Total - 35.

Whereupon the President declared [S 1428](#) 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 Fourteenth Order of Business.

On request by Senator Winder, granted by unanimous consent, [H 603](#) was filed for second reading.

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 606](#), as amended, without recommendation, amended as follows:

SENATE AMENDMENT TO H 606, As Amended AMENDMENT TO SECTION 4

On page 9 of the engrossed bill, in line 44, delete "." and insert: "; or"; and following line 44, insert:

"(v) There is a plan amendment to develop publicly owned infrastructure including streets or other public rights-of-way, sewer or water facilities, sidewalks, curbs, gutters, public utilities, or fiber-optic cable or for site remediation or demolition."

The Committee also has [H 508](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

[H 606](#), as amended, 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

March 23, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 606](#), as amended, 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 Ninth Order of Business.

Messages from the House

March 23, 2016

Dear Mr. President:

I transmit herewith [H 628](#), [H 629](#), [HCR 60](#), [H 630](#), [H 627](#), [HCR 63](#), and [H 644](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[H 628](#), [H 629](#), [HCR 60](#), [H 630](#), [H 627](#), [HCR 63](#), and [H 644](#) 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 606](#), as amended, as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

[H 628](#) and [H 629](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

[H 634](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[HCR 60](#), by Environment, Energy, and Technology Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 630](#) and [H 627](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

[HCR 63](#), by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

[H 644](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare 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 4:45 p.m. until the hour of 9:30 a.m., Thursday, March 24, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SEVENTY-FOURTH LEGISLATIVE DAY
THURSDAY, MARCH 24, 2016

Senate Chamber

President Little called the Senate to order at 9:30 a.m.

Roll call showed all members present except President Pro Tempore Hill, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Zoe Esplin, 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, 2016, 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

President Pro Tempore Hill was recorded present at this order of business.

March 23, 2016

The JUDICIARY AND RULES Committee reports that [S 1257](#), as amended in the House, [S 1322](#), as amended in the House, [S 1265](#), as amended in the House, and [S 1354](#), as amended in the House, have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1257](#), as amended in the House, [S 1322](#), as amended in the House, [S 1265](#), as amended in the House, and [S 1354](#), as amended in the House, and ordered them transmitted to the House for the signature of the Speaker.

March 24, 2016

The HEALTH AND WELFARE Committee reports out [H 644](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

HEIDER, Chairman

There being no objection, [H 644](#) was referred to the Fourteenth Order of Business, General Calendar.

March 24, 2016

The EDUCATION Committee reports out [H 627](#), [H 629](#), and [H 630](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 627](#), [H 629](#), and [H 630](#) 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 23, 2016

Dear Mr. President:

I return herewith [S 1405](#), [S 1406](#), [S 1407](#), [S 1408](#), [S 1410](#), [S 1411](#), [S 1412](#), and [S 1413](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[S 1405](#), [S 1406](#), [S 1407](#), [S 1408](#), [S 1410](#), [S 1411](#), [S 1412](#), and [S 1413](#) were referred to the Judiciary and Rules Committee for enrolling.

March 23, 2016

Dear Mr. President:

I transmit herewith Enrolled [HCR 51](#), [HCR 57](#), [HCR 55](#), [H 595](#), [H 487](#), [H 542](#), [H 331](#), as amended, [H 544](#), [H 608](#), [H 609](#), [H 610](#), [H 611](#), and [H 612](#) for the signature of the President.

TAYLOR, Acting Chief Clerk

The President signed Enrolled [HCR 51](#), [HCR 57](#), [HCR 55](#), [H 595](#), [H 487](#), [H 542](#), [H 331](#), as amended, [H 544](#), [H 608](#), [H 609](#), [H 610](#), [H 611](#), and [H 612](#) and ordered them returned to the House.

March 23, 2016

Dear Mr. President:

I return herewith Enrolled [S 1332](#), as amended, [S 1376](#), [S 1382](#), [S 1342](#), as amended, [S 1377](#), [S 1302](#), [S 1303](#), as amended, [S 1328](#), as amended, [S 1343](#), [S 1362](#), [S 1373](#), and [S 1388](#), as amended, which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled [S 1332](#), as amended, [S 1376](#), [S 1382](#), [S 1342](#), as amended, [S 1377](#), [S 1302](#), [S 1303](#), as amended, [S 1328](#), as amended, [S 1343](#), [S 1362](#), [S 1373](#), and [S 1388](#), as amended, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 23, 2016

Dear Mr. President:

I return herewith Enrolled [SCR 141](#), [SCR 140](#), [SCR 139](#), [SCR 146](#), [SCR 147](#), [SCR 149](#), [SCR 143](#), [SCR 144](#), and [SCR 150](#), which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled [SCR 141](#), [SCR 140](#), [SCR 139](#), [SCR 146](#), [SCR 147](#), [SCR 149](#), [SCR 143](#), [SCR 144](#), and [SCR 150](#) 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 Twelfth Order of Business.

Second Reading of Bills

On request by Senator Rice, granted by unanimous consent, [H 606](#), as amended, as amended in the Senate, was referred to the Fourteenth Order of Business, General Calendar.

[H 625](#) and [H 626](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1429](#) and [S 1430](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 603](#), 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

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 603](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [H 603](#) be read the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Hill, Johnson, Siddoway. Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 603](#) 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared [H 603](#) 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 625](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 625](#) was before the Senate for final consideration.

[H 625](#) 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 625](#) 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 626](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 626](#) was before the Senate for final consideration.

[H 626](#) 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 626](#) 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 [S 1429](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, 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 1429](#) was before the Senate for final consideration.

[S 1429](#) 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Den Hartog, Nuxoll. Total - 2.

Total - 35.

Whereupon the President declared [S 1429](#) 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 1430](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, 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 1430](#) was before the Senate for final consideration.

[S 1430](#) 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1430](#) 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 Fourteenth Order of Business.

On request by Senator Davis, granted by unanimous consent, [H 508](#) was referred to Judiciary and Rules Committee.

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 644](#) and [H 606](#), as amended, as amended in the Senate, without recommendation, amended as follows:

SENATE AMENDMENT TO H 644

AMENDMENT TO THE BILL

On page 1 of the printed bill, following line 9, insert:

"SECTION 1. That Chapter 2, Title 56, Idaho Code, be, and the same is hereby amended by the addition thereto of a **NEW SECTION**, to be known and designated as Section 56-267, Idaho Code, and to read as follows:

56-267. IDAHO ACCOUNTABLE CARE WAIVER ACT. (1) This section shall be known and may be cited as the "Idaho Accountable Care Waiver Act."

(2) The definitions provided in section 56-252, Idaho Code, shall apply to this section.

(3) The director is authorized to apply for a waiver from the federal centers for medicare and medicaid services that conforms to the provisions of this section. Upon receipt of approval of the waiver from the centers for medicare and medicaid services, the waiver shall be approved by the legislature before the director initiates enrollment pursuant to this section.

(a) The waiver shall clearly articulate best practices for community-based coordinated care that emphasizes outcomes and elimination of the fee-for-service model and Idaho-based evidence for population management. Specifically, the department shall look to the outcome-based models for primary care medical homes as currently being demonstrated to improve utilization patterns and outcomes. The department shall use the best aggregate data available for Idaho's gap population from Idaho's community health centers, current health and welfare data, and data available from the state health innovation plan.

(b) The waiver shall clearly articulate accountability for benefit recipients and providers. Using Idaho-based best practices, the waiver application shall clearly articulate risk-bearing, outcome-based incentives for community care organizations to ensure that every effort is made to link Idahoans with primary care providers and reduce inefficient care.

(c) The waiver shall clearly articulate best practices for population management being employed in Idaho community health centers and in coordination with the findings of the state health innovation plan. Care shall be coordinated between primary medical, specialty medical and mental health resources through an outcome-based primary care medical home.

(4) Upon receipt of approval from the centers for medicare and medicaid services and upon approval of the legislature by concurrent resolution pursuant to subsection (3) of this section, the state shall provide for managed medicaid services to those persons under sixty-five (65) years of age whose modified adjusted gross income is below one hundred percent (100%) of the federal poverty level and who are not otherwise eligible for any other coverage under the state plan, in accordance with sections 1902(a)(10)(A)(i)(VIII) and 1902(e)(14) of the social security act. If at any time the federal financial participation rate falls below the ninety percent (90%) commitment described in 42 U.S.C. 1396d(y), then the provisions of this section shall be null and void.

(5) The director is required and authorized to take the actions necessary to implement the provisions of this act.

(6) In addition to the responsibilities assigned to the director by subsection (3) of this section, the director shall provide a monthly report on the progress of the creation of the application for waiver. The report shall be made to a committee appointed by the speaker of the house of representatives and the president pro tempore of the senate. The committee shall consist of three (3) members of the majority party from each house and one (1) member of the minority party from each house and shall consult with the director on the progress of the application. The monthly report shall be made in person or telephonically and shall be open to the public. After the waiver has been approved by the legislature, the committee shall disband. Expenses incurred by members of the committee shall be paid from moneys in the legislative account.";

and in line 10, following "SECTION" delete "1" and insert: "2".
On page 2, in line 49, delete "2" and insert: "3"; and following line 50, insert:

"SECTION 4. LEGISLATIVE INTENT – BENEFIT RECIPIENTS. It is the intent of the Legislature that the provisions of this act will promote self-sufficiency among any benefit recipients. The Legislature recognizes that those impacted by this act do not have the ability to change circumstances leading to their eligibility for any benefit, but in no way intends that the benefits derived from this shall impede job-creation or wage-increasing initiatives that might change the eligibility status of benefit recipients.

SECTION 5. LEGISLATIVE INTENT – UNSUCCESSFUL WAIVER APPLICATION. If, after a waiver application is submitted in accordance with this act, the application is unsuccessful, the enabling language in Section 1 of this act shall be null and void.

SECTION 6. LEGISLATIVE INTENT – FUTURE LEGISLATURES NOT BOUND. If, after a waiver application is submitted in accordance with this act, the application is successful, future legislatures shall have the power to reject the successful waiver.

SECTION 7. LEGISLATIVE INTENT. It is the intent of the Legislature that should a successful waiver under Section 1 of this act be accepted by the Legislature and implemented, then the state will work with hospitals and community care organizations to eliminate the use of county medical indigent and CAT fund programs as safety nets.

SECTION 8. 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 2, following "CARE;" insert: "AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-267, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO CLARIFY THE APPLICATION OF CERTAIN DEFINITIONS, TO AUTHORIZE THE DIRECTOR OF THE STATE DEPARTMENT OF HEALTH AND WELFARE TO APPLY FOR A CERTAIN WAIVER FROM THE FEDERAL CENTERS FOR MEDICARE AND MEDICAID SERVICES, TO PROVIDE THAT THE STATE SHALL PROVIDE MANAGED MEDICAID SERVICES TO CERTAIN PERSONS, TO PROVIDE THAT THE DIRECTOR IS REQUIRED AND AUTHORIZED TO TAKE CERTAIN ACTIONS AND TO PROVIDE THAT THE DIRECTOR SHALL MAKE CERTAIN REPORTS TO A LEGISLATIVE COMMITTEE"; in line 7, following "INTENT;" delete "AND"; and in line 8, following "DATE" insert: "PROVIDING LEGISLATIVE INTENT REGARDING SELF-SUFFICIENCY OF MEDICAID BENEFIT RECIPIENTS; PROVIDING LEGISLATIVE INTENT REGARDING AN UNSUCCESSFUL WAIVER APPLICATION; PROVIDING LEGISLATIVE INTENT REGARDING A SUCCESSFUL WAIVER APPLICATION; PROVIDING LEGISLATIVE INTENT REGARDING IMPLEMENTATION; AND DECLARING AN EMERGENCY".

SENATE AMENDMENT TO the SENATE AMENDMENT TO H 606, As Amended AMENDMENT TO THE AMENDMENT

On page 1 of the printed amendment, delete lines 1 through 7.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

H 644, as amended in the Senate, and **H 606**, as amended, as amended in the Senate, 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 24, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to **H 644** and **H 606**, as amended, 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.

March 24, 2016

The JUDICIARY AND RULES Committee reports that Enrolled **SCR 141**, **SCR 140**, **SCR 139**, **SCR 146**, **SCR 147**, **SCR 149**, **SCR 143**, **SCR 144**, and **SCR 150** were delivered to the Office of the Secretary of State at 10:38 a.m., March 24, 2016.

LODGE, Chairman

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

March 24, 2016

The JUDICIARY AND RULES Committee reports that Enrolled [S 1332](#), as amended, [S 1376](#), [S 1382](#), [S 1342](#), as amended, [S 1377](#), [S 1302](#), [S 1303](#), as amended, [S 1328](#), as amended, [S 1343](#), [S 1362](#), [S 1373](#), and [S 1388](#), as amended, were delivered to the Office of the Governor at 10:45 a.m., March 24, 2016.

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 644](#), as amended in the Senate, by Health and Welfare Committee, was read the first time at length and filed for second reading.

[H 606](#), as amended, as amended in the Senate, as amended in the Senate, by Revenue and Taxation 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

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of [H 627](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [H 627](#) be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 627](#) 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 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—Anthon, Bair, Bayer, Brackett, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 27.

NAYS—Rohn (Buckner-Webb), Burgoyne, Johnson, Jordan, Lacey, Schmidt, Stennett, Ward-Engelking. Total - 8.

Total - 35.

Whereupon the President declared [H 627](#) 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 629](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 629](#) was before the Senate for final consideration.

[H 629](#) 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 Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 629](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Lakey, that all rules of the Senate interfering with the immediate consideration of [H 630](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 630](#) was before the Senate for final consideration.

[H 630](#) 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 Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 630](#) passed, title was approved, and the bill ordered returned to the House.

Messages from the House

March 24, 2016

March 24, 2016

Dear Mr. President:

I transmit herewith [HCR 61](#), [H 635](#), [H 636](#), [H 637](#), [H 638](#), [H 643](#), [H 640](#), [H 641](#), [H 642](#), and [H 645](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[HCR 61](#), [H 635](#), [H 636](#), [H 637](#), [H 638](#), [H 643](#), [H 640](#), [H 641](#), [H 642](#), and [H 645](#) 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

[HCR 61](#), by Commerce and Human Resources Committee, was introduced, read at length, and referred to the Commerce and Human Resources Committee.

[H 635](#), [H 636](#), [H 637](#), [H 638](#), [H 640](#), [H 641](#), [H 642](#), and [H 645](#), by Appropriations Committee, were introduced and read the first time at length.

On request by Senator Davis, granted by unanimous consent, the House bills were filed for second reading.

[H 643](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

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

Reports of Standing Committees

March 24, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 643](#) and [HCR 61](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 643](#) was filed for second reading.

[HCR 61](#) 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

March 24, 2016

Dear Mr. President:

I transmit herewith [H 646](#), [H 647](#), and [H 639](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[H 646](#), [H 647](#), and [H 639](#) were filed for first reading.

Dear Mr. President:

I return herewith [S 1414](#), [S 1415](#), [S 1416](#), [S 1417](#), [S 1418](#), [S 1419](#), and [S 1421](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[S 1414](#), [S 1415](#), [S 1416](#), [S 1417](#), [S 1418](#), [S 1419](#), and [S 1421](#) were referred to the Judiciary and Rules Committee for enrolling.

March 24, 2016

Dear Mr. President:

I transmit herewith Enrolled [H 580](#), [H 617](#), [H 618](#), [H 619](#), [H 620](#), [H 621](#), [H 622](#), [H 623](#), [HCR 59](#), [H 513](#), as amended, as amended in the Senate, [H 538](#), and [HCR 48](#) for the signature of the President.

TAYLOR, Acting Chief Clerk

The President signed Enrolled [H 580](#), [H 617](#), [H 618](#), [H 619](#), [H 620](#), [H 621](#), [H 622](#), [H 623](#), [HCR 59](#), [H 513](#), as amended, as amended in the Senate, [H 538](#), and [HCR 48](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Moved by Senator Winder, seconded by Senator Burgoyne, that all rules of the Senate interfering with the immediate consideration of [HCR 61](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Guthrie, Harris, Heider, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Siddoway, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 28.

NAYS—None.

Absent and excused—Davis, Den Hartog, Hagedorn, Hill, Johnson, Rice, Stennett. Total - 7.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [HCR 61](#) was before the Senate for final consideration.

Moved by Senator Patrick, seconded by Senator Schmidt, that [HCR 61](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—None.

Absent and excused—Davis, Hill, Johnson, Stennett. Total - 4.

Total - 35.

Whereupon the President declared [HCR 61](#) 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 646](#) and [H 647](#), by Appropriations Committee, were introduced, read the first time at length and filed for second reading.

[H 639](#), 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

Moved by Senator Winder, seconded by Senator Burgoyne, that all rules of the Senate interfering with the immediate consideration of [H 635](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Davis, 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 635](#) was before the Senate for final consideration.

[H 635](#) 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—Anthon, Bair, Brackett, Rohn (Buckner-Webb), Burgoyne, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Schmidt, Siddoway, Souza, Thayn, Ward-Engelking, Winder. Total - 26.

NAYS—Bayer, Den Hartog, Guthrie, Nonini, Nuxoll, Vick. Total - 6.

Absent and excused—Davis, Rice, Stennett. Total - 3.

Total - 35.

Whereupon the President declared [H 635](#) passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Burgoyne, that all rules of the Senate interfering with the immediate consideration of [H 636](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Anthon, Davis, Stennett. Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 636](#) was before the Senate for final consideration.

[H 636](#) 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Rice, Schmidt, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 29.

NAYS—Den Hartog, Guthrie, Harris, Patrick, Siddoway. Total - 5.

Absent and excused—Davis. Total - 1.

Total - 35.

Whereupon the President declared [H 636](#) 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 637](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—None.

Absent and excused—Davis. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 637](#) was before the Senate for final consideration.

[H 637](#) 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?"

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

Roll call resulted as follows:

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

NAYS—Nuxoll. Total - 1.

Total - 35.

Whereupon the President declared [H 637](#) 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 638](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 638](#) was before the Senate for final consideration.

[H 638](#) 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Nuxoll. Total - 1.

Total - 35.

Whereupon the President declared [H 638](#) 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 640](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 640](#) was before the Senate for final consideration.

[H 640](#) 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 640](#) 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 641](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 641](#) was before the Senate for final consideration.

[H 641](#) 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, 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, Ward-Engelking, Winder. Total - 32.

NAYS—Harris, Siddoway, Vick. Total - 3.

Total - 35.

Whereupon the President declared [H 641](#) 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 24, 2016

Dear Mr. President:

I transmit herewith [H 649](#), which has passed the House.

TAYLOR, Acting Chief Clerk

[H 649](#) 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 649](#), 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 advanced to the Sixth Order of Business.

Reports of Standing Committees

March 24, 2016

The JUDICIARY AND RULES Committee reports that [S 1414](#), [S 1415](#), [S 1416](#), [S 1417](#), [S 1418](#), [S 1419](#), and [S 1421](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1414](#), [S 1415](#), [S 1416](#), [S 1417](#), [S 1418](#), [S 1419](#), and [S 1421](#) and ordered them transmitted to the House for the signature of the Speaker.

March 24, 2016

The STATE AFFAIRS Committee reports out [H 639](#), [H 649](#), and [HCR 60](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[H 639](#) and [H 649](#) were filed for second reading.

[HCR 60](#) 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 24, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1234](#), [S 1330](#), [S 1333](#), [S 1334](#), [S 1356](#),
[S 1390](#), [S 1391](#), [S 1392](#), [S 1394](#), and [S 1402](#)

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 Thirteenth Order of Business.

Third Reading of Bills

Call of the Senate was requested by Senator Keough.

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 Senators Bair, Harris, Lakey, McKenzie, Rice, and Vick, absent and excused.

The President directed the Sergeant at Arms to find and present Senators Bair, Harris, Lakey, McKenzie, Rice, and Vick to the Senate.

Senators Bair, Harris, Lakey, McKenzie, Rice, and Vick were recorded present.

On request by Senator Keough, granted by unanimous consent, the Call was lifted.

[H 577](#) 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Guthrie, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 29.

NAYS—Den Hartog, Hagedorn, Harris, Rice, Siddoway, Vick. Total - 6.

Total - 35.

Whereupon the President declared [H 577](#) passed, title was approved, and the bill ordered returned to the House.

[HJR 5](#) 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 resolution and opened the debate. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

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

NAYS—Schmidt. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared [HJR 5](#) 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 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 642](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 642](#) was before the Senate for final consideration.

[H 642](#) 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 Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—Nuxoll, Vick. Total - 2.

Total - 35.

Whereupon the President declared [H 642](#) 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 645](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 645](#) was before the Senate for final consideration.

[H 645](#) 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 Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Guthrie, Hagedorn, Harris, 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 - 34.

NAYS—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [H 645](#) 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 643](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 643](#) was before the Senate for final consideration.

[H 643](#) 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 643](#) 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 646](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 646](#) was before the Senate for final consideration.

[H 646](#) 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 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 Keough disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Bair, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Patrick, Schmidt, Souza, Stennett, Vick, Ward-Engelking, Winder. Total - 22.

NAYS—Anthon, Bayer, Den Hartog, Guthrie, Hagedorn, Harris, Mortimer, Nuxoll, Rice, Siddoway, Thayn. Total - 11.

Absent and excused—Heider, Hill. Total - 2.

Total - 35.

Whereupon the President declared [H 646](#) 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 647](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 647](#) was before the Senate for final consideration.

[H 647](#) 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 647](#) 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 639](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 639](#) was before the Senate for final consideration.

[H 639](#) 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

Whereupon the President declared [H 639](#) 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 649](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, 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 - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 649](#) was before the Senate for final consideration.

[H 649](#) 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—Hill, Martin, Siddoway. Total - 3.

Absent and excused—Schmidt, Souza. Total - 2.

Total - 35.

Whereupon the President declared [H 649](#) 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 Stennett, that all rules of the Senate interfering with the immediate consideration of [HCR 60](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, 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 [HCR 60](#) was before the Senate for final consideration.

On motion by Senator Mortimer, seconded by Senator McKenzie, [HCR 60](#) 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 returned to the Ninth Order of Business.

Messages from the House

March 24, 2016

Dear Mr. President:

I transmit herewith [H 624](#), [HCR 62](#), and [H 650](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[H 624](#), [HCR 62](#), and [H 650](#) were filed for first reading.

March 24, 2016

Dear Mr. President:

I return herewith [S 1297](#), as amended, as amended, as amended in the House, which has passed the House.

TAYLOR, Acting Chief Clerk

On request by Senator Davis, granted by unanimous consent, [S 1297](#), as amended, 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.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the House amendments to [S 1297](#), 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 1297](#), as amended, as amended, as amended in the House?"

On request by Senator McKenzie, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1297](#), as amended, as amended, as amended in the House.

[S 1297](#), as amended, as amended, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

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

Reports of Standing Committees

March 24, 2016

The JUDICIARY AND RULES Committee reports that [S 1297](#), as amended, as amended, as amended in the House, has been correctly engrossed.

LODGE, Chairman

[S 1297](#), as amended, as amended, 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

[H 624](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[HCR 62](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 650](#), by Appropriations Committee, was introduced and read the first time at length.

On request by Senator Davis, granted by unanimous consent, the bill was filed for second reading.

[S 1297](#), as amended, as amended, as amended in the House, by State Affairs 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 650](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, 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 650](#) was before the Senate for final consideration.

H 650 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—Anthon, Bair, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Rice, Siddoway, Stennett, Thayn, Ward-Engelking, Winder. Total - 26.

NAYS—Bayer, Den Hartog, Mortimer, Nonini, Nuxoll, Patrick, Souza, Vick. Total - 8.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared **H 650** 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 1297**, 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—Anthon, Bair, Bayer, Brackett, Rohn (Buckner-Webb), Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, 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 **S 1297**, as amended, as amended, as amended in the House, was before the Senate for final consideration.

S 1297, 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 McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared **S 1297**, 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.

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

Motions and Resolutions

The President appointed a committee consisting of Senator McKenzie, Chairman, and Senators Lee and Lacey to notify the Governor that the Senate had completed its business and was ready to adjourn Sine Die. The committee was excused.

The President appointed a committee consisting of Senator Lakey, Chairman, and Senators Den Hartog and Ward-Engelking to notify the House of Representatives that the Senate had completed its business and was ready to adjourn Sine Die. The Committee was excused.

The committee appointed to notify 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.

The committee appointed to notify 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.

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

Miscellaneous Business

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 Second Regular Session of the Sixty-third Legislature of the State of Idaho. The flag was presented to Senator Mortimer in honor of his exemplary service to the Senate.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Second Regular Session of the Sixty-third Legislature of the Idaho Senate adjourned *Sine Die* in honor of the service of Senators McKenzie and Lacey at 9:02 p.m., Thursday, March 24, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

[Note: The following is action recorded after Senate *Sine Die*:]

March 24, 2016

Dear Mr. President:

I return herewith Enrolled **S 1257**, as amended in the House, **S 1322**, as amended in the House, **S 1265**, as amended in the House, and **S 1354**, as amended in the House, which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled [S 1257](#), as amended in the House, [S 1322](#), as amended in the House, [S 1265](#), as amended in the House, and [S 1354](#), as amended in the House, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 28, 2016

The JUDICIARY AND RULES Committee reports that Enrolled [S 1257](#), as amended in the House, [S 1322](#), as amended in the House, [S 1265](#), as amended in the House, and [S 1354](#), as amended in the House, were delivered to the Office of the Governor at 1:16 p.m., March 28, 2016.

LODGE, Chairman

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

March 24, 2016

Dear Mr. President:

I transmit herewith Enrolled [H 556](#), as amended in the Senate, [H 603](#), [H 625](#), [H 626](#), [H 627](#), [H 629](#), and [H 630](#) for the signature of the President.

TAYLOR, Acting Chief Clerk

The President signed Enrolled [H 556](#), as amended in the Senate, [H 603](#), [H 625](#), [H 626](#), [H 627](#), [H 629](#), and [H 630](#) and ordered them returned to the House.

March 24, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I hereby advise you that I have transmitted to the Office of the Secretary of State, signed with my approval, the following Senate Bill, to wit:

[S 1389](#)

I'm a gun owner, a hunter and a lifetime member of the National Rifle Association. I have consistently championed our citizens' gun rights throughout my years in public office, and I do so again today in signing Senate Bill 1389 into law.

However, in considering the implications of this measure I am reminded of the plain language of the Second Amendment: "A **well-regulated** Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

While S 1389 is consistent with the U.S. Constitution, Idaho values and our commitment to upholding our constitutional protections from government overreach, I am concerned about its lack of any provision for education and training of individuals who choose to exercise the right to concealed carry. Such a safeguard would seem to be part of the Second Amendment's "well-regulated" standard. What's more, the addition of a simple training requirement in this bill could have addressed the concerns of our valued law enforcement leaders and others who cherish both the shooting culture and the safety of shooters and non-shooters alike.

In the absence of such a provision, I encourage anyone considering concealed carry to take advantage of gun safety

training opportunities available from many reputable sources throughout Idaho. I also encourage the Legislature to monitor the exercise of this new law and respond appropriately when and if the lack of statutory education and training requirement undermines public safety.

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.

March 25, 2016

Dear Mr. President:

I transmit herewith Enrolled [H 382](#), as amended in the Senate, [H 521](#), as amended in the Senate, [H 477](#), as amended, as amended in the Senate, [H 555](#), as amended in the Senate, [H 371](#), as amended in the Senate, [H 494](#), as amended in the Senate, [H 497](#), as amended in the Senate, [HCR 61](#), [H 635](#), [H 636](#), [H 637](#), [H 638](#), [H 640](#), [H 641](#), [H 577](#), [HJR 5](#), [H 642](#), [H 645](#), [H 643](#), [H 646](#), [H 647](#), [H 639](#), [H 649](#), [HCR 60](#), and [H 650](#) for the signature of the President.

TAYLOR, Acting Chief Clerk

The President signed Enrolled [H 382](#), as amended in the Senate, [H 521](#), as amended in the Senate, [H 477](#), as amended, as amended in the Senate, [H 555](#), as amended in the Senate, [H 371](#), as amended in the Senate, [H 494](#), as amended in the Senate, [H 497](#), as amended in the Senate, [HCR 61](#), [H 635](#), [H 636](#), [H 637](#), [H 638](#), [H 640](#), [H 641](#), [H 577](#), [HJR 5](#), [H 642](#), [H 645](#), [H 643](#), [H 646](#), [H 647](#), [H 639](#), [H 649](#), [HCR 60](#), and [H 650](#) and ordered them returned to the House.

March 28, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1323](#), [S 1325](#), [S 1341](#), as amended, [S 1347](#),
as amended, [S 1351](#), [S 1359](#), [S 1361](#), [S 1382](#),
[S 1395](#), [S 1396](#), [S 1397](#), [S 1398](#), [S 1399](#),
[S 1400](#), [S 1401](#), and [S 1403](#)

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.

March 25, 2016

Dear Mr. President:

I return herewith Enrolled [S 1405](#), [S 1406](#), [S 1407](#), [S 1408](#), [S 1410](#), [S 1411](#), [S 1412](#), [S 1413](#), [S 1414](#), [S 1415](#), [S 1416](#), [S 1417](#), [S 1418](#), [S 1419](#), and [S 1421](#), which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled [S 1405](#), [S 1406](#), [S 1407](#), [S 1408](#), [S 1410](#), [S 1411](#), [S 1412](#), [S 1413](#), [S 1414](#), [S 1415](#), [S 1416](#), [S 1417](#), [S 1418](#), [S 1419](#), and [S 1421](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 28, 2016

The JUDICIARY AND RULES Committee reports that Enrolled [S 1405](#), [S 1406](#), [S 1407](#), [S 1408](#), [S 1410](#), [S 1411](#), [S 1412](#), [S 1413](#), [S 1414](#), [S 1415](#), [S 1416](#), [S 1417](#), [S 1418](#), [S 1419](#), and [S 1421](#) were delivered to the Office of the Governor at 2:25 p.m., March 28, 2016.

LODGE, Chairman

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

March 25, 2016

The JUDICIARY AND RULES Committee reports that [S 1297](#), as amended, as amended, as amended in the House, has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1297](#), as amended, as amended, as amended in the House, and ordered it transmitted to the House for the signature of the Speaker.

March 25, 2016

Dear Mr. President:

I return herewith Enrolled [S 1297](#), as amended, as amended, as amended in the House, which has been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled [S 1297](#), as amended, as amended, as amended in the House, was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 28, 2016

The JUDICIARY AND RULES Committee reports that Enrolled [S 1297](#), as amended, as amended, as amended in the House, was delivered to the Office of the Governor at 2:25 p.m., March 28, 2016.

LODGE, Chairman

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

March 25, 2016

Dear Mr. President:

I return herewith [S 1428](#), which has passed the House.

TAYLOR, Acting Chief Clerk

[S 1428](#) was referred to the Judiciary and Rules Committee for enrolling.

March 28, 2016

The JUDICIARY AND RULES Committee reports that [S 1428](#) has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1428](#) and ordered it transmitted to the House for the signature of the Speaker.

March 28, 2016

Dear Mr. President:

I return herewith Enrolled [S 1428](#), which has been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled [S 1428](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 28, 2016

The JUDICIARY AND RULES Committee reports that Enrolled [S 1428](#) was delivered to the Office of the Governor at 4 p.m., March 28, 2016.

LODGE, Chairman

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

March 25, 2016

Dear Mr. President:

I return herewith [S 1317](#), as amended, [S 1253](#), [S 1420](#), [S 1426](#), [S 1427](#), [SCR 153](#), [SCR 154](#), [S 1404](#), as amended, [S 1429](#), [S 1430](#), [S 1425](#), [S 1424](#), [S 1422](#), [S 1423](#), [S 1315](#), as amended, [S 1300](#), as amended, [S 1301](#), [S 1360](#), [S 1409](#), [SCR 151](#), [SJM 104](#), [SJM 105](#), and [S 1201](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[S 1317](#), as amended, [S 1253](#), [S 1420](#), [S 1426](#), [S 1427](#), [SCR 153](#), [SCR 154](#), [S 1404](#), as amended, [S 1429](#), [S 1430](#), [S 1425](#), [S 1424](#), [S 1422](#), [S 1423](#), [S 1315](#), as amended, as amended, [S 1300](#), as amended, [S 1301](#), [S 1360](#), [S 1409](#), [SCR 151](#), [SJM 104](#), [SJM 105](#), and [S 1201](#) were referred to the Judiciary and Rules Committee for enrolling.

March 25, 2016

The JUDICIARY AND RULES Committee reports that [S 1317](#), as amended, [S 1253](#), [S 1420](#), [S 1426](#), [S 1427](#), [SCR 153](#), [SCR 154](#), [S 1404](#), as amended, [S 1429](#), [S 1430](#), [S 1425](#), [S 1424](#), [S 1422](#), [S 1423](#), [S 1315](#), as amended, as amended, [S 1300](#), as amended, [S 1301](#), [S 1360](#), [S 1409](#), [SCR 151](#), [SJM 104](#), [SJM 105](#), and [S 1201](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1317](#), as amended, [S 1253](#), [S 1420](#), [S 1426](#), [S 1427](#), [SCR 153](#), [SCR 154](#), [S 1404](#), as amended, [S 1429](#), [S 1430](#), [S 1425](#), [S 1424](#), [S 1422](#), [S 1423](#), [S 1315](#), as amended, as amended, [S 1300](#), as amended, [S 1301](#), [S 1360](#),

[S 1409](#), [SCR 151](#), [SJM 104](#), [SJM 105](#), and [S 1201](#) and ordered them transmitted to the House for the signature of the Speaker.

March 25, 2016

Dear Mr. President:

I return herewith Enrolled [S 1317](#), as amended, [S 1253](#), [S 1420](#), [S 1426](#), [S 1427](#), [S 1404](#), as amended, [S 1429](#), [S 1430](#), [S 1425](#), [S 1424](#), [S 1422](#), [S 1423](#), [S 1315](#), as amended, as amended, [S 1300](#), as amended, [S 1301](#), [S 1360](#), [S 1409](#), and [S 1201](#), which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled [S 1317](#), as amended, [S 1253](#), [S 1420](#), [S 1426](#), [S 1427](#), [S 1404](#), as amended, [S 1429](#), [S 1430](#), [S 1425](#), [S 1424](#), [S 1422](#), [S 1423](#), [S 1315](#), as amended, as amended, [S 1300](#), as amended, [S 1301](#), [S 1360](#), [S 1409](#), and [S 1201](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 28, 2016

The JUDICIARY AND RULES Committee reports that Enrolled [S 1317](#), as amended, [S 1253](#), [S 1420](#), [S 1426](#), [S 1427](#), [S 1404](#), as amended, [S 1429](#), [S 1430](#), [S 1425](#), [S 1424](#), [S 1422](#), [S 1423](#), [S 1315](#), as amended, as amended, [S 1300](#), as amended, [S 1301](#), [S 1360](#), [S 1409](#), and [S 1201](#) were delivered to the Office of the Governor at 2:25 p.m., March 28, 2016.

LODGE, Chairman

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

March 25, 2016

Dear Mr. President:

I return herewith Enrolled [SCR 153](#), [SCR 154](#), [SCR 151](#), [SJM 104](#), and [SJM 105](#), which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled [SCR 153](#), [SCR 154](#), [SCR 151](#), [SJM 104](#), and [SJM 105](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

March 28, 2016

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 153](#), [SCR 154](#), [SCR 151](#), [SJM 104](#), and [SJM 105](#) were delivered to the Office of the Secretary of State at 2:25 p.m., March 28, 2016.

LODGE, Chairman

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

March 25, 2016

Dear Mr. President:

I transmit herewith Enrolled [H 606](#), as amended, as amended in the Senate, as amended in the Senate, for the signature of the President.

TAYLOR, Acting Chief Clerk

The President signed Enrolled [H 606](#), as amended, as amended in the Senate, as amended in the Senate, and ordered it returned to the House.

March 31, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed yesterday, March 30, and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1201](#) and [S 1393](#)

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.

March 31, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed yesterday, March 30, and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1257](#), as amended in the House, [S 1302](#), [S 1303](#), as amended, [S 1322](#), as amended in the House, [S 1328](#), as amended, [S 1332](#), as amended, [S 1343](#), [S 1354](#), as amended in the House, [S 1362](#), [S 1373](#), [S 1376](#), [S 1377](#), [S 1388](#), as amended, and [S 1428](#)

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 4, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed on March 31, and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1406](#), [S 1407](#), [S 1408](#), [S 1412](#), [S 1413](#), [S 1414](#), [S 1417](#), [S 1418](#), [S 1419](#), [S 1421](#), [S 1423](#), [S 1424](#), [S 1425](#), [S 1426](#), [S 1427](#), and [S 1429](#)

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 4, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed on March 31, and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1409](#), [S 1415](#), [S 1416](#), and [S 1430](#)

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 5, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1253](#), [S 1265](#), as amended in the House, [S 1297](#), as amended, as amended, as amended in the House, [S 1300](#), as amended, [S 1301](#), [S 1315](#), as amended, as amended, [S 1317](#), as amended, [S 1338](#), [S 1360](#), [S 1404](#), as amended, [S 1405](#), [S 1410](#), [S 1420](#), and [S 1422](#)

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 18, 2016

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I hereby advise you that I allowed the following bills to become law without signature:

S 1411

Please also be advised that I vetoed the following bill within the time allowed by law:

S 1342, as amended

Letters explaining the actions taken on the aforementioned bills reside in the Secretary of State's office. Please feel free to contact my office with any questions.

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

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 March 24th, 2016, the seventy-fourth 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 18th day of April, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

The following correspondence was filed in the office of the Secretary of the State.

April 8, 2016

April 5, 2016

The Honorable Lawrence Denney
Secretary of State
State Capitol

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 1342, as amended

within the time limited by law, the same having arrived in the Office of the Governor at the hour of 10:45 a.m. on March 24, 2016.

S1342 violates the Idaho Constitution, art. IX, sec. 6 which states:

Section 6. RELIGIOUS TEST AND TEACHING IN SCHOOL PROHIBITED. No religious test or qualification shall ever be required of any person as a condition of admission into any public educational institution of the state, either as teacher or student; and no teacher or student of any such institution shall ever be required to attend or participate in any religious service whatever. **No sectarian or religious tenets or doctrines shall ever be taught in the public schools, nor shall any distinction or classification of pupils be made on account of race or color. No books, papers, tracts or documents of a political, sectarian or denominational character shall be used or introduced in any schools established under the provisions of this article, nor shall any teacher or any district receive any of the public school moneys in which the schools have not been taught in accordance with the provisions of this article.**

I have deep respect and appreciation for the Bible as religious doctrine as well as a piece of historic literature. However, allowing S1342 to become law is in direct contravention to the Idaho Constitution, and it could result in a loss of funding and costly litigation for Idaho public schools.

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

The Honorable Lawrence Denney
Secretary of State
Idaho Capitol

Dear Mr. Secretary,

I hereby advise you that I am transmitting today the following Senate Bill, which was allowed to become law without my signature:

S 1411

as prescribed by the Constitution the same having arrived in my office on March 28, 2016 at 2:25 PM.

While I have great respect for the separation of powers and the authority of the legislative branch to manage its employees, I cannot, in good conscience, sign this appropriation into law.

For the second consecutive year, the Legislature has chosen to appropriate additional personnel dollars for its employees. While I have no doubt that the hard working staff of the legislative branch merit compensation increases, the dedicated employees of the executive and judicial branches are no less deserving.

Further, my ability to act upon appropriation bills, particularly those that arrive on my desk after the legislature has adjourned, is limited by the manner in which bills are drafted. Section 11 of the Idaho Constitution gives the Governor the power to disapprove "...any item...of any bill making appropriations of money embracing distinct items." The Legislature currently "rolls up" all items in an appropriation by fund for each program. This leaves little room for the exercise of the power given the Governor in the Constitution, and provides little transparency. I want to work with the Legislature prior to the next session to a new appropriation bill format with greater detail so that I can exercise my constitutional authority.

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

SENATE JOURNAL INDEX

- SECOND REGULAR SESSION -

SIXTY-THIRD IDAHO LEGISLATURE - 2016

SECOND REGULAR SESSION:		Page
SECTION I	Officers and Administration for the Second Regular Session, January 11	292
SECTION II	Elected Members and Committee Assignments	294
SECTION III	Senate Attaches	299
SECTION IV	Topic Index, Alphabetically arranged, of ALL Senate introductions, including ONLY House Legislation received by the Senate, and Senate action on that legislation.	301
SECTION V	Numerical Index of Senate Bills.....	369
SECTION VI	Numerical Index of Senate Joint Resolutions.....	395
SECTION VII	Numerical Index of Senate Joint Memorials	396
SECTION VIII	Numerical Index of Senate Resolutions.....	397
SECTION IX	Numerical Index of Senate Concurrent Resolutions	398
SECTION X	Actions of the Governor on Senate Bills which passed both the Senate and House, with effective dates and Session Law Chapter Numbers cited.....	401
SECTION XI	Numerical Index of House Bills received by the Senate	406
SECTION XII	Numerical Index of House Joint Resolutions received by the Senate	428
SECTION XIII	Numerical Index of House Joint Memorials received by the Senate.....	429
SECTION XIV	Numerical Index of House Concurrent Resolutions received by the Senate.....	430
SECTION XV	Senate Sponsors of Senate Legislation voted on in the Senate.....	434
SECTION XVI	Senate Sponsors of House Legislation voted on in the Senate	438

SECTION I

SIXTY-THIRD LEGISLATURE - SECOND REGULAR SESSION - 2016
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 Chairman	Nampa
STENNETT, MICHELLE Minority Leader	Ketchum
BUCKNER-WEBB, CHERIE Assistant Minority Leader	Boise
BURGOYNE, GRANT Minority Caucus Chairman	Boise
NOVAK, JENNIFER Secretary of the Senate	Boise
MCINNES, LAURA Secretary to the Secretary of the Senate	Boise
KAISER, JAMIE Journal Clerk	Boise
SOLBERG, JESSICA 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

WORSTER, FATHER JOHN Boise
Chaplain

SECTION II

2016 MEMBERS OF THE SENATE AND ASSIGNMENTS
(Certificate of Election - Second Regular Session)

Name	Address	District
ANTHON, KELLY A. Education Judiciary and Rules	Burley.....	27
BAIR, STEVE Resources and Environment - Chairman Finance	Blackfoot.....	31
BAYER, CLIFFORD R. Agricultural Affairs - Vice Chairman Local Government and Taxation Resources and Environment	Meridian.....	21
BRACKETT, BERT Transportation - Chairman Finance	Rogerson.....	23
BUCKNER-WEBB, CHERIE..... Assistant Minority Leader Education State Affairs Transportation	Boise.....	19
BURGOYNE, GRANT Minority Caucus Chairman Agricultural Affairs Judiciary and Rules Local Government and Taxation	Boise.....	16
DAVIS, BART M. Majority Leader Judiciary and Rules State Affairs	Idaho Falls.....	33
DEN HARTOG, LORI Agricultural Affairs Education Transportation	Meridian.....	22
GUTHRIE, JIM Local Government and Taxation - Vice Chairman Commerce and Human Resources Finance	Inkom.....	28

Name	Address	District
HAGEDORN, MARV Transportation - Vice Chairman Health and Welfare Resources and Environment	Meridian.....	14
HARRIS, MARK..... Agricultural Affairs Health and Welfare	Soda Springs.....	32
HEIDER, LEE Health and Welfare - Chairman Commerce and Human Resources Resources and Environment	Twin Falls.....	24
HILL, BRENT..... President Pro Tempore State Affairs	Rexburg.....	34
JOHNSON, DAN G. Finance - Vice Chairman Judiciary and Rules Local Government and Taxation	Lewiston.....	6
JORDAN, MARYANNE..... Health and Welfare Judiciary and Rules	Boise.....	17
KEOUGH, SHAWN..... Finance - Chairman Transportation	Sandpoint.....	1
LACEY, ROY..... Finance Resources and Environment Transportation	Pocatello.....	29
LAKEY, TODD M. Majority Caucus Chairman Commerce and Human Resources State Affairs	Nampa.....	12
LEE, ABBY..... Agricultural Affairs Health and Welfare Judiciary and Rules	Fruitland.....	9
LODGE, PATTI ANNE..... Judiciary and Rules - Chairman State Affairs - Vice Chairman Health and Welfare	Huston.....	11

Name	Address	District
MARTIN, FRED S. Commerce and Human Resources - Vice Chairman Health and Welfare	Boise.....	15
MCKENZIE, CURT State Affairs - Chairman Local Government and Taxation	Boise.....	13
MORTIMER, DEAN M. Education - Chairman Finance	Idaho Falls.....	30
NONINI, ROBERT P. Judiciary and Rules - Vice Chairman Education Transportation	Coeur d'Alene.....	3
NUXOLL, SHERYL L. Health and Welfare - Vice Chairman Finance Resources and Environment	Cottonwood.....	7
PATRICK, JIM Commerce and Human Resources - Chairman Agricultural Affairs Education	Twin Falls.....	25
RICE, JIM Agricultural Affairs - Chairman Commerce and Human Resources 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 - Chairman Resources and Environment State Affairs	Terreton.....	35
SOUZA, MARY Agricultural Affairs Education Judiciary and Rules	Coeur d'Alene.....	4

Name	Address	District
STENNETT, MICHELLE Minority Leader Local Government and Taxation Resources and Environment State Affairs	Ketchum.....	26
THAYN, STEVEN P. Education - Vice Chairman Commerce and Human Resources Finance	Emmett.....	8
VICK, STEVE Resources and Environment - Vice Chairman 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
2016 LEGISLATURE**

<u>Agricultural Affairs (9)</u>		<u>Judiciary and Rules (9)</u>	
Rice, Chairman		Lodge, Chairman	
Bayer, Vice Chairman		Nonini, Vice Chairman	
Patrick	Ward-Engelking	Davis	Burgoyne
Souza	Burgoyne	Johnson	Jordan
Lee		Souza	
Den Hartog		Lee	
Harris		Anthon	
<u>Commerce and Human Resources (9)</u>		<u>Local Government and Taxation (9)</u>	
Patrick, Chairman		Siddoway, Chairman	
Martin, Vice Chairman		Guthrie, Vice Chairman	
Lakey	Schmidt	McKenzie	Stennett
Guthrie	Ward-Engelking	Johnson	Burgoyne
Heider		Rice	
Rice		Vick	
Thayn		Bayer	
<u>Education (9)</u>		<u>Resources and Environment (9)</u>	
Mortimer, Chairman		Bair, Chairman	
Thayn, Vice Chairman		Vick, Vice Chairman	
Nonini	Buckner-Webb	Siddoway	Stennett
Patrick	Ward-Engelking	Heider	Lacey
Souza		Nuxoll	
Den Hartog		Bayer	
Anthon		Hagedorn	
<u>Finance (10)</u>		<u>State Affairs (9)</u>	
Keough, Chairman		McKenzie, Chairman	
Johnson, Vice Chairman		Lodge, Vice Chairman	
Bair	Schmidt	Davis	Stennett
Mortimer	Lacey	Hill	Buckner-Webb
Brackett		Winder	
Nuxoll		Siddoway	
Thayn		Lakey	
Guthrie			
<u>Health and Welfare (9)</u>		<u>Transportation (9)</u>	
Heider, Chairman		Brackett, Chairman	
Nuxoll, Vice Chairman		Hagedorn, Vice Chairman	
Lodge	Schmidt	Keough	Buckner-Webb
Hagedorn	Jordan	Winder	Lacey
Martin		Nonini	
Lee		Vick	
Harris		Den Hartog	

SECTION III
2016 SENATE ATTACHE INDEX

<u>Name</u>	<u>Position</u>
BENNETT, GAYE.....	Transportation Committee Secretary
BUDELL, JUANITA.....	Resources and Environment Committee Secretary
CARR, JENNIFER.....	Local Government and Taxation Committee Secretary
CHAMBERS, ALAIRE.....	*Page
CHRISTENSEN, NELLIE.....	*Page
CONRAD, CELESTE.....	Minority Staff Assistant
CORNWALL, CAROL.....	Judiciary and Rules Committee Secretary
CSUTORAS, JERRY.....	Assistant Sergeant at Arms
DALEY LAURSEN, ANNA.....	*Page
DEFORD, MALLORY.....	Page
DEIS, CAROL.....	Agricultural Affairs Committee Secretary
WORSTER, FATHER JOHN.....	Chaplain
ESPLIN, ZOE.....	*Page
FILIP, JEROME.....	Minority Staff Assistant
FOLLETT, ALEENA.....	Page
HARELSON, NINA.....	Page
HENRIE, LUKE.....	*Page
JEPPSON, MICHAEL.....	Majority Staff Assistant
JONES, KENNEDY.....	*Page
JONES, MARY SUE.....	**Chief of Staff to President Pro Tem
KAISER, JAMIE.....	Journal Clerk
KAMBEITZ, LINDA.....	Commerce and Human Resources Committee Secretary
KELLY, DIANE.....	**Minority Chief of Staff
KELLY, JARED.....	Page
KUKLA, LIZZIE.....	Assistant to the Assistant Majority Leader
LAVELLE, MAUREEN.....	Minority Staff Assistant
MACHADO, KARA.....	Majority Staff Assistant
MANOR, TABITHA.....	*Page
MCDONALD, SARAH JANE.....	Sergeant at Arms
MCINNES, LAURA.....	Secretary to the Secretary of the Senate
MELTON, TWYLA.....	State Affairs Committee Secretary
MOHR, LEANN.....	Education Committee Secretary
MOYER, PEGGY.....	Finance Committee Secretary
NOVAK, JENNIFER.....	**Secretary of the Senate

<u>Name</u>	<u>Position</u>
PENNINGTON, SHARON	Assistant to the Majority Caucus Chairman
RICHARDSON, CALEB	Page
RICHARDSON, JAYMOND	*Page
RICHE, CHRISTY	Majority Staff Assistant
ROGERS, HAYDEN	Page
ROSER, ANNA	Majority Staff Assistant
SCHUPACK, SEAN	Majority Staff Assistant
SMITH, MARIAN	Assistant to the Majority Leader
SNELL, LOGAN	*Page
SOLBERG, JESSICA	Assistant Clerk
STANFORD, CARDSTON	*Page
STOKES, LIBERTY	Page
STURTEVANT, HANNAH	Page
TORYANSKI, MARSHALL	Page
WESTBROOK, KAREN	Health and Welfare Committee Secretary

Attache sworn in January 14, 2016

* Attache sworn in February 24, 2016

** Permanent 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			
Idaho Unborn Infants Dignity Act	S 1349	104	-
Idaho Unborn Infants Dignity Act	S 1404	194/233	252
Ultrasound availability information prior to abortion.....	H 516	143	219
Unborn Child Protection from Dismemberment Abortion Act.....	S 1386	156	-
ACCIDENTS			
See also EMERGENCIES			
Motor vehicles, proof of financial responsibility	S 1385	156	-
Public Utilities Commission safety, accident reporting rules rejected	HCR 51	177	241
Unfair practices by insurers, auto body repair.....	S 1313	82	-
Youth athletes, permission, post-concussion protocol	H 557	201	237
ACCOUNTING AND ACCOUNTANTS			
Accountancy Board, revise provisions regarding membership	H 482	143	213
ACCOUNTS			
Catastrophic health care, reimbursement to County Commission.....	S 1211	32	63
College savings accounts, unclaimed, responsibilities for.....	H 428	79	167
Fish and Game, funds to U of I Animal/Veterinary Science Department.....	S 1258	58	106
Highway Distribution Account, apportionment revised	S 1230	42	88
Highway Distribution Account, apportionment/hybrid fee	H 624	283	-
Motorbike Recreation Account funds, recreation easements.....	H 471	112	186
Opportunity scholarship program, funds investment	S 1208	31	63
State employee health savings account, employer portion	S 1319	82	-
State employee health savings account, employer portion	S 1346	104	144
Youth Education Account, repeal.....	H 392	65	167
ACTS			
Appraisal Management Company Registration/Regulation Act.....	S 1318	82	124
Child Protective Act, revise certain requirements	S 1328	89/163	184
Dangerous and At-Risk Dogs Act, add.....	H 525	150	213
Education Opportunity Resource Act, add.....	S 1334	90	137
Idaho Limited Article V Convention Act, add	S 1350	111	178
Idaho Multiple Use Sustained Yield Act, add.....	H 582	226	-
Idaho Rural Development Partnership Act, revised.....	H 417	79	180
Idaho School Safety and Security Act, add	H 514	150	206
Idaho Unborn Infants Dignity Act, add	S 1349	104	-
Idaho Unborn Infants Dignity Act, add	S 1404	194/233	252
Limited Lines Travel Insurance Act, add.....	S 1384	156	-
Local Innovation School Act, add.....	H 570	201	237
Right To Try Act, add.....	H 481	139	198
State Procurement Act, add.....	H 538	170	266
Uniform Athlete Agents Act, revised.....	H 398	93	213
Uniform Fiduciary Access to Digital Assets Act, add.....	S 1303	78/172	185
ACUPUNCTURE			
Board, revise provisions regarding membership.....	H 482	143	213

	Bill Number	Intro. Page	Vote Page
ADJOURNMENT, SINE DIE			
Second Regular Session:			
Thursday, March 24, 2016 at 9:02 p.m.		284	
ADMINISTRATION DEPARTMENT			
Administrative Code, certain electronic copies	S 1234	45	153
Appropriation.....	S 1419	229	256
Appropriation, Capitol Commission.....	S 1406	204	235
Appropriation, Public Works Division.....	S 1422	238	257
Appropriation, Public Works Division, add'l.....	S 1422	238	257
Appropriation, add'l.....	S 1217	38	54
Appropriation, add'l, insurance management program	S 1419	229	256
Appropriation, bond payment program.....	S 1408	204	235
Appropriation, purchasing program, add'l.....	S 1421	229	256
Capitol parking rules rejected.....	SCR 152	192	226
Exclusions from local government purchasing laws.....	H 541	170	237
State Procurement Act.....	H 538	170	266
ADMINISTRATIVE PROCEDURE ACT			
See also RULES			
Administrative Code, certain electronic copies	S 1234	45	153
Amendments to Administrative Rules, requirement.....	S 1360	127	190
ADMINISTRATOR OF THE DIVISION OF HUMAN RESOURCES			
Buxton, Susan Elizabeth: Appointment, Administrator			
Appointed by Governor/to Commerce and Human Resources (Feb. 19)		103	
Committee Report.....		141	
Confirmed by Senate.....			152
ADOPTION			
Juvenile proceedings, adoption, placement.....	H 556	170/242	251
ADVERTISING			
Political statements, identity of person responsible.....	H 542	170	251
AERONAUTICS			
Unmanned aircraft, prohibited from use in hunting	S 1213	35	59
AERONAUTICS ADVISORY BOARD			
Scott, Daniel: Appointment, Member			
Appointed by Governor/to Transportation (Feb. 11)		77	
Committee Report.....		100	
Confirmed by Senate.....			108
AGING, COMMISSION ON			
Appropriation.....	H 561	177	223
AGRICULTURE			
Agricultural facilities, biosecurity breach, penalties.....	H 531	170	211
Apple Commission, nomination and appointment of members	H 455	112	180
Aquaculture Commission, repeal	H 383	87	180
Cattle/horses/livestock, capital gains tax deduction.....	H 535	156	206
Commemorating pulse crop for singular recognition	HCR 32	93	159
Commission on Pesticide Management, repeal	S 1215	35	59
Dairy Products Commission, membership provisions.....	S 1259	58	79
Department of Agriculture/DEQ, management of cattle byproduct.....	S 1260	58/128	144
Department, appropriation.....	S 1417	222	253
Department, appropriation, add'l.....	H 445	79	157
Equipment dealer protection law, unlawful acts, notice.....	S 1358	127	-
Farm equipment repurchase requirements, charges.....	S 1359	127	154
Food safety modernization, Department of Agriculture regulate	H 499	136	198
Liens in crops, notice of claim requirements.....	H 389	79	201
National Day of the Cowboy, declared.....	HCR 38	150	226
Sales tax exemptions, production exemption.....	H 386	65	171
Tax on production of wine/certain grapes.....	H 456	112	197
University of Idaho, appropriation, Agricultural Research/Extension	S 1426	248	267
Wolf Control Fund, appropriation.....	S 1414	222	252
AIR POLLUTION			
See POLLUTION			

	Bill Number	Intro. Page	Vote Page
AIRPLANES AND AIRCRAFT			
Sales tax, certain exemptions, remove sunset	H 361	51	70
Tax exemption, certain aircraft for wildfire activity	H 540	170	214
Unmanned aircraft, prohibited from use in hunting	S 1213	35	59
ALCOHOLIC BEVERAGES			
See LIQUOR			
AMENDMENTS			
Senate Bills Amended in the Senate:			
S 1256, As Amended.....		128	
S 1256, As Amended, As Amended		150	
S 1260, As Amended.....		128	
S 1280, As Amended.....		113	
S 1285, As Amended.....		113	
S 1291, As Amended.....		117	
S 1293, As Amended.....		140	
S 1297, As Amended.....		114	
S 1297, As Amended, As Amended		129	
S 1300, As Amended.....		150	
S 1303, As Amended.....		172	
S 1312, As Amended.....		117	
S 1315, As Amended.....		172	
S 1315, As Amended, As Amended		182	
S 1317, As Amended.....		221	
S 1328, As Amended.....		163	
S 1332, As Amended.....		164	
S 1341, As Amended.....		150	
S 1342, As Amended.....		140	
S 1347, As Amended.....		164	
S 1388, As Amended.....		194	
S 1404, As Amended.....		233	
House Bills Amended in the Senate:			
H 362, As Amended in the Senate.....		113	
H 371, As Amended in the Senate.....		216	
H 379, As Amended in the Senate.....		129	
H 382, As Amended in the Senate.....		209	
H 447, As Amended in the Senate.....		151	
H 452, As Amended in the Senate.....		172	
H 458, As Amended in the Senate.....		150	
H 477, As Amended, As Amended in the Senate		218	
H 494, As Amended in the Senate.....		233	
H 497, As Amended in the Senate.....		234	
H 513, As Amended, As Amended in the Senate		190	
H 521, As Amended in the Senate.....		221	
H 555, As Amended in the Senate.....		216	
H 556, As Amended in the Senate.....		242	
H 597, As Amended in the Senate.....		234	
H 606, As Amended, As Amended in the Senate		269	
H 606, As Amended, As Amended in the Senate, As Amended in the Senate.....		274	
H 644, As Amended in the Senate.....		273	
Senate Bills Amended in the House, Concurrence in:			
S 1257, As Amended in the House.....		261	
S 1265, As Amended in the House.....		260	
S 1297, As Amended, As Amended, As Amended in the House		283	
S 1322, As Amended in the House.....		260	
S 1354, As Amended in the House.....		261	
ANDERSON, ERIC R.			
Appointment, Member: Public Utilities Commission			
Appointed by Governor/to State Affairs (Jan. 15).....		18	
Committee Report.....		44	
Confirmed by Senate.....			

	Bill Number	Intro. Page	Vote Page
ANDERSON, NEIL			
Appointment, Member: Idaho Endowment Fund Investment Board			
Appointed by Governor/to State Affairs (Jan. 13).....		12	
Committee Report.....		67	
Confirmed by Senate.....			72
ANDERSON, RAYELLE			
Appointment, Member: Bingo-Raffle Advisory Board			
Appointed by Governor/to State Affairs (Jan. 26).....		35	
Committee Report.....		76	
Confirmed by Senate.....			95
ANIMALS			
See also WILDLIFE			
Animal cruelty, presentence psychological evaluation.....	S 1309	79	-
Cattle/horses/livestock, capital gains tax deduction.....	H 535	156	206
Companion animals, torture, definitions, penalties.....	H 524	140	202
Compensation for damage to bees/bee-hives by bears.....	S 1340	91	128
Controlled hunt drawings, contract with private entity.....	S 1305	78	-
Controlled hunt drawings, contract with private entity.....	S 1344	104	133
Dairy Products Commission, membership provisions.....	S 1259	58	79
Dangerous and At-Risk Dogs Act.....	H 525	150	213
Department of Agriculture/DEQ, management of cattle byproduct.....	S 1260	58/128	144
Fish and Game Department Rule Docket 13-0116-1501 rejected.....	HCR 55	226	241
Game animal, penalty for killing, possession, waste.....	S 1226	41	-
Governor's wildlife partnership tags, annual issuance.....	S 1236	50	-
Horse Racing Commission, certain payment to horse council.....	S 1220	39	-
Horse Racing Commission, certain payment to horse council.....	S 1298	74	119
Humane Euthanasia Committee instead of task force.....	H 381	79	186
Hunting, prohibit use of unmanned aircraft.....	S 1213	35	59
Hunting/trapping/fishing, license exceptions.....	H 462	131	-
Livestock removal requirements and trichomoniasis.....	S 1214	35	106
Sage-grouse, protect state conservation plans.....	HJM 13	99	193
U of I Animal/Veterinary Science Department, Fish and Game Account funds.....	S 1258	58	106
Upland game bird permit, revised age provision.....	H 350	51	202
Veterinarians, alternatives to formal discipline.....	H 382	79/209	230
Wolf Control Fund, appropriation.....	S 1414	222	252
ANNEXATION			
Recreational water/sewer districts, annexation.....	H 406	170	213
ANTHON, KELLY			
Appointment Letter, January 11, 2016.....		2	
APPEALS			
See also STATE APPELLATE PUBLIC DEFENDER			
Appeal process if no longer assessed as forest land.....	H 345	51	69
Department of Environmental Quality, IPDES permits, appeals, enforcement authority.....	S 1239	50	128
Employment security law, notice and appeal provisions.....	H 397	69	196
Oil well, Lands Department duties, track integration, appeals.....	S 1306	78	-
Oil well, Lands Department duties, track integration, appeals.....	S 1339	90	130
State Appellate Public Defender, powers and duties.....	H 439	105	205
APPOINTMENTS			
Apple Commission, nomination and appointment of members.....	H 455	112	180
Hospital Districts, board may appoint certain members.....	H 533	170	214
School Board Trustees, recall election, filling vacancy.....	S 1273	65	-
APPOINTMENTS, SENATE			
See COMMITTEES, Standing			
See COMMITTEES, Memorial Service, Lincoln Day, Idaho Day			
See GUBERNATORIAL APPOINTMENTS			
APPRAISALS AND APPRAISERS			
Appraisal Management Company Registration/Regulation Act.....	S 1318	82	124
Real Estate Appraisers, revise definitions.....	H 368	69	198
APPROPRIATIONS			
Administration Department.....	S 1419	229	256

	Bill Number	Intro. Page	Vote Page
APPROPRIATIONS (Continued)			
Administration Department, Capitol Commission.....	S 1406	204	235
Administration Department, Public Works Division.....	S 1422	238	257
Administration Department, Public Works Division, add'l.....	S 1422	238	257
Administration Department, add'l.....	S 1217	38	54
Administration Department, bond payment program.....	S 1408	204	235
Administration Department, insurance management program, add'l.....	S 1419	229	256
Administration Department, purchasing program, add'l.....	S 1421	229	256
Aging Commission.....	H 561	177	223
Agriculture Department.....	S 1417	222	253
Agriculture Department, add'l.....	H 445	79	157
Arts Commission.....	H 642	277	281
Arts Commission.....	S 1368	136	158
Attorney General.....	H 577	189	280
Blind/Visually Impaired Commission.....	S 1394	163	186
Blind/Visually Impaired Commission, add'l.....	S 1216	38	54
Broadband Infrastructure Improvement Grant Fund.....	S 1429	265	273
Building Safety Division.....	S 1379	149	179
Building Safety Division, add'l.....	H 365	41	54
Building Safety Division, revised.....	H 635	277	278
Catastrophic Health Care Cost Fund, revised.....	S 1201	27	39
Catastrophic Health Care Program.....	S 1393	163	185
Charter School Debt Reserve Fund.....	S 1430	266	273
Commerce Department.....	H 587	201	231
Constitutional Defense Fund.....	S 1421	229	256
Correction Department.....	S 1409	204	236
Correction Department, add'l.....	S 1353	118	145
Department of Environmental Quality.....	S 1415	222	253
Education Board, Career Technical Education Division.....	H 625	257	272
Education Board, Idaho Public Television.....	S 1370	136	160
Education Board, Office of.....	S 1412	205	236
Education Board, Office of, add'l.....	H 647	278	282
Education Board, Office of, add'l.....	S 1429	265	273
Education Board, Special Programs, add'l.....	H 645	277	281
Education Board, University of Idaho, colleges/universities.....	H 637	277	278
Education Board, University of Idaho, health education program.....	S 1399	189	210
Education Board, University of Idaho, special programs.....	S 1398	189	210
Education Board, Vocational Rehabilitation Division.....	S 1395	177	196
Education Board, community colleges.....	H 638	277	279
Education Department, public schools, Administrators Division.....	H 617	238	262
Education Department, public schools, Central Services Division.....	H 623	238	263
Education Department, public schools, Central Services Division.....	H 647	278	282
Education Department, public schools, Children's Programs Division.....	H 620	238	262
Education Department, public schools, Children's Programs Division, add'l.....	H 647	278	282
Education Department, public schools, Facilities Division.....	H 621	238	263
Education Department, public schools, Operations Division.....	H 619	238	262
Education Department, public schools, Operations Division, add'l.....	H 647	278	282
Education Department, public schools, Teachers Division.....	H 618	238	262
Education Department, public schools, educational services.....	H 622	238	263
Endowment Fund Investment Board.....	H 546	156	220
Finance Department.....	S 1371	136	160
Fire Suppression Deficiency Fund.....	H 532	140	220
Fire Suppression Deficiency Fund, add'l.....	H 636	277	278
Fish and Game Department.....	H 641	277	279
Fish and Game Department, add'l.....	H 349	39	46
Fish and Game Department, add'l.....	H 646	278	281
Governor, Executive Office of.....	H 611	229	255
Governor, Office of, Financial Management Division.....	H 610	229	254
Governor, Office of, Drug Policy Office.....	H 550	156	221
Governor, Office of, Energy Resources.....	H 551	156	221

	Bill Number	Intro. Page	Vote Page
APPROPRIATIONS (Continued)			
Governor, Office of, Human Resources Division	S 1367	136	157
Governor, Office of, Military Division	S 1369	136	158
Governor, Office of, STEM Action Center	S 1425	238	256
Governor, Office of, STEM Action Center, add'l	S 1429	265	273
Governor, Office of, Species Conservation Office	H 564	177	223
Governor, Office of, State Liquor Division	S 1366	136	157
Health and Welfare Department, Medicaid	S 1391	163	185
Health and Welfare Department, Welfare Division	H 574	194	231
Health and Welfare Department, add'l, health care policy initiatives	S 1270	64	100
Health and Welfare Department, add'l, Domestic Violence Council	S 1206	31	41
Health and Welfare Department, add'l, Medicaid	S 1271	64	100
Health and Welfare Department, add'l, State Hospital South	S 1207	31	43
Health and Welfare Department, child welfare, developmentally disabled	S 1403	189	210
Health and Welfare Department, health care policy initiatives, add'l	H 650	283	284
Health and Welfare Department, independent councils/indirect support/license	S 1413	205	236
Health and Welfare Department, mental health, substance abuse	H 579	189	224
Health and Welfare Department, public health services	H 566	194	224
Higher Education Stabilization Fund	S 1429	265	273
Hispanic Affairs Commission	H 567	177	223
Idaho State Historical Society	S 1407	204	235
Idaho State Lottery	S 1365	136	157
Idaho State Police	S 1390	163	185
Idaho State Police, add'l	H 612	229	255
Idaho State Police, revised	H 403	59	69
Industrial Commission	S 1380	150	179
Insurance Department	S 1381	150	179
Juvenile Corrections Department	H 562	177	223
Juvenile Corrections Department, add'l	S 1233	45	62
Labor Department	S 1400	189	210
Labor Department, add'l	H 364	41	51
Lands Department	H 640	277	279
Lands Department, add'l	H 646	278	281
Lands Department, add'l	S 1200	27	36
Lava Hot Springs Foundation	H 547	156	220
Legislative Legal Defense Fund	S 1428	261	269
Legislative Services Office	S 1411	205	236
Library Commission	S 1392	163	185
Library Commission, add'l	S 1429	265	273
Lieutenant Governor	S 1396	177	196
Local Highway Distribution Fund, transfers to fund	H 626	257	272
Millennium Income Fund, tobacco/drug programs	S 1410	204	236
Pardons and Parole Commission	S 1405	204	235
Parks and Recreation Department	S 1401	189	210
Pest Control Deficiency Fund	H 342	39	46
Public Employee Retirement System of Idaho	S 1363	135	157
Public Health Trust Fund	H 549	156	220
Public School Income Fund, add'l	H 647	278	282
Public Utilities Commission	H 548	156	220
Secretary of State	H 563	177	223
Secretary of State, add'l	S 1418	229	255
Secretary of State, add'l, voting system grant program	H 384	54	66
Self-Governing Agencies, Public Defense Commission	H 578	189	224
Self-Governing Agencies, Public Defense Commission, add'l	H 609	229	254
Self-Governing Agencies, Veterans Services Division	H 552	156	221
Self-Governing Agencies, medical boards	H 598	209	231
Self-Governing Agencies, medical boards, add'l	S 1199	27	36
Self-Governing Agencies, regulatory boards	S 1372	136	160
Soil and Water Conservation Commission	S 1416	222	253
State Appellate Public Defender	H 600	209	235

	Bill Number	Intro. Page	Vote Page
APPROPRIATIONS (Continued)			
State Controller.....	S 1397	177	196
State Independent Living Council.....	S 1364	136	157
Superintendent of Public Instruction.....	S 1424	238	257
Superintendent of Public Instruction, add'l.....	S 1429	265	273
Superintendent of Public Instruction, revised.....	S 1424	238	257
Supreme Court.....	H 576	189	224
Supreme Court, add'l, District Courts/Magistrates Division.....	S 1427	257	268
Supreme Court, revised.....	H 608	229	254
Tax Appeals Board.....	H 588	201	231
Tax Commission.....	H 589	201	231
Transportation Department.....	S 1423	238	263
Transportation Department, add'l.....	H 363	41	51
Transportation Department, add'l.....	S 1423	238	263
Treasurer, State.....	H 601	209	235
University of Idaho, Agricultural Research/Extension.....	S 1426	248	267
Water Resources Department.....	S 1402	189	210
Water Resources Department, add'l.....	H 446	79	97
Wolf Control Fund.....	S 1414	222	252
ARCHITECTURE AND ARCHITECTS			
Architectural Examiners Board, provisions of membership.....	H 482	143	213
Architectural Examiners Board, revise compensation.....	H 366	51	198
ARMED FORCES			
See MILITARY AND MILITIA			
ARTS			
Commission, appropriation.....	H 642	277	281
Commission, appropriation.....	S 1368	136	158
ASSESSMENTS AND ASSESSORS			
Appeal process if no longer assessed as forest land.....	H 345	51	69
Homeowner's exemption, \$100K, no inflation adjuster.....	H 431	74	174
Homeowner's exemption, \$100K, no inflation adjuster, trailer.....	H 634	269	-
Tax Commission, certain school district reports, availability.....	H 391	65	166
Tax Commission, no taxable value report to Department of Education.....	H 358	51	70
ASSISTED LIVING AND NURSING HOMES			
Nursing Home Administrators Board, provisions regarding membership.....	H 482	143	213
Residential care/assisted living facilities, citations.....	S 1341	91/150	161
ASSOCIATIONS			
Homeowner associations, prohibited conduct.....	H 511	136	203
Homeowner associations, when legal fees/costs allowed.....	S 1317	82/221	230
ATCHLEY, EMMA LOU			
Appointment, Member: State Board of Education			
Appointed by Governor/to Education (Jan. 13).....		12	
Committee Report.....		103	
Confirmed by Senate.....			108
ATHLETICS			
Matt Paradis, Denver Broncos, Super Bowl Championship.....	HCR 42	96	127
Uniform Athlete Agents Act, revised.....	H 398	93	213
Youth athletes, permission, post-concussion protocol.....	H 557	201	237
ATTACHES			
See EMPLOYERS AND EMPLOYEES			
See also SENATE			
Oath of Office (Attaches and First Group Pages)			
List of, January 14, 2016.....		14	
Oath of Office (Second Group Pages)			
List of, February 24, 2016.....		123	
ATTEBURY, DERICK ELDON			
Appointment, Member: Idaho Fish and Game Commission			
Appointed by Governor/to Resources and Environment (Jan. 14).....		15	
Committee Report.....		49	
Confirmed by Senate.....			53

	Bill Number	Intro. Page	Vote Page
ATTORNEY GENERAL			
Allow INL research quantities of spent fuel, urge AG.....	HCR 60	269	283
Appropriation.....	H 577	189	280
Investigation and action against county elected officer.....	S 1255	57	119
ATTORNEYS			
Public defense, appropriations from certain funds.....	S 1361	127	161
State Public Defense Commission duties, county funds, grants.....	H 504	150	206
AUDITORIUM DISTRICTS			
See DISTRICTS			
AUTOMOBILES			
See MOTOR VEHICLES			
AWARDS			
See HONORS AND AWARDS			
- B -			
BAIL			
Bail enforcement agents, requirements, prohibitions.....	H 508	150	-
BALLOTS			
See ELECTIONS			
BANKS AND FINANCIAL INSTITUTIONS			
Idaho Bond Bank Authority, funds, costs	H 427	87	199
Trusts, certain persons/trustees shall not require charter.....	S 1314	82	120
BARBERS			
Barber Examiners Board, provisions regarding membership.....	H 482	143	213
Barber college licensing, student qualifications.....	H 486	105	198
BEANS			
Commemorating pulse crop for singular recognition	HCR 32	93	159
BECK, CHRIS CHARLES			
Appointment, Member: Oil and Gas Commission			
Appointed by Governor/to Resources and Environment (Jan. 14).....		16	
Committee Report.....		107	
Confirmed by Senate.....			111
BEER			
See LIQUOR			
BETTS, JEFFREY			
Appointment, Member: Sexual Offender Management Board			
Appointed by Governor/to Judiciary and Rules (Feb. 10).....		71	
Committee Report.....		88	
Confirmed by Senate.....			95
BEVERAGES			
Alcohol beverage catering permit, two or more wineries	S 1356	123	160
Alcohol beverage catering permits, provisions.....	S 1354	123/261	171/268
Alcoholic beverages, prohibited acts, licensed premises.....	H 544	189	252
Powdered alcohol, definition, prohibition/violations	H 331	136	251
Retail sale of liquor by the drink, "person" defined	H 362	54/113	165
Tax on production of wine/certain grapes.....	H 456	112	197
BINGO AND RAFFLES			
Bingo and raffles, definitions, conditions/procedures.....	S 1357	123	-
BINGO-RAFFLE ADVISORY BOARD			
Anderson, Rayelle: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 26).....		35	
Committee Report.....		76	
Confirmed by Senate.....			95
BIOLOGY			
See SCIENCE AND TECHNOLOGY			
BIRDS			
Hunting, prohibit use of unmanned aircraft.....	S 1213	35	59
Upland game bird permit, revised age provision.....	H 350	51	202

SENATE INDEX

	Bill Number	Intro. Page	Vote Page
BLACK, PETER J.			
Appointment, Member: Parks and Recreation Board			
Appointed by Governor/to Resources and Environment (Jan. 14).....		16	
Committee Report.....		92	
Confirmed by Senate.....			96
BLANCO, DANIEL A.			
Appointment, Member: Idaho Fish and Game Commission			
Appointed by Governor/to Resources and Environment (Jan. 14).....		15	
Committee Report.....		49	
Confirmed by Senate.....			53
BLIND			
Blind/Visually Impaired Commission, appropriation	S 1394	163	186
Blind/Visually Impaired Commission, appropriation, add'l.....	S 1216	38	54
BOARD OF ENVIRONMENTAL QUALITY			
Boling, Kevin C.: Appointment, Member			
Appointed by Governor/to Health and Welfare (Jan. 13).....		13	
Committee Report.....		143	
Confirmed by Senate.....			156
MacMillan, John Randolph: Appointment, Member			
Appointed by Governor/to Health and Welfare (Jan. 13).....		13	
Committee Report.....		143	
Confirmed by Senate.....			153
Purdy, L.N. Nick: Appointment, Member			
Appointed by Governor/to Health and Welfare (Jan. 13).....		13	
Committee Report.....		143	
Confirmed by Senate.....			153
BOARD OF TAX APPEALS			
Heinrich, Leland G.: Appointment, Member			
Appointed by Governor/to Local Government and Taxation (Jan. 14).....		17	
Committee Report.....		53	
Confirmed by Senate.....			57
Kingham, David E.: Appointment, Member			
Appointed by Governor/to Local Government and Taxation (Jan. 15).....		19	
Committee Report.....		52	
Confirmed by Senate.....			57
Pike, Linda: Appointment, Member			
Appointed by Governor/to Local Government and Taxation (Jan. 15).....		19	
Committee Report.....		53	
Confirmed by Senate.....			57
BOARDS			
Accountancy Board, revise provisions regarding membership	H 482	143	213
Acupuncture Board, revise provisions regarding membership	H 482	143	213
Architectural Examiner Board, membership provisions.....	H 482	143	213
Architectural Examiners Board, revise compensation	H 366	51	198
Barber Examiners Board, membership provisions.....	H 482	143	213
Certain licensure boards, positions and qualifications.....	H 480	143	211
Community College Boards, clarify powers over property.....	S 1209	31	-
Community College Districts, powers of board.....	S 1320	82	136
Contractors Board, revise provisions regarding membership.....	H 482	143	213
Cosmetology Board, revise provisions regarding membership.....	H 482	143	213
Counselors/Marriage/Family Therapists Board, membership.....	H 482	143	213
Dentistry Board, revise provisions regarding membership.....	H 482	143	213
Dentistry Board, revise provisions regarding membership.....	H 482	143	213
Drinking Water/Wastewater Board, membership provisions.....	H 482	143	213
Electrical Board, revise provisions regarding membership	H 482	143	213
Endowment Fund Investment Board, appropriation	H 546	156	220
Engineers and Surveyors Board to promulgate plat rules	S 1284	72	-
Engineers/Land Surveyors Board, membership provisions	H 482	143	213
Engineers/surveyors Board, exams, restricted licensure.....	S 1285	73/113	141
Factory Built Structures Advisory Board.....	H 371	65/216	230

	Bill Number	Intro. Page	Vote Page
BOARDS (Continued)			
Fire Protection District, board requirements and size.....	H 405	74	173
Genetic Counselors Licensing Board, membership	H 482	143	213
Heating/Ventilation/Air Conditioning Board, membership	H 482	143	213
Hospital Districts, board may appoint certain members.....	H 533	170	214
Landscape Architects Board, membership provisions	H 482	143	213
Liquefied Petroleum Gas Safety Board, membership	H 482	143	213
Medical boards, appropriation, add'l	S 1199	27	36
Medicine Board, revise provisions regarding membership	H 482	143	213
Morticians Board, revise provisions regarding membership	H 482	143	213
Nursing Board, revise provisions regarding membership.....	H 482	143	213
Nursing Home Administrators Board, membership provisions.....	H 482	143	213
Occupational Therapy Licensure Board, membership.....	H 482	143	213
Optometry Board, revise provisions regarding membership	H 482	143	213
Outfitters/Guides Licensing Board, membership provisions	H 482	143	213
Pharmacy Board, authority over durable medical supplies	S 1264	61	120
Pharmacy Board, durable medical equipment provisions.....	S 1387	163	195
Pharmacy Board, revise provisions regarding membership.....	H 482	143	213
Pharmacy Board, terms of office and compensation	H 336	59	166
Physical Therapy Licensure Board, membership provisions.....	H 482	143	213
Plumbing Board, revise provisions regarding membership.....	H 482	143	213
Podiatry Board, revise provisions regarding membership.....	H 482	143	213
Professional Geologists Registration Board, membership.....	H 482	143	213
Psychologist Examiners Board, membership provisions.....	H 482	143	213
Public Works Contractor License Board, membership provisions.....	H 482	143	213
Real Estate Appraisers Board, membership provisions.....	H 482	143	213
Residential Care Facility Administrators Board, membership	H 482	143	213
Revise provisions regarding members of certain boards.....	H 482	143	213
STEM Action Center Board, provisions.....	S 1249	54	101
School Board Trustees, recall election, filling vacancy	S 1273	65	-
School Board of Trustees, provisions regarding elections.....	S 1257	58/261	124/267
School Board of Trustees, terms, meetings.....	S 1307	79	-
Shorthand Reporters Board, membership provisions.....	H 482	143	213
Social Work Examiners Board, membership provisions	H 482	143	213
Transportation Board, bases for removal of director.....	S 1246	53	100
Underground Facilities Damage Prevention Board	H 454	123	213
Veterinary Medicine Board, provisions regarding membership	H 482	143	213
BOATS			
Invasive species, mussels, citations, inspection.....	S 1355	123	-
Paddleboards, similar vessels taxable to nonresident	H 348	51	69
BOLING, KEVIN C.			
Appointment, Member: Board of Environmental Quality			
Appointed by Governor/to Health and Welfare (Jan. 13).....		13	
Committee Report.....		143	
Confirmed by Senate.....			156
BONDS			
Cigarette taxes, wholesaler bonding requirements.....	H 376	59	101
Highway transportation, bonding for certain project.....	S 1263	61	99
Idaho Bond Bank Authority, funds, costs	H 427	87	199
School District Bond Credit Enhancement Program, limits.....	S 1272	65	146
School bond guarantee, limitation.....	H 426	83	199
BOOTH, WILLIAM B.			
Appointment, Member: Northwest Power and Conservation Council			
Appointed by Governor/to Resources and Environment (Feb. 18).....		98	
Committee Report.....		147	
Confirmed by Senate.....			156
BRACKEBUSCH, GRANT A.			
Appointment, Member: Idaho Lottery Commission			
Appointed by Governor/to State Affairs (Mar. 15).....		200	
Committee Report.....		233	
Confirmed by Senate.....			241

	Bill Number	Intro. Page	Vote Page
BREWERIES			
Allows persons under 21 to enter or be on premises	H 597	226/234	250
Allows persons under 21 to enter or be on premises	H 649	280	282
BUDGET MESSAGE			
Governor C. L. "Butch" Otter, January 11, 2016.....		4	
BUDGETS			
Budget Stabilization Fund, transfer provisions	S 1331	89	-
Taxing Districts, budgeting forgone increases	H 474	99	174
BUFFINGTON, M. DEAN			
Appointment, Member: Idaho Endowment Fund Investment Board			
Appointed by Governor/to State Affairs (Jan. 13).....		12	
Committee Report.....		67	
Confirmed by Senate.....			72
BUILDING SAFETY DIVISION			
Appropriation.....	S 1379	149	179
Appropriation, add'l.....	H 365	41	54
Appropriation, revised	H 635	277	278
Factory Built Structures Advisory Board.....	H 371	65/216	230
Idaho School Safety and Security Act	H 514	150	206
Submersible well pumps, approved locations.....	H 643	277	281
Underground Facilities Damage Prevention Board	H 454	123	213
BUSINESS ENTITIES			
Idaho Power's 100th anniversary, recognize and honor.....	HCR 43	131	193
BUXTON, SUSAN ELIZABETH			
Appointment: Administrator of the Division of Human Resources			
Appointed by Governor/to Commerce and Human Resources (Feb. 19)		103	
Committee Report.....		141	
Confirmed by Senate.....			152
- C -			
CALL FOR BILL			
To be reported forthwith from Committee (Senate Rule 14(E)):			
Senator Schmidt, S 1205, March 14, 2016		197	
Motion did not prevail, Committee Excused		197	
CALL OF THE SENATE			
Senator Keough, February 19, 2016		105	
Senator Keough, March 24, 2016		280	
CAMERON, DEAN L.			
Resignation Letter, January 11, 2016.....		2	
Appointment: Director of the Department of Insurance			
Appointed by Governor/to Commerce and Human Resources (Jan. 15).....		20	
Committee Report.....		37	
Confirmed by Senate.....			40
CAMPAIGN FINANCE			
See CAMPAIGNS AND CANDIDATES			
CAMPAIGNS AND CANDIDATES			
Campaign contributions/expenditures, reporting	S 1299	74	-
Political statements, identity of person responsible.....	H 542	170	251
CANCER			
Workers compensation, firefighter occupational diseases.....	H 554	194	222
CAPITOL			
2016 U.S. Capitol Christmas tree, Idaho participation.....	HCR 46	156	226
Capitol Commission, appropriation.....	S 1406	204	235
CAPITOL MALL			
Administration Department, Capitol parking rules rejected.....	SCR 152	192	226
CATTLE			
See LIVESTOCK			

	Bill Number	Intro. Page	Vote Page
CEMETERIES AND CREMATORIIUMS			
Cemetery lots, resale of unused lots, compensation	H 496	140	198
Prearrangement sales contracts, additional requirements	H 369	69	180
Veterans cemetery in Eastern Idaho, endorse need.....	SCR 145	86	108
Veterans cemetery in Eastern Idaho, endorse need	SCR 149	121	148
CEREMONY, FLAG			
Presentation of State Flag, January 11, 2016.....		1	
Boise Police Department Honor Guard.....		1	
Pledge of Allegiance:			
Sarah Jane McDonald, Sergeant at Arms.....		1	
National Anthem:			
Nampa High School Chamber Singers, Nampa, Idaho.....		1	
Retrieve State Flag, March 24, 2016			
Sarah Jane McDonald, Sergeant at Arms.....		284	
Presented to Senator Mortimer		284	
CERTIFICATE OF ELECTION			
Senators.....		1	
CERTIFICATES OF APPOINTMENT			
Senator Appointments:			
Senator Kelly Anthon, July 2, 2016.....		2	
Senator Mark R. Harris, July 22, 2016		3	
Substitute Senator Appointments:			
Troy Rohn, March 22, 2016		240	
CHAPLAIN			
Chaplain, Father John Worster			
St. Mary's Catholic Church, Boise, Idaho.....		1	
Acting Chaplains			
President Pro Tempore Hill, January 15, 2016		18	
Senator Stennett, February 10, 2016		71	
Senator Mortimer, February 17, 2016.....		94	
CHARITIES			
Bingo and raffles, definitions, conditions/ procedures.....	S 1357	123	-
Delegation of power over minor, nonprofit assistance	H 573	201	-
Girl Scout/Boy Scout food products, sales tax exemption.....	H 449	99	-
STEM Action Center contributions, tax credit	H 357	69	171
CHILD PROTECTIVE ACT			
Child Protective Act, revise certain requirements	S 1328	89/163	184
Foster children, limitations on caregiver liability	S 1253	57	132
Juvenile proceedings, adoption, placement.....	H 556	170/242	251
CHILDREN			
Alcohol violations, certain records expunged/sealed.....	H 495	123	202
Alcohol, certain underage violations, penalties	H 494	140/233	250
Breweries, allows persons under 21 to be on premises.....	H 597	226/234	250
Breweries, allows persons under 21 to be on premises.....	H 649	280	282
Child Protective Act, revise certain requirements	S 1328	89/163	184
Compromise claim of minor, petition, priority, approval	H 558	170	219
Delegation of power over minor, nonprofit assistance	H 573	201	-
Delegation of power over minor/developmentally disabled.....	S 1375	139	-
Education Department, appropriation, public schools, Children's Programs.....	H 647	278	282
Electronic cigarettes, permit to sell, required sign.....	H 498	140	-
Foster children, limitations on caregiver liability	S 1253	57	132
Guardians of minors, modification and termination	S 1352	111	153
Health and Welfare, reporting requirements, foster care program	H 523	156	214
Idaho Unborn Infants Dignity Act	S 1349	104	-
Idaho Unborn Infants Dignity Act	S 1404	194/233	252
Juvenile proceedings, adoption, placement.....	H 556	170/242	251
Minors in possession of alcohol, limited immunity.....	H 521	170/221	230
Minors, inter vivos nomination appointment of guardian	S 1374	139	-
Sexual exploitation of child, electronically, penalties.....	H 555	177/216	230
Third grade reading instruction, intervention plan.....	H 451	128	197

	Bill Number	Intro. Page	Vote Page
CHILDREN (Continued)			
Unborn Child Protection from Dismemberment Abortion Act	S 1386	156	-
Wineries, minors allowed to enter or be on premises.....	S 1324	83	-
Youth Education Account, repeal.....	H 392	65	167
Youth athletes, permission, post-concussion protocol	H 557	201	237
CHIROPRACTORS			
Chiropractors, revised restrictions related to drugs	S 1231	43	109
Patient Freedom of Information Act, certain information	H 341	51	180
CHURCHES			
See RELIGION AND CHURCHES			
CIGARETTES			
See TOBACCO			
CILEK, JEFF			
Appointment, Member: Public Employee Retirement System of Idaho Board			
Appointed by Governor/to Commerce and Human Resources (Jan. 15)		19	
Committee Report.....		42	
Confirmed by Senate.....			45
CIRCUIT BREAKER TAX RELIEF			
See TAX AND TAXATION, PROPERTY			
CITIES			
Auxiliary containers, no regulation by municipality	H 372	59	206
Cemetery lots, resale of unused lots, compensation	H 496	140	198
City records, historical preservation, nonpaper mediums.....	H 443	170	214
Exclusions from local government purchasing laws.....	H 541	170	237
Highway Distribution Account, apportionment revised	S 1230	42	88
Highway Distribution Account, apportionment/hybrid fee	H 624	283	-
Irrigation District contract authority to construct wells.....	S 1243	51	-
Minimum wage, political subdivision no higher than Code.....	H 463	109	183
Tax deeds, nonapplication, municipality easements	S 1388	163/194	209
Urban renewal, provisions, requirements, reporting	H 606	257/269/274	276
CIVIL ACTIONS			
Dangerous and At-Risk Dogs Act.....	H 525	150	213
Public assistance, provisions for monetary penalties.....	S 1295	73	133
Unborn Child Protection from Dismemberment Abortion Act	S 1386	156	-
CIVIL RIGHTS			
Firearm rights not restored, certain felony convictions	S 1276	67	132
Firearm rights not restored, certain felony convictions	S 1383	150	179
Sexual orientation/gender identity, no discrimination.....	S 1196	23	-
CLARK, LINDA			
Appointment, Member: State Board of Education			
Appointed by Governor/to Education (Jan. 15)		19	
Committee Report.....		71	
Confirmed by Senate.....			77
CODES			
Administrative Code, certain electronic copies	S 1234	45	153
Idaho Code codifier's corrections	S 1218	38	119
Liquor license applications, update code reference	H 346	65	167
COLLECTIONS AND COLLECTION AGENCIES			
See DEBTORS AND CREDITORS			
COLLEGES AND UNIVERSITIES			
Barber college licensing, student qualifications.....	H 486	105	198
College and career advisors, provisions, reporting.....	S 1290	73	113
College savings accounts, unclaimed, responsibilities for.....	H 428	79	167
College scholarship eligibility, funds investment	S 1208	31	63
Community College Boards, clarify powers over property.....	S 1209	31	-
Community College Districts, powers of board.....	S 1320	82	136
Community College Districts, zones, trustees	H 387	62	-
Community colleges, creation/provisions trustee zones	H 512	136	205
Community colleges, tuition, out-of-district students.....	H 527	140	211
Education Board, University of Idaho, appropriation, health education	S 1399	189	210

	Bill Number	Intro. Page	Vote Page
COLLEGES AND UNIVERSITIES (Continued)			
Education Board, University of Idaho, appropriation, special programs	S 1398	189	210
Education Board, University of Idaho, appropriation, universities	H 637	277	278
Education Board, appropriation, community colleges	H 638	277	279
Higher Education Stabilization Fund, community college start-up	H 459	123	183
Higher Education Stabilization Fund, appropriation	S 1429	265	273
Idaho School Safety and Security Act	H 514	150	206
Industry Partner Fund, professional-technical colleges	S 1332	89/164	190
Noxious weeds, privately funded research facilities	H 469	136	202
Postsecondary credit scholarship, requirements, funds	H 477	170/218	230
Residency requirements for public higher education	S 1280	68/113	142
Scholarships, adult degree completion scholarship	S 1291	73/117	142
State educational agency employees, sick leave transfer	H 452	105/172	186
U of I Animal/Veterinary Science Department, Fish and Game Account funds	S 1258	58	106
Undergraduate students, tuition lock plan	S 1292	73	-
University of Idaho, appropriation, Agricultural Research/Extension	S 1426	248	267
COMMERCE			
Commerce Department, investigate improving broadband	HCR 58	257	-
Department, appropriation	H 587	201	231
Farm equipment repurchase requirements, charges	S 1359	127	154
Global Entrepreneurial Mission Program, provisions	H 377	65	174
Industry Partner Fund, professional-technical colleges	S 1332	89/164	190
COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED			
Payne, Sue A.: Appointment, Member			
Appointed by Governor/to Health and Welfare (Jan. 13)		11	
Committee Report		26	
Confirmed by Senate			28
Raubenheimer, Britt: Appointment, Member			
Appointed by Governor/to Health and Welfare (Jan. 15)		19	
Committee Report		26	
Confirmed by Senate			28
Schneider, Allan R.: Appointment, Member			
Appointed by Governor/to Health and Welfare (Jan. 13)		11	
Committee Report		26	
Confirmed by Senate			28
COMMISSION ON PARDONS AND PAROLE			
Dennis, Cortney C.: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Feb. 5)		61	
Committee Report		126	
Confirmed by Senate			152
Dressen, Anna Jane "Janie": Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Feb. 5)		60	
Committee Report		126	
Confirmed by Senate			152
Matthews, Mike H.: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Jan. 27)		37	
Committee Report		88	
Confirmed by Senate			96
COMMISSIONS			
Apple Commission, nomination and appointment of members	H 455	112	180
Aquaculture Commission, repeal	H 383	87	180
Blind/Visually Impaired Commission, appropriation	S 1394	163	186
Blind/Visually Impaired Commission, appropriation, add'l	S 1216	38	54
Catastrophic health care, reimbursement to County Commission	S 1211	32	63
Commission of Pardons and Parole rule rejected	HCR 39	140	170
Commission on Pesticide Management, repeal	S 1215	35	59
Dairy Products Commission, membership provisions	S 1259	58	79
Hispanic Affairs Commission, appropriation	H 567	177	223
Horse Racing Commission, certain payment to horse council	S 1220	39	-
Horse Racing Commission, certain payment to horse council	S 1298	74	119

	Bill Number	Intro. Page	Vote Page
COMMISSIONS (Continued)			
Library Commission, appropriation	S 1392	163	185
PUC/Tax/Industrial commissioner salary increase.....	H 575	189	223
Public Defense Commission, appropriation.....	H 578	189	224
Public Safety Communications Commission, established.....	S 1212	33	128
Public Utilities Commission safety, accident reporting rules rejected	HCR 51	177	241
Public Utilities Commission, appropriation	H 548	156	220
Real Estate Commission, revise provisions regarding membership.....	H 482	143	213
Soil and Water Conservation Commission, appropriation.....	S 1416	222	253
State Public Defense Commission duties, county funds, grants.....	H 504	150	206
Wheat Commission rules rejected.....	HCR 49	170	193
COMMITTEES			
Complete Medicaid waiver application, legislative committee.....	HCR 63	269	-
Foster care/conservators/guardians, legislative study	HCR 59	258	264
Health Care Task Force, remove reference.....	H 375	74	174
Income tax structure in Idaho, legislative study committee	SCR 155	259	267
Mitigating bias, contested cases, legislative study	SCR 151	178	193
Public procurement, legislative study committee	HCR 48	170	266
Public school funding formula, legislative study committee.....	HCR 33	99	182
Senate Rule 20, committee chair's decisions	SR 101	84	149
State employee group insurance plan, legislative study.....	HCR 61	277	277
COMMITTEES, SENATE			
See also SENATE INDEX, STANDING COMMITTEE ASSIGNMENTS			
Senator, Standing Committee Assignments: January 11, 2016		9	
Lincoln Day Service, Senators Lee and Souza, Co-chairmen		81	
Memorial Service, Senators Souza and Lee, Co-chairmen.....		88	
Idaho Day Service, Senator Burgoyne, Chair and Senators Den Hartog, Anthon.....		158	
COMMITTEES, STANDING, ASSIGNMENTS, REVISIONS			
Standing Committee Assignments.....		9	
COMMODITIES			
Apple Commission, nomination and appointment of members	H 455	112	180
Commemorating pulse crop for singular recognition	HCR 32	93	159
Tax on production of wine/certain grapes.....	H 456	112	197
Wheat Commission rules rejected.....	HCR 49	170	193
COMMUNICATIONS			
See TELECOMMUNICATIONS			
COMMUNITY PROPERTY			
Community or joint property, clarify characterization	S 1301	78	154
COMPACTS			
See MULTISTATE COMPACTS AND AGREEMENTS			
COMPUTERS			
See ELECTRONIC TECHNOLOGY			
CONCURRENCE, IN SENATE BILLS AMENDED IN THE HOUSE			
S 1265 , As Amended in the House.....		260	
S 1322 , As Amended in the House.....		260	
S 1257 , As Amended in the House.....		261	
S 1354 , As Amended in the House.....		261	
S 1297 , As Amended, As Amended, As Amended in the House		283	
CONDEMNATION			
See EMINENT DOMAIN			
CONFLICT OF INTEREST			
Pursuant to Senate Rule 39(H):			
S 1229 , Senator Keough.....		62	
Gubernatorial Appointment of Eric R. Anderson, Senator McKenzie.....		65	
Gubernatorial Appointment of Todd Lakey, Senator Lakey.....		66	
Gubernatorial Appointment of Mike H. Matthews, Senator McKenzie.....		96	
SJR 101 , Senator Hill		105	
S 1244 , Senators Guthrie and Nonini.....		105	
Gubernatorial Appointment of Terry Gestrin, Senator Lakey		108	
S 1248 , Senators Lakey and Thayn.....		109	

	Bill Number	Intro. Page	Vote Page
CONFLICT OF INTEREST (Continued)			
S 1311, Senators Davis, Winder and Stennett.....		125	
S 1269, Senator Winder.....		146	
S 1272, Senator Winder.....		146	
Gubernatorial Appointment of Anna Jane "Janie" Dressen, Senator McKenzie		152	
Gubernatorial Appointment of Cortney C. Dennis, Senator McKenzie.....		152	
S 1365, Senator Guthrie		157	
H 447, as amended in the Senate, Senators Anthon and Jordan.....		165	
H 459, Senator Lee.....		183	
H 463, Senator Jordan		183	
H 472, Senator Harris.....		187	
HCR 35, Senator Keough		193	
S 1395, Senator Vick.....		196	
H 511, Senators Lacey and Mortimer.....		203	
H 372, Senators Mortimer and Anthon.....		206	
S 1388, as amended, Senator Lakey		209	
H 501, Senator Keough.....		213	
H 546, Senator Winder.....		220	
H 576, Senator Lee.....		224	
H 579, Senator Nuxoll.....		224	
S 1317, as amended, Senators Rice, Mortimer and Lacey.....		230	
H 598, Senator Schmidt		231	
S 1420, Senators Burgoyne, Lee and Lodge.....		251	
S 1414, Senator Siddoway.....		252	
S 1415, Senator Nonini		253	
H 609, Senator Winder.....		254	
S 1427, Senators Burgoyne, Lee, McKenzie, and Lodge.....		268	
H 606, aa, aas, aas, Senators Lakey and Anthon		276	
H 644, as amended in the Senate, Senators Anthon and Lee.....		276	
H 637, Senator Rohn.....		278	
H 646, Senator Keough.....		281	
CONFLICTS OF INTEREST			
See ETHICS			
CONGRESS, UNITED STATES			
Allow demonstration projects on federal land, Congress	HJM 14	257	-
Congressional Prayer Caucus Foundation, support	HCR 62	283	-
CONSERVATION			
Invasive species, mussels, citations, inspection.....	S 1355	123	-
Sage-grouse, protect state conservation plans.....	HJM 13	99	193
Soil and Water Conservation Commission, appropriation.....	S 1416	222	253
Species Conservation Office, appropriation.....	H 564	177	223
Watershed Improvement Districts, dissolution.....	H 569	201	236
CONSERVATORS			
See GUARDIANS AND CONSERVATORS			
CONSTITUTION			
Idaho Limited Article V Convention Act	S 1350	111	178
CONSTITUTIONAL AMENDMENTS			
Idaho Limited Article V Convention Act	S 1350	111	178
Legislative response to administrative rules	HJR 5	201	280
Legislative session for vetoed bills	SJR 101	44	105
CONSTRUCTION			
Hydroelectric plant, when Irrigation District vote unneeded	S 1304	78	133
Irrigation District contract authority to construct wells.....	S 1243	51	-
Public works, award of contracts	S 1219	39	69
Underground Facilities Damage Prevention Board	H 454	123	213
CONTRACEPTIVES			
Contraceptives and prophylactics, repeal regulations.....	H 340	62	166
CONTRACTORS			
Associated Logging Contractors of Idaho, honor 50 years	HCR 35	123	193
Board, public works contractors, membership.....	H 482	143	213

	Bill Number	Intro. Page	Vote Page
CONTRACTORS (Continued)			
Public works, award of contracts	S 1219	39	69
Underground Facilities Damage Prevention Board	H 454	123	213
CONTRACTS			
Controlled hunt drawings, contract with private entity	S 1305	78	-
Controlled hunt drawings, contract with private entity	S 1344	104	133
Education, supplemental duty/day contracts	H 537	177	219
Exclusions from local government purchasing laws.....	H 541	170	237
Irrigation District contract authority to construct wells.....	S 1243	51	-
Life insurance lapse/termination insurance protection	S 1316	82	-
Motor vehicle service contracts, reimbursement excluded.....	S 1262	61	109
Motor vehicles, proof of financial responsibility	S 1385	156	-
Noncompete clause violation, key employee, breach.....	H 487	201	248
Public works, award of contracts	S 1219	39	69
School employment contracts, remove state form approval.....	S 1248	54	109
State Procurement Act.....	H 538	170	266
CONTRIBUTIONS			
STEM Action Center contributions, tax credit	H 357	69	171
CONTROLLED SUBSTANCES			
Certain requirements for granting a withheld judgment.....	H 429	87	197
Controlled substances database, delegate access	H 374	74	174
Controlled substances database, who may access.....	H 337	59	166
Controlled substances, schedule II revised	H 335	59	165
Controlled substances, storage requirements	H 339	59	166
Office of Drug Policy, appropriation.....	H 550	156	221
CONTROLLER, STATE			
Appropriation.....	S 1397	177	196
CORONERS			
Controlled substances database, access by coroner	H 337	59	166
CORPORATIONS			
Benefit corporations, annual report filing requirement.....	H 390	79	197
Benefit corporations, filing benefit report	S 1227	42	-
Corporate income tax, reduced.....	H 380	59	-
Domestic insurer, exception to certain requirements.....	H 440	87	180
Insurance, policies valuation/nonforfeiture standards.....	H 432	83	173
Irrigation corporations, maximum administrative charge.....	S 1240	50	132
CORRECTIONS			
Correction Department, appropriation.....	S 1409	204	236
Correction Department, appropriation, add'l.....	S 1353	118	145
Labor of prisoners, community service projects.....	S 1351	111	153
Parole violation hearing, nonviolent/nonsexual conduct.....	S 1343	99	183
Public records exemption, critical infrastructure	H 447	99/151	165
COSMETOLOGY			
Board, revise provisions regarding membership.....	H 482	143	213
Cosmetology license renewal/reinstatement	H 441	99	197
COUNCILS			
Developmental Disabilities Council regarding membership	S 1268	62	120
Independent Living Council, revise reference	S 1323	83	154
State Independent Living Council, appropriation	S 1364	136	157
COUNSELING AND COUNSELORS			
Counselors/Marriage/Family Therapists Board, membership.....	H 482	143	213
Genetic counseling board, membership	H 482	143	213
COUNTIES			
Absentee ballot application deadline revised.....	S 1274	65	145
Auxiliary containers, no regulation by municipality	H 372	59	206
Catastrophic health care, reimbursement to County Commission.....	S 1211	32	63
Community colleges, tuition, out-of-district students.....	H 527	140	211
County elected officers, attorney general investigation	S 1255	57	119
Early voting, eligible counties, tabulation system	S 1275	65	145
Election results posting at polling place not required.....	S 1377	149	190

	Bill Number	Intro. Page	Vote Page
COUNTIES (Continued)			
Engineers and Surveyors Board to promulgate plat rules	S 1284	72	-
Exclusions from local government purchasing laws.....	H 541	170	237
Highway Distribution Account, apportionment revised	S 1230	42	88
Highway Distribution Account, apportionment/hybrid fee	H 624	283	-
Homeowner's exemption, \$100K, no inflation adjuster.....	H 431	74	174
Homeowner's exemption, \$100K, no inflation adjuster, trailer	H 634	269	-
Irrigation District contract authority to construct wells.....	S 1243	51	-
Minimum wage, political subdivision no higher than Code.....	H 463	109	183
Public defense, appropriations from certain funds.....	S 1361	127	161
Review of highway decision, request nonresident judge.....	H 536	189	220
State Public Defense Commission duties, county funds, grants.....	H 504	150	206
Tax deed sale proceeds, unclaimed property	S 1347	104/164	179
Tax deeds, nonapplication, municipality easements	S 1388	163/194	209
Urban renewal, provisions, requirements, reporting.....	H 606	257/269/274	276
COURTS			
Abuse or neglect of a vulnerable adult, definition.....	S 1327	89	153
Animal cruelty, presentence psychological evaluation	S 1309	79	-
Child Protective Act, revise certain requirements	S 1328	89/163	184
Companion animals, torture, definitions, penalties.....	H 524	140	202
Compromise claim of minor, petition, priority, approval	H 558	170	219
Court fees to general fund, not specialty courts	H 461	109	144
District judges, salary set.....	S 1420	229	251
Fines and forfeitures, apportionment to certain funds	H 493	131	-
Juvenile proceedings, adoption, placement.....	H 556	170/242	251
Juveniles, informal disposition of petition requirement.....	S 1235	50	124
Protection orders, malicious harassment, stalking	S 1373	139	183
Public defense, appropriations from certain funds.....	S 1361	127	161
Renewal of judgment on liens, increase period of time	S 1362	127	161
State Appellate Public Defender, powers and duties	H 439	105	205
State Public Defense Commission duties, county funds, grants.....	H 504	150	206
Supreme Court, appropriation	H 576	189	224
Supreme Court, appropriation, add'l, District Court/Magistrate Division.....	S 1427	257	268
Supreme Court, appropriation, revised.....	H 608	229	254
CRAPO, MICHAEL D.			
US Senator Address, February 16, 2016.....		92	
CRAVENS, L. DANIEL			
Appointment, Member: Idaho Commission on Human Rights			
Appointed by Governor/to State Affairs (Mar. 8).....		169	
Committee Report.....		233	
Confirmed by Senate.....			241
CRAWFORD, WILLIAM DALE			
Appointment, Member: Sexual Offender Management Board			
Appointed by Governor/to Judiciary and Rules (Jan. 20)		27	
Committee Report.....		88	
Confirmed by Senate.....			108
CREDIT AND CREDITORS			
See DEBTORS AND CREDITORS			
CRIMINAL BACKGROUND CHECKS			
Health and Welfare, background checks, no federal pilot program	S 1296	74	133
CRIMINAL OFFENSES AND PROCEDURES			
Abuse or neglect of a vulnerable adult, definition.....	S 1327	89	153
Agricultural facilities, biosecurity breach, penalties.....	H 531	170	211
Alcohol violations, certain records expunged/sealed.....	H 495	123	202
Alcohol, certain underage violations, penalties	H 494	140/233	250
Alcoholic beverages, prohibited acts, licensed premises.....	H 544	189	252
Animal cruelty, presentence psychological evaluation	S 1309	79	-
Bail enforcement agents, requirements, prohibitions.....	H 508	150	-
Companion animals, torture, definitions, penalties.....	H 524	140	202
Concealed weapons law, repeal, add new section	S 1378	149	-

	Bill Number	Intro. Page	Vote Page
CRIMINAL OFFENSES AND PROCEDURES (Continued)			
Concealed weapons, prohibited conduct	S 1389	163	209
Controlled substance, requirement for withheld judgment	H 429	87	197
County elected officers, attorney general investigation	S 1255	57	119
Court fees to general fund, not specialty courts	H 461	109	144
Dangerous and At-Risk Dogs Act	H 525	150	213
Engineers/surveyors, practicing without license	S 1287	73	113
Fines and forfeitures, apportionment to certain funds	H 493	131	-
Firearm rights not restored, certain felony convictions	S 1276	67	132
Firearm rights not restored, certain felony convictions	S 1383	150	179
Game animal, penalty for killing, possession, waste	S 1226	41	-
Idaho Unborn Infants Dignity Act	S 1349	104	-
Idaho Unborn Infants Dignity Act	S 1404	194/233	252
Juveniles, informal disposition of petition requirement	S 1235	50	124
Minors in possession of alcohol, limited immunity	H 521	170/221	230
Parole violation hearing, nonviolent/nonsexual conduct	S 1343	99	183
Powdered alcohol, definition, prohibition/violations	H 331	136	251
Protection orders, malicious harassment, stalking	S 1373	139	183
Public defense, appropriations from certain funds	S 1361	127	161
Sex offenses, rape gender neutral	H 580	229	261
Sexual battery of adult, rape gender neutral	S 1277	68	132
Sexual exploitation of child, electronically, penalties	H 555	177/216	230
State Appellate Public Defender, powers and duties	H 439	105	205
State Public Defense Commission duties, county funds, grants	H 504	150	206
Unborn Child Protection from Dismemberment Abortion Act	S 1386	156	-

CROPS

See AGRICULTURE

- D -

DAMS

Water resources, artificial barriers, embankments	H 351	51	206
---	-------	----	-----

DAYS

See HOLIDAYS AND DAYS

DEATH

Cemetery lots, resale of unused lots, compensation	H 496	140	198
Controlled substances database, who may access	H 337	59	166
Health and Welfare Department, duties include suicide prevention services	S 1326	87	146

DEBTORS AND CREDITORS

Appraisal Management Company Registration/Regulation Act	S 1318	82	124
Irrigation District late assessments, tax deed sale, when	S 1242	51	132
Irrigation assessments, delinquency dates clarified	S 1241	51	132
School bond guarantee, limitation	H 426	83	199
Tax deed sale proceeds, unclaimed property	S 1347	104/164	179

DEEDS

Foreclosure, trustee sale, nontitled personal property	S 1315	82/172/182	196
Tax deeds, clarification of the term "encumbrances"	S 1348	104	-
Tax deeds, nonapplication, municipality easements	S 1388	163/194	209
Trust deeds, definition of the term "trustee"	H 503	143	219

DENNIS, CORTNEY C.

Appointment, Member: Commission on Pardons and Parole			
Appointed by Governor/to Judiciary and Rules (Feb. 5)		61	
Committee Report		126	
Confirmed by Senate			152

DENTISTRY AND DENTISTS

Board, revise provisions regarding membership	H 482	143	213
Patient Freedom of Information Act, certain information	H 341	51	180

DENTURISTS

See PROFESSIONS

	Bill Number	Intro. Page	Vote Page
DEVELOPMENT			
Idaho Rural Development Partnership Act, revised.....	H 417	79	180
Urban renewal, provisions, requirements, reporting.....	H 606	257/269/274	276
DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION			
Geddes, Bob: Appointment, Director			
Appointed by Governor/to State Affairs (Jan. 15).....		20	
Committee Report.....		44	
Confirmed by Senate.....			53
DIRECTOR OF THE DEPARTMENT OF COMMERCE			
Ronk, Megan: Appointment, Director			
Appointed by Governor/to Commerce and Human Resources (Jan. 20).....		27	
Committee Report.....		52	
Confirmed by Senate.....			57
DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY			
Tippets, John H.: Appointment, Director			
Appointed by Governor/to Health and Welfare (Jan. 15).....		20	
Committee Report.....		143	
Confirmed by Senate.....			153
DIRECTOR OF THE DEPARTMENT OF INSURANCE			
Cameron, Dean L.: Appointment, Director			
Appointed by Governor/to Commerce and Human Resources (Jan. 15).....		20	
Committee Report.....		37	
Confirmed by Senate.....			40
DISABLED			
College scholarship eligibility, funds investment.....	S 1208	31	63
Delegation of power over minor/developmentally disabled.....	S 1375	139	-
Developmental Disabilities Council regarding membership.....	S 1268	62	120
Foster care/conservators/guardians, legislative study.....	HCR 59	258	264
Independent Living Council, revise reference.....	S 1323	83	154
Medical assistance, benchmark plan, eligibility.....	S 1205	31	-
State Independent Living Council, appropriation.....	S 1364	136	157
Vocational rehabilitation, acceptance of federal acts.....	S 1232	43	101
DISASTERS			
Homeland Security to Office of Emergency Management.....	H 355	87	186
DISCLOSURE, CONFLICTS OF INTEREST			
See also VOTING, EXCUSED FROM			
DISCRIMINATION			
Sexual orientation/gender identity, no discrimination.....	S 1196	23	-
DISEASES			
Investigational drugs, Right To Try Act.....	H 481	139	198
Livestock removal requirements and trichomoniasis.....	S 1214	35	106
Workers compensation, firefighter occupational diseases.....	H 554	194	222
DISTRICTS			
See also SCHOOLS AND SCHOOL DISTRICTS			
Cemetery lots, resale of unused lots, compensation.....	H 496	140	198
Community College Districts, powers of board.....	S 1320	82	136
Community College Districts, zones, trustees.....	H 387	62	-
Community colleges, creation/provisions trustee zones.....	H 512	136	205
Fire Protection District, board requirements and size.....	H 405	74	173
Ground Water District, assessments, indebtedness.....	S 1224	41	112
Ground Water District, certain assessments, indebtedness.....	S 1225	41	102
Ground Water District, petition/assessments, annexed lands.....	S 1222	40	101
Ground Water Districts, participation by nonmembers.....	S 1223	40	102
Hospital Districts, board may appoint certain members.....	H 533	170	214
Irrigation assessments, delinquency dates clarified.....	S 1241	51	132
Irrigation, contract authority, construct/deepen well.....	S 1243	51	-
Irrigation, hydroelectric plants, when vote unneeded.....	S 1304	78	133
Irrigation, late assessments, sale of rights, tax deeds.....	S 1242	51	132
Public Health Trust Fund, appropriation.....	H 549	156	220
Recreational water/sewer districts, annexation.....	H 406	170	213

SENATE INDEX

	Bill Number	Intro. Page	Vote Page
DISTRICTS (Continued)			
Taxing Districts, formed by certain date to make levy.....	H 360	54	101
Watershed Improvement Districts, dissolution.....	H 569	201	236
DIVORCE			
See DOMESTIC RELATIONS			
DNA			
See SCIENCE AND TECHNOLOGY			
DOCTORS			
See PHYSICIANS AND SURGEONS			
DOGS			
See ANIMALS			
DOMESTIC RELATIONS			
Community or joint property, clarify characterization	S 1301	78	154
Estates, surviving spouse qualifications	S 1300	78/150	164
IRS tax code update, language regarding marriage.....	H 425	45	65
DRESSEN, ANNA JANE "JANIE"			
Appointment, Member: Commission on Pardons and Parole			
Appointed by Governor/to Judiciary and Rules (Feb. 5).....		60	
Committee Report.....		126	
Confirmed by Senate.....			152
DRINKS			
See BEVERAGES			
DRIVERS			
Driving privilege cards, eligibility requirements	S 1198	23	-
Electronic voter registration for persons with DMV IDs	S 1297	74/114/129/283	145/284
Federal REAL ID Act, implement certain provisions	H 513	170/190	205
Off-road vehicles, when permitted on highways	H 553	189	220
Seat belt violations, warning period, increased fine	S 1312	82/117	142
DRUG POLICY, OFFICE OF			
Appropriation.....	H 550	156	221
- E -			
EASEMENTS			
Motorbike Recreation Account funds, recreation easements.....	H 471	112	186
Tax deeds, clarification of the term "encumbrances".....	S 1348	104	-
Tax deeds, nonapplication, municipality easements	S 1388	163/194	209
EDUCATION			
Advanced opportunities, rulemaking, support program.....	H 458	123/150	165
Barber college licensing, student qualifications.....	H 486	105	198
Board/University of Idaho, appropriation, colleges and universities	H 637	277	278
Board, Office of, appropriation, add'l.....	H 647	278	282
Board, Office of, appropriation, add'l.....	S 1429	265	273
Board, appropriation, Career Technical Education Division	H 625	257	272
Board, appropriation, Idaho Public Television.....	S 1370	136	160
Board, appropriation, Office of	S 1412	205	236
Board, appropriation, University of Idaho, health education	S 1399	189	210
Board, appropriation, University of Idaho, special programs.....	S 1398	189	210
Board, appropriation, Vocational Rehabilitation Division.....	S 1395	177	196
Board, appropriation, add'l, Special Programs.....	H 645	277	281
Board, appropriation, community colleges	H 638	277	279
Broadband Infrastructure Improvement Grant Fund.....	S 1333	89	137
Career technical education, additional allocation for staff	H 630	269	275
Certificated employees, supplemental duty/day contracts	H 537	177	219
Charter School Debt Reserve Fund, appropriation.....	S 1430	266	273
Charter holders, petition, replication charter schools	S 1376	149	185
Civics test or school alternative, exception.....	S 1247	54	-
Civics test, applicability to special education pupils	S 1336	90	144

	Bill Number	Intro. Page	Vote Page
EDUCATION (Continued)			
Civics test, include Idaho specific questions.....	HCR 50	170	-
College savings accounts, unclaimed, responsibilities for.....	H 428	79	167
College scholarship eligibility, funds investment.....	S 1208	31	63
Community College Boards, clarify powers over property.....	S 1209	31	-
Community College Districts, powers of board.....	S 1320	82	136
Community College Districts, zones, trustees.....	H 387	62	-
Community colleges, creation/provisions trustee zones.....	H 512	136	205
Computer science initiative for public schools.....	H 379	54/129	165
Continuous improvement plans, additional requirement.....	H 560	177	219
Department, appropriation, public schools, Administrators Division.....	H 617	238	262
Department, appropriation, public schools, Central Service.....	H 647	278	282
Department, appropriation, public schools, Central Services Division.....	H 623	238	263
Department, appropriation, public schools, Children's Programs.....	H 647	278	282
Department, appropriation, public schools, Children's Programs Division.....	H 620	238	262
Department, appropriation, public schools, Facilities Division.....	H 621	238	263
Department, appropriation, public schools, Operations Division.....	H 619	238	262
Department, appropriation, public schools, Operations Division.....	H 647	278	282
Department, appropriation, public schools, Teachers Division.....	H 618	238	262
Department, appropriation, public schools, educational services.....	H 622	238	263
Education Board/Department Rule Docket 08-0203-1503 rejected.....	SCR 139	80	96
Education Board/Department Rule Docket 08-0203-1506 rejected.....	SCR 140	80	96
Education Board/Department Rule Docket 08-0203-1509 rejected.....	HCR 44	140	177
Education Board/Department Rule Docket 08-0203-1511 rejected.....	SCR 141	80	96
Education Board opportunity scholarship rules rejected.....	HCR 45	140	177
Education Opportunity Resource Act.....	S 1334	90	137
Education, professional-technical to career technical.....	S 1210	31	46
Educational support program, calculations, grades 8-12.....	H 629	269	275
Educational support program, literacy intervention.....	H 526	136	203
Educational support, program calculations.....	S 1289	73	-
Governor, Office of, STEM Action Center, appropriation, add'l.....	S 1429	265	273
Higher Education Stabilization Fund, community college start-up.....	H 459	123	183
Idaho School Safety and Security Act.....	H 514	150	206
Industry Partner Fund, professional-technical colleges.....	S 1332	89/164	190
Insulin and blood glucose supplies, district policy.....	S 1330	89	145
Leadership premiums, moneys distributed to school districts.....	S 1266	62	119
Leadership premiums, revise provisions.....	H 627	269	275
Local Innovation School Act.....	H 570	201	237
Mastery-based education, activity provisions.....	S 1267	62	119
Parental rights in education, responsibility, notice.....	S 1293	73/140	160
Postsecondary credit scholarship, requirements, funds.....	H 477	170/218	230
Public Education Stabilization Fund, provisions.....	S 1331	89	-
Public School Income Fund, appropriation, add'l.....	H 647	278	282
Public charter schools, amend, add provisions.....	S 1337	90	-
Public school funding formula, legislative study committee.....	HCR 33	99	182
Public school instruction, when Bible permitted.....	S 1321	82	-
Public schools, when religious texts permitted.....	S 1342	96/140	160
Residency requirements for public higher education.....	S 1280	68/113	142
Rural education support centers, provides for.....	H 628	269	-
STEM Action Center Board, provisions.....	S 1249	54	101
STEM Action Center, appropriation.....	S 1425	238	256
STEM education fund, creation, provisions.....	S 1279	68	113
Scholarships, adult degree completion scholarship.....	S 1291	73/117	142
School bond guarantee, limitation.....	H 426	83	199
School district professional personnel, evaluations.....	H 515	140	202
School employee career ladder, compensation, indicators.....	H 571	201	237
School employment contracts, remove state form approval.....	S 1248	54	109
Staff allowance, determination provisions.....	H 603	238	272
State educational agency employees, sick leave transfer.....	H 452	105/172	186
Statewide average class size, calculation of.....	H 476	112	186

	Bill Number	Intro. Page	Vote Page
EDUCATION (Continued)			
Supporting progress toward Idaho's "60 by 20" goal	SCR 134	30	57
Tax Commission, certain school district reports, availability.....	H 391	65	166
Tax Commission, no taxable value report to Department of Education	H 358	51	70
Third grade reading instruction, intervention plan.....	H 451	128	197
Trustee elections, elector qualifications, uniform date.....	S 1308	79	-
Trustees, provisions regarding elections	S 1257	58/261	124/267
Trustees, terms, meetings	S 1307	79	-
Undergraduate students, tuition lock plan.....	S 1292	73	-
University of Idaho, appropriation, Agricultural Research/Extension	S 1426	248	267
Youth Education Account, repeal.....	H 392	65	167
ELDERLY			
See SENIOR CITIZENS			
ELECTION, ATTACHES			
See ATTACHES, ELECTION OF; INDEX SECTION II			
ELECTION, CERTIFICATE OF			
See also SUBSTITUTE SENATORS; APPOINTED SENATORS			
ELECTIONS			
Absentee ballot application deadline revised.....	S 1274	65	145
Campaign contributions/expenditures, reporting	S 1299	74	-
Early voting, eligible counties, tabulation system	S 1275	65	145
Election results posting at polling place not required.....	S 1377	149	190
Electronic voter registration for persons with DMV IDs	S 1297	74/114/129/283	145/284
Hydroelectric plant, when Irrigation District vote unneeded	S 1304	78	133
Identification, additional forms allowed at polls.....	H 604	257	-
Political statements, identity of person responsible.....	H 542	170	251
Primary elections, provisions	S 1195	22	-
Primary elections, selecting/changing party affiliation.....	S 1203	30	-
School Board Trustees, recall election, filling vacancy.....	S 1273	65	-
School trustees, elector qualifications, uniform date	S 1308	79	-
School trustees, provisions regarding elections	S 1257	58/261	124/267
ELECTRICITY AND ELECTRICIANS			
Board, revise provisions regarding membership.....	H 482	143	213
Electric/hybrid vehicles, fee provisions	S 1311	81	125
Hydroelectric plant, when Irrigation District vote unneeded	S 1304	78	133
Idaho Power's 100th anniversary, recognize and honor.....	HCR 43	131	193
Solar production of energy, taxation	H 534	150	206
Submersible well pumps, approved locations.....	H 643	277	281
Water diversion, incidental hydropower use, conditions	S 1278	68	133
ELECTRONIC TECHNOLOGY			
Administrative Code, certain electronic copies	S 1234	45	153
Broadband Infrastructure Improvement Grant Fund.....	S 1333	89	137
Broadband Infrastructure Improvement Grant Fund, appropriation.....	S 1429	265	273
Career technical education, additional allocation for staff.....	H 630	269	275
City records, historical preservation, nonpaper mediums.....	H 443	170	214
Commerce Department, investigate improving broadband	HCR 58	257	-
Education Opportunity Resource Act.....	S 1334	90	137
Electronic voter registration for persons with DMV IDs	S 1297	74/114/129/283	145/284
Patient Freedom of Information Act, certain information.....	H 341	51	180
Public records exemption, critical infrastructure	H 447	99/151	165
Public schools, computer science initiative	H 379	54/129	165
Sexual exploitation of child, electronically, penalties.....	H 555	177/216	230
Uniform Fiduciary Access to Digital Assets Act.....	S 1303	78/172	185
ELK (DOMESTIC CERVIDAE)			
See ANIMALS			
ELSAESSER, FORD			
Appointment, Member: Lake Pend Oreille Basin Commission			
Appointed by Governor/to Resources and Environment (Jan. 14).....		15	
Committee Report.....		215	
Confirmed by Senate.....			226

	Bill Number	Intro. Page	Vote Page
EMERGENCIES			
EMS Personnel Licensure Interstate Compact, enact.....	S 1281	68	125
EMT/paramedic scholarship eligibility, funds investment.....	S 1208	31	63
Homeland Security to Office of Emergency Management.....	H 355	87	186
Minors in possession of alcohol, limited immunity.....	H 521	170/221	230
Public Safety Communications Commission, established.....	S 1212	33	128
EMERGENCY FUND, LETTER FROM GOVERNOR			
January 12, 2016.....		10	
EMERGENCY MEDICAL TECHNICIANS			
See EMERGENCIES			
EMINENT DOMAIN			
Property valuation, factors in assessing.....	S 1245	53	-
Regulatory takings, request by owner for analysis.....	S 1325	83	145
EMPLOYERS AND EMPLOYEES			
See also LABOR			
Employment security law, notice and appeal provisions.....	H 397	69	196
Industry Partner Fund, professional-technical colleges.....	S 1332	89/164	190
Minimum wage, political subdivision no higher than Code.....	H 463	109	183
National Apprenticeship Week, recognize.....	HCR 36	93	152
National Guard activation, re-employment rights.....	H 473	123	186
Noncompete clause violation, key employee, breach.....	H 487	201	248
School employee career ladder, compensation, indicators.....	H 571	201	237
School employment contracts, remove state form approval.....	S 1248	54	109
State educational agency employees, sick leave transfer.....	H 452	105/172	186
State employee group insurance plan, legislative study.....	HCR 61	277	277
State employee health savings account, employer portion.....	S 1319	82	-
State employee health savings account, employer portion.....	S 1346	104	144
State personnel, add to list of nonclassified employees.....	S 1202	27	63
Teacher leadership premiums, revise provisions.....	H 627	269	275
Unemployment benefits, expanded claims notice provision.....	H 396	69	191
Unemployment, benefit formula, taxable wage rate.....	H 485	150	213
Withholding tax, certain employers to pay monthly.....	H 353	51	69
Withholding tax, employer payment/correction deadlines.....	H 352	51	101
Workers compensation, firefighter occupational diseases.....	H 554	194	222
EMPLOYMENT SECURITY LAW			
Employment security law, notice and appeal provisions.....	H 397	69	196
Taxable wage rate, unemployment benefit formula.....	H 485	150	213
Unemployment benefits, expanded claims notice provision.....	H 396	69	191
Workforce Development Training Fund, transfer and uses.....	S 1288	73	142
ENDERUD, SHELLY JO			
Appointment, Member: State Building Authority			
Appointed by Governor/to State Affairs (Mar. 1).....		138	
Committee Report.....		233	
Confirmed by Senate.....			241
ENDOWMENT FUNDS AND LANDS			
Endowment Fund Investment Board, appropriation.....	H 546	156	220
Endowment and other fund investments by State Treasurer.....	H 464	123	199
Environmental Protection Trust Fund, uses, investment.....	S 1269	62	146
Idaho Multiple Use Sustained Yield Act.....	H 582	226	-
Opportunity scholarship program, funds investment.....	S 1208	31	63
School District Bond Credit Enhancement Program, limits.....	S 1272	65	146
State trust land, oppose use based on exclusivity.....	HCR 53	229	-
ENERGY			
Allow INL research quantities of spent fuel, urge AG.....	HCR 60	269	283
Office of Energy Resources, appropriation.....	H 551	156	221
Solar production of energy, taxation.....	H 534	150	206
Water diversion, incidental hydropower use, conditions.....	S 1278	68	133
ENGINEERS AND SURVEYORS			
Board to promulgate certain rules related to plats/surveys.....	S 1284	72	-
Board, revise provisions regarding membership.....	H 482	143	213

	Bill Number	Intro. Page	Vote Page
ENGINEERS AND SURVEYORS (Continued)			
Licensure board, to hire certain persons	H 480	143	211
Retired professional engineer/land surveyor, defined	S 1286	73	112
Revise provisions regarding exams, restricted licensure	S 1285	73/113	141
Violations and penalties for practice without license	S 1287	73	113
ENVIRONMENT			
Allow demonstration projects on federal land, Congress	HJM 14	257	-
Aquatic invasive species, continued federal funding	SJM 104	76	96
Department of Agriculture/DEQ, management of cattle byproduct.....	S 1260	58/128	144
Department of Environmental Quality, IPDES permits, appeals, enforcement authority.....	S 1239	50	128
Department of Environmental Quality, appropriation.....	S 1415	222	253
Eastern Snake Plain Aquifer agreement, support.....	SCR 138	75	93
Eastern Snake Plain Aquifer recharge target	SCR 136	48	93
Electric/hybrid vehicles, fee provisions	S 1311	81	125
Environmental Protection Trust Fund, uses, investment	S 1269	62	146
Invasive species, mussels, citations, inspection	S 1355	123	-
Oil well, Lands Department duties, track integration, appeals.....	S 1306	78	-
Oil well, Lands Department duties, track integration, appeals.....	S 1339	90	130
Sage-grouse, protect state conservation plans.....	HJM 13	99	193
State or federal land, catastrophic public nuisance.....	S 1338	90	164
Underground storage tank program, funding, fees	S 1244	51	105
Water Resource Board, evaluate/manage aquifer shortage.....	SCR 137	48	93
Water body classifications, risk levels.....	S 1237	50	128
Water quality, authorizing access to certain records.....	S 1238	50	128
EQUIPMENT			
Equipment dealer protection law, unlawful acts, notice	S 1358	127	-
Farm equipment repurchase requirements, charges	S 1359	127	154
Sales/use tax, exempt certain hand tools.....	H 347	51	69
ESCROW			
See REAL ESTATE			
ESTATES			
Estates, remove reference to a family allowance.....	S 1302	78	171
Surviving spouse, qualifications, revocation by divorce.....	S 1300	78/150	164
Uniform Fiduciary Access to Digital Assets Act.....	S 1303	78/172	185
ETHICS			
Executive sessions, when authorized	S 1335	90	-
State Procurement Act	H 538	170	266
ETHNIC			
Black History Month, February, commemorate in Idaho	SCR 133	29	50
Hispanic Affairs Commission, appropriation.....	H 567	177	223
EUTHANASIA			
Humane Euthanasia Committee instead of task force	H 381	79	186
- F -			
FARMS AND FARMING			
See AGRICULTURE			
FEDERAL LAWS AND RELATIONS			
2016 U.S. Capitol Christmas tree, Idaho participation	HCR 46	156	226
Allow demonstration projects on federal land, Congress	HJM 14	257	-
Aquatic invasive species, continued federal funding	SJM 104	76	96
Columbia River Treaty, urge continuance.....	SJM 106	134	152
Federal REAL ID Act, implement certain provisions	H 513	170/190	205
Firearm sales, federally required records not public.....	H 478	136	219
Food safety modernization, Department of Agriculture regulate.....	H 499	136	198
Health and Welfare, background checks, no federal pilot program	S 1296	74	133
Idaho Limited Article V Convention Act	S 1350	111	178
Idaho Multiple Use Sustained Yield Act	H 582	226	-
Independent Living Council, revise reference	S 1323	83	154

	Bill Number	Intro. Page	Vote Page
FEDERAL LAWS AND RELATIONS (Continued)			
Sage-grouse, protect state conservation plans.....	HJM 13	99	193
State or federal land, catastrophic public nuisance.....	S 1338	90	164
USPS budget priorities, urge restructure.....	SJM 105	134	152
Vocational rehabilitation, acceptance of federal acts.....	S 1232	43	101
FEES			
Agency fee rules approved, except ISP and Health and Welfare	SCR 153	231	261
Compromise claim of minor, petition, priority, approval	H 558	170	219
Court fees to general fund, not specialty courts	H 461	109	144
Electric/hybrid vehicles, fee provisions	S 1311	81	125
Farm equipment repurchase requirements, charges.....	S 1359	127	154
Homeowner associations, when legal fees/costs allowed.....	S 1317	82/221	230
Irrigation District late assessments, tax deed sale, when.....	S 1242	51	132
Irrigation assessments, delinquency dates clarified	S 1241	51	132
Irrigation corporations, maximum administrative charge.....	S 1240	50	132
Mental disease institution, Medicaid reimbursement.....	H 500	140	199
Protection orders, malicious harassment, stalking	S 1373	139	183
FINANCE			
Appraisal Management Company Registration/Regulation Act.....	S 1318	82	124
Department, appropriation.....	S 1371	136	160
Endowment and other fund investments by State Treasurer	H 464	123	199
Financial Management Division, appropriation.....	H 610	229	254
FINANCIAL INSTITUTIONS			
See BANKS AND FINANCIAL INSTITUTIONS			
FINES			
Agricultural facilities, biosecurity breach, penalties.....	H 531	170	211
Alcohol, certain underage violations, penalties	H 494	140/233	250
Alcoholic beverages, prohibited acts, licensed premises.....	H 544	189	252
Court fees to general fund, not specialty courts	H 461	109	144
Fines and forfeitures, apportionment to certain funds.....	H 493	131	-
Motor vehicle financial responsibility, increased fines.....	S 1256	58/128/150	164
Seat belt violations, warning period, increased fine	S 1312	82/117	142
FIRE AND FIREFIGHTERS			
College scholarship eligibility, funds investment	S 1208	31	63
Fire Protection District, board requirements and size.....	H 405	74	173
Fire Suppression Deficiency Fund, appropriation.....	H 532	140	220
Fire Suppression Deficiency Fund, appropriation, add'l.....	H 636	277	278
Tax exemption, certain aircraft for wildfire activity	H 540	170	214
Taxing Districts, budgeting forgone increases	H 474	99	174
Workers compensation, firefighter occupational diseases.....	H 554	194	222
FIREARMS			
See WEAPONS			
FISH AND GAME			
Account transfers, U of I Animal/Veterinary Science Department	S 1258	58	106
Compensation for damage to bees/bee-hives by bears	S 1340	91	128
Controlled hunt drawings, contract with private entity	S 1305	78	-
Controlled hunt drawings, contract with private entity	S 1344	104	133
Department Rule Docket 13-0116-1501 rejected.....	HCR 55	226	241
Department education programs, trapping	H 378	65	202
Department, appropriation.....	H 641	277	279
Department, appropriation, add'l	H 349	39	46
Department, appropriation, add'l	H 646	278	281
Game animal, penalty for killing, possession, waste.....	S 1226	41	-
Governor's wildlife partnership tags, annual issuance.....	S 1236	50	-
Hunting, prohibit use of unmanned aircraft.....	S 1213	35	59
Hunting/trapping/fishing, license exceptions	H 462	131	-
Idaho Multiple Use Sustained Yield Act	H 582	226	-
State trust land, oppose use based on exclusivity.....	HCR 53	229	-
Upland game bird permit, revised age provision.....	H 350	51	202
Wolf Control Fund, appropriation	S 1414	222	252

	Bill Number	Intro. Page	Vote Page
FLAG CEREMONY			
Presentation of State flag, January 11, 2016:			
Boise Police Department Honor Guard.....		1	
Pledge of Allegiance:			
Sarah Jane McDonald, Sergeant at Arms.....		1	
Retrieve State Flag, Sine Die:			
Sarah Jane McDonald, Sergeant at Arms, March 24, 2016.....		284	
Presented to Senator Dean Mortimer		284	
FLAGS			
Fly US, Idaho flags on 3/4, 7/3 and 7/4, encourage	HCR 57	216	241
FOOD			
Apple Commission, nomination and appointment of members	H 455	112	180
Commemorating pulse crop for singular recognition	HCR 32	93	159
Dairy Products Commission, membership provisions.....	S 1259	58	79
Food safety modernization, Department of Agriculture regulate.....	H 499	136	198
Girl Scout/Boy Scout food products, sales tax exemption.....	H 449	99	-
Wheat Commission rules rejected.....	HCR 49	170	193
FORESTS AND FORESTRY			
2016 U.S. Capitol Christmas tree, Idaho participation.....	HCR 46	156	226
Appeal process if no longer assessed as forest land.....	H 345	51	69
FOSTER HOMES			
Child Protective Act, revise certain requirements	S 1328	89/163	184
Foster care/conservators/guardians, legislative study	HCR 59	258	264
Foster children, limitations on caregiver liability	S 1253	57	132
Health and Welfare, reporting requirements, foster care program	H 523	156	214
Juvenile proceedings, adoption, placement.....	H 556	170/242	251
FRACKING			
See OIL			
FRAUD			
Public assistance, provisions for monetary penalties.....	S 1295	73	133
FUELS			
Dyed diesel fuel, vehicles subject to inspection	S 1310	81	-
Fuels, special fuels, distribution of revenues from tax	H 343	136	198
Highway Distribution Account, apportionment revised	S 1230	42	88
Highway Distribution Account, apportionment/hybrid fee	H 624	283	-
FULKERSON, JANICE E.			
Appointment, Member: Idaho Health Insurance Exchange Board			
Appointed by Governor/to Commerce and Human Resources (Jan. 15).....		18	
Committee Report.....		60	
Confirmed by Senate.....			66
FUNDS			
Broadband Infrastructure Improvement Grant Fund.....	S 1333	89	137
Budget Stabilization Fund, transfer provisions.....	S 1331	89	-
Catastrophic Health Care Cost Fund, appropriation	S 1393	163	185
Catastrophic Health Care Cost Fund, appropriation, revised	S 1201	27	39
Charter School Debt Reserve Fund, appropriation	S 1430	266	273
College savings accounts, unclaimed, responsibilities for.....	H 428	79	167
Constitutional Defense Fund, appropriation	S 1421	229	256
Educational support program, calculations, grades 8-12.....	H 629	269	275
Educational support program, literacy intervention.....	H 526	136	203
Educational support, program calculations	S 1289	73	-
Endowment Fund Investment Board, appropriation	H 546	156	220
Endowment and other fund investments by State Treasurer	H 464	123	199
Environmental Protection Trust Fund, uses, investment	S 1269	62	146
Fines and forfeitures, apportionment to certain funds.....	H 493	131	-
Global Entrepreneurial Mission Program, provisions.....	H 377	65	174
Higher Education Stabilization Fund, community college start-up.....	H 459	123	183
Idaho Bond Bank Authority, funds, costs	H 427	87	199
Industry Partner Fund, professional-technical colleges	S 1332	89/164	190
Legislative Legal Defense Fund, appropriation.....	S 1428	261	269

	Bill Number	Intro. Page	Vote Page
FUNDS (Continued)			
Local Highway Distribution Fund, transfers to fund.....	H 626	257	272
Millennium Income Fund, appropriation, tobacco/drug programs.....	S 1410	204	236
Pest Control Deficiency Fund, appropriation.....	H 342	39	46
Postsecondary credit scholarship, requirements, funds.....	H 477	170/218	230
Public Education Stabilization Fund, provisions.....	S 1331	89	-
Public Health Trust Fund, appropriation.....	H 549	156	220
Public School Income Fund, appropriation, add'l.....	H 647	278	282
STEM education fund, creation, provisions.....	S 1279	68	113
School District Bond Credit Enhancement Program, limits.....	S 1272	65	146
Workforce Development Training Fund, transfer and uses.....	S 1288	73	142
Youth Education Account, repeal.....	H 392	65	167
FUNERALS			
Mortician/funeral director trainee license duration.....	H 367	69	180
Morticians Board, revise provisions regarding membership.....	H 482	143	213
Prearrangement sales contracts, additional requirements.....	H 369	69	180
- G -			
GARNISHMENT			
See also DEBTORS AND CREDITORS			
GASOLINE			
See FUELS			
GAY			
See HOMOSEXUALITY			
GEDDES, BOB			
Appointment: Director of the Department of Administration			
Appointed by Governor/to State Affairs (Jan. 15).....		20	
Committee Report.....		44	
Confirmed by Senate.....			53
GEOLOGY AND GEOLOGISTS			
Board, revise provisions regarding membership.....	H 482	143	213
Idaho Geological Survey, records, use, availability.....	H 509	150	202
GESTRIN, TERRY			
Appointment, Member: State Insurance Fund Board			
Appointed by Governor/to Commerce and Human Resources (Feb. 1).....		45	
Committee Report.....		100	
Confirmed by Senate.....			108
GIER, GLEN R.			
Appointment, Member: State Soil and Water Conservation Commission			
Appointed by Governor/to Agricultural Affairs (Jan. 14).....		16	
Committee Report.....		77	
Confirmed by Senate.....			95
GIFTS			
See CONTRIBUTIONS			
GOLD			
See PRECIOUS METALS			
GOVERNMENT			
Agency fee rules approved, except ISP and Health and Welfare.....	SCR 153	231	261
Agency rules, continue in full force and effect.....	H 639	278	282
Agency temporary rules approved and extended.....	SCR 154	232	261
Amendments to Administrative Rules, requirement.....	S 1360	127	190
Budget Stabilization Fund, transfer provisions.....	S 1331	89	-
Civics test, applicability to special education pupils.....	S 1336	90	144
Civics test, include Idaho specific questions.....	HCR 50	170	-
Executive sessions, when authorized.....	S 1335	90	-
Fly US, Idaho flags on 3/4, 7/3 and 7/4, encourage.....	HCR 57	216	241
Idaho Rural Development Partnership Act, revised.....	H 417	79	180

	Bill Number	Intro. Page	Vote Page
GOVERNMENT (Continued)			
Legislative response to administrative rules	HJR 5	201	280
Lobbyists, reports by certain state entities	H 497	136/234	250
Mitigating bias, contested cases, legislative study	SCR 151	178	193
Public Education Stabilization Fund, provisions	S 1331	89	-
Public Employee Retirement System of Idaho, appropriation	S 1363	135	157
Public procurement, legislative study committee	HCR 48	170	266
Regulatory takings, request by owner for analysis	S 1325	83	145
State Procurement Act	H 538	170	266
State educational agency employees, sick leave transfer	H 452	105/172	186
State employee group insurance plan, legislative study	HCR 61	277	277
State employee health savings account, employer portion	S 1319	82	-
State employee health savings account, employer portion	S 1346	104	144
State personnel, add to list of nonclassified employees	S 1202	27	63
State vehicles, marking and identification exemptions	S 1254	57	-
State vehicles, marking and identification exemptions	S 1329	89	-
Urban renewal, provisions, requirements, reporting	H 606	257/269/274	276
Watershed Improvement Districts, dissolution	H 569	201	236
GOVERNOR			
Appointments: See GUBERNATORIAL APPOINTMENTS			
Acting Senator: See ACTING SENATOR			
Emergency Fund, Letter from Governor		10	
Governor's State of the State and Budget Address		4	
Law without Signature:			
S 1367		249	
S 1238		265	
S 1411		288	
Letter from Governor:			
S 1389		285	
Veto Message:			
S 1342 , as amended		288	
Executive Office of, appropriation	H 611	229	255
Governor's wildlife partnership tags, annual issuance	S 1236	50	-
Joint session, message from the Governor	HCR 27	3	4
Office of, appropriation, Financial Management Division	H 610	229	254
Office of, appropriation, Drug Policy Office	H 550	156	221
Office of, appropriation, Energy Resources	H 551	156	221
Office of, appropriation, Human Resources Division	S 1367	136	157
Office of, appropriation, Military Division	S 1369	136	158
Office of, appropriation, STEM Action Center	S 1425	238	256
Office of, appropriation, STEM Action Center, add'l	S 1429	265	273
Office of, appropriation, Species Conservation Office	H 564	177	223
Office of, appropriation, State Liquor Division	S 1366	136	157
Wolf Control Fund, appropriation	S 1414	222	252
GRAIN			
Wheat Commission rules rejected	HCR 49	170	193
GRANTS			
Broadband Infrastructure Improvement Grant Fund	S 1333	89	137
Health grant program for medically underserved	H 644	269/273	276
GRAPES			
Tax on production of wine/certain grapes	H 456	112	197
GUARDIANS AND CONSERVATORS			
Compromise claim of minor, petition, priority, approval	H 558	170	219
Delegation of power over minor, nonprofit assistance	H 573	201	-
Delegation of power over minor/developmentally disabled	S 1375	139	-
Foster care/conservators/guardians, legislative study	HCR 59	258	264
Guardians of minors, modification and termination	S 1352	111	153
Juvenile proceedings, adoption, placement	H 556	170/242	251
Minors, inter vivos nomination appointment of guardian	S 1374	139	-

	Bill Number	Intro. Page	Vote Page
GUBERNATORIAL APPOINTMENTS			
Administrator of the Division of Human Resources			
Buxton, Susan Elizabeth: Appointment, Administrator			
Appointed by Governor/to Commerce and Human Resources (Feb. 19).....		103	
Committee Report.....		141	
Confirmed by Senate.....			152
Aeronautics Advisory Board			
Scott, Daniel: Appointment, Member			
Appointed by Governor/to Transportation (Feb. 11)		77	
Committee Report.....		100	
Confirmed by Senate.....			108
Bingo-Raffle Advisory Board			
Anderson, Rayelle: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 26).....		35	
Committee Report.....		76	
Confirmed by Senate.....			95
Board of Environmental Quality			
Boling, Kevin C.: Appointment, Member			
Appointed by Governor/to Health and Welfare (Jan. 13).....		13	
Committee Report.....		143	
Confirmed by Senate.....			156
MacMillan, John Randolph: Appointment, Member			
Appointed by Governor/to Health and Welfare (Jan. 13).....		13	
Committee Report.....		143	
Confirmed by Senate.....			153
Purdy, L.N. Nick: Appointment, Member			
Appointed by Governor/to Health and Welfare (Jan. 13).....		13	
Committee Report.....		143	
Confirmed by Senate.....			153
Board of Tax Appeals			
Heinrich, Leland G.: Appointment, Member			
Appointed by Governor/to Local Government and Taxation (Jan. 14).....		17	
Committee Report.....		53	
Confirmed by Senate.....			57
Kingham, David E.: Appointment, Member			
Appointed by Governor/to Local Government and Taxation (Jan. 15).....		19	
Committee Report.....		52	
Confirmed by Senate.....			57
Pike, Linda: Appointment, Member			
Appointed by Governor/to Local Government and Taxation (Jan. 15).....		19	
Committee Report.....		53	
Confirmed by Senate.....			57
Commission for the Blind and Visually Impaired			
Payne, Sue A.: Appointment, Member			
Appointed by Governor/to Health and Welfare (Jan. 13).....		11	
Committee Report.....		26	
Confirmed by Senate.....			28
Raubenheimer, Britt: Appointment, Member			
Appointed by Governor/to Health and Welfare (Jan. 15).....		19	
Committee Report.....		26	
Confirmed by Senate.....			28
Schneider, Allan R.: Appointment, Member			
Appointed by Governor/to Health and Welfare (Jan. 13).....		11	
Committee Report.....		26	
Confirmed by Senate.....			28
Commission on Pardons and Parole			
Dennis, Cortney C.: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Feb. 5).....		61	
Committee Report.....		126	
Confirmed by Senate.....			152

	Bill Number	Intro. Page	Vote Page
GUBERNATORIAL APPOINTMENTS (Continued)			
Dressen, Anna Jane "Janie": Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Feb. 5).....		60	
Committee Report.....		126	
Confirmed by Senate.....			152
Matthews, Mike H.: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Jan. 27)		37	
Committee Report.....		88	
Confirmed by Senate.....			96
Director of the Department of Administration			
Geddes, Bob: Appointment, Director			
Appointed by Governor/to State Affairs (Jan. 15).....		20	
Committee Report.....		44	
Confirmed by Senate.....			53
Director of the Department of Commerce			
Ronk, Megan: Appointment, Director			
Appointed by Governor/to Commerce and Human Resources (Jan. 20)		27	
Committee Report.....		52	
Confirmed by Senate.....			57
Director of the Department of Environmental Quality			
Tippets, John H.: Appointment, Director			
Appointed by Governor/to Health and Welfare (Jan. 15).....		20	
Committee Report.....		143	
Confirmed by Senate.....			153
Director of the Department of Insurance			
Cameron, Dean L.: Appointment, Director			
Appointed by Governor/to Commerce and Human Resources (Jan. 15).....		20	
Committee Report.....		37	
Confirmed by Senate.....			40
Hazardous Waste Facility Siting License Application Review Panel			
Kunze, Jay: Appointment, Member			
Appointed by Governor/to Health and Welfare (Jan. 14).....		15	
Committee Report.....		181	
Confirmed by Senate.....			194
Idaho Commission on Human Rights			
Cravens, L. Daniel: Appointment, Member			
Appointed by Governor/to State Affairs (Mar. 8).....		169	
Committee Report.....		233	
Confirmed by Senate.....			241
McNeal, Joe B.: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 27).....		37	
Committee Report.....		76	
Confirmed by Senate.....			108
Settles, Kevin Coyne: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 27).....		37	
Committee Report.....		76	
Confirmed by Senate.....			95
Idaho Endowment Fund Investment Board			
Anderson, Neil: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 13).....		12	
Committee Report.....		67	
Confirmed by Senate.....			72
Buffington, M. Dean: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 13).....		12	
Committee Report.....		67	
Confirmed by Senate.....			72
Winder, Charles L.: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 13).....		12	
Committee Report.....		67	
Confirmed by Senate.....			77

	Bill Number	Intro. Page	Vote Page
GUBERNATORIAL APPOINTMENTS (Continued)			
Idaho Energy Resources Authority			
Mooney, Michael "Mike" Mark: Appointment, Member			
Appointed by Governor/to State Affairs (Feb. 24)		122	
Committee Report		135	
Confirmed by Senate.....			152
Idaho Fish and Game Commission			
Attebury, Derick Eldon: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 14).....		15	
Committee Report		49	
Confirmed by Senate.....			53
Blanco, Daniel A.: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 14).....		15	
Committee Report		49	
Confirmed by Senate.....			53
Idaho Health Insurance Exchange Board			
Fulkerson, Janice E.: Appointment, Member			
Appointed by Governor/to Commerce and Human Resources (Jan. 15).....		18	
Committee Report		60	
Confirmed by Senate.....			66
Idaho Judicial Council			
Larsen, Reed W.: Appointment, Member			
Appointed by Idaho State Bar/to Judiciary and Rules (Jan. 13)			
Committee Report		195	
Confirmed by Senate.....			201
Reberger, J. Philip: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Jan. 14)		16	
Committee Report		126	
Confirmed by Senate.....			152
Idaho Lottery Commission			
Brackebusch, Grant A.: Appointment, Member			
Appointed by Governor/to State Affairs (Mar. 15).....		200	
Committee Report		233	
Confirmed by Senate.....			241
Idaho Outfitters and Guides Licensing Board			
Stark, Louise D.: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 14).....		16	
Committee Report		49	
Confirmed by Senate.....			53
Idaho State Racing Commission			
Schneider, Paul J.: Appointment, Member			
Appointed by Governor/to State Affairs (Mar. 3).....		148	
Committee Report		228	
Confirmed by Senate.....			241
Idaho Transportation Board			
Vassar, Janice B.: Appointment, Member			
Appointed by Governor/to Transportation (Feb. 11)		77	
Committee Report		141	
Confirmed by Senate.....			152
Lake Pend Oreille Basin Commission			
Elsaesser, Ford: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 14).....		15	
Committee Report		215	
Confirmed by Senate.....			226
Mitchell, Linda: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 14).....		15	
Committee Report		215	
Confirmed by Senate.....			226

SENATE INDEX

	Bill Number	Intro. Page	Vote Page
GUBERNATORIAL APPOINTMENTS (Continued)			
Northwest Power and Conservation Council			
Booth, William B.: Appointment, Member			
Appointed by Governor/to Resources and Environment (Feb. 18)		98	
Committee Report		147	
Confirmed by Senate.....			156
Oil and Gas Commission			
Beck, Chris Charles: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 14)		16	
Committee Report		107	
Confirmed by Senate.....			111
Parks and Recreation Board			
Black, Peter J.: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 14)		16	
Committee Report		92	
Confirmed by Senate.....			96
Public Employee Retirement System of Idaho Board			
Cilek, Jeff: Appointment, Member			
Appointed by Governor/to Commerce and Human Resources (Jan. 15)		19	
Committee Report		42	
Confirmed by Senate.....			45
Public Utilities Commission			
Anderson, Eric R.: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 15)		18	
Committee Report		44	
Confirmed by Senate.....			65
Sexual Offender Management Board			
Betts, Jeffrey: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Feb. 10)		71	
Committee Report		88	
Confirmed by Senate.....			95
Crawford, William Dale: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Jan. 20)		27	
Committee Report		88	
Confirmed by Senate.....			108
Johnston, Michael David: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Jan. 27)		38	
Committee Report		88	
Confirmed by Senate.....			95
Lynch, Moira A.: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Jan. 14)		16	
Committee Report		88	
Confirmed by Senate.....			96
Sonnenberg, Erwin L.: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Feb. 1)		45	
Committee Report		88	
Confirmed by Senate.....			95
Thomas, Matthew Allen: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Jan. 15)		20	
Committee Report		88	
Confirmed by Senate.....			95
State Board of Correction			
Wilson, Cindy P.: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Jan. 13)		12	
Committee Report		56	
Confirmed by Senate.....			61
State Board of Education			
Atchley, Emma Lou: Appointment, Member			
Appointed by Governor/to Education (Jan. 13)		12	
Committee Report		103	
Confirmed by Senate.....			108

	Bill Number	Intro. Page	Vote Page
GUBERNATORIAL APPOINTMENTS (Continued)			
Clark, Linda: Appointment, Member			
Appointed by Governor/to Education (Jan. 15)		19	
Committee Report		71	
Confirmed by Senate.....			77
State Building Authority			
Enderud, Shelly Jo: Appointment, Member			
Appointed by Governor/to State Affairs (Mar. 1).....		138	
Committee Report		233	
Confirmed by Senate.....			241
Tracy, Bud: Appointment, Member			
Appointed by Governor/to State Affairs (Mar. 1).....		138	
Committee Report		233	
Confirmed by Senate.....			241
State Insurance Fund Board			
Gestrin, Terry: Appointment, Member			
Appointed by Governor/to Commerce and Human Resources (Feb. 1).....		45	
Committee Report		100	
Confirmed by Senate.....			108
Lakey, Todd: Appointment, Member			
Appointed by Governor/to Commerce and Human Resources (Jan. 15)		18	
Committee Report		60	
Confirmed by Senate.....			66
State Soil and Water Conservation Commission			
Gier, Glen R.: Appointment, Member			
Appointed by Governor/to Agricultural Affairs (Jan. 14)		16	
Committee Report		77	
Confirmed by Senate.....			95
GUNS			
See WEAPONS			

- H -

HANDICAPPED			
See DISABLED			
HARRIS, MARK R.			
Appointment Letter, January 11, 2016		3	
HAZARDOUS SUBSTANCES			
Allow INL research quantities of spent fuel, urge AG.....	HCR 60	269	283
HAZARDOUS WASTE FACILITY SITING LICENSE APPLICATION REVIEW PANEL			
Kunze, Jay: Appointment, Member			
Appointed by Governor/to Health and Welfare (Jan. 14).....		15	
Committee Report		181	
Confirmed by Senate.....			194
HEALTH			
Abortion, ultrasound availability information.....	H 516	143	219
Catastrophic Health Care Cost Fund, appropriation	S 1393	163	185
Catastrophic Health Care Cost Fund, appropriation, revised	S 1201	27	39
Catastrophic health care, reimbursement to County Commission.....	S 1211	32	63
Community water fluoridation, great health achievement.....	HCR 34	87	149
Complete Medicaid waiver application, legislative committee.....	HCR 63	269	-
Education Board, University of Idaho, appropriation, health education	S 1399	189	210
Health Care Task Force, remove reference	H 375	74	174
Health grant program for medically underserved	H 644	269/273	276
Insulin and blood glucose supplies, district policy.....	S 1330	89	145
Medicaid, expand eligibility to certain persons	S 1204	31	-
Medical assistance, benchmark plan, eligibility	S 1205	31	-
Millennium Income Fund, appropriation, tobacco/drug programs.....	S 1410	204	236

	Bill Number	Intro. Page	Vote Page
HEALTH (Continued)			
Nurses, practice of nursing defined.....	S 1252	54	-
Nurses, practice of nursing defined.....	S 1382	150	196
Patient Freedom of Information Act, certain information.....	H 341	51	180
Public Health Trust Fund, appropriation.....	H 549	156	220
State employee group insurance plan, legislative study.....	HCR 61	277	277
State employee health savings account, employer portion.....	S 1319	82	-
State employee health savings account, employer portion.....	S 1346	104	144
Workers compensation, firefighter occupational diseases.....	H 554	194	222
Youth athletes, permission, post-concussion protocol.....	H 557	201	237
HEALTH AND WELFARE DEPARTMENT			
Appropriation, Domestic Violence Council, add'l.....	S 1206	31	41
Appropriation, Medicaid.....	S 1391	163	185
Appropriation, Medicaid, add'l.....	S 1271	64	100
Appropriation, State Hospital South, add'l.....	S 1207	31	43
Appropriation, Welfare Division.....	H 574	194	231
Appropriation, child welfare, developmentally disabled.....	S 1403	189	210
Appropriation, health care policy initiatives, add'l.....	H 650	283	284
Appropriation, health care policy initiatives, add'l.....	S 1270	64	100
Appropriation, independent councils/indirect support/license.....	S 1413	205	236
Appropriation, mental health, substance abuse.....	H 579	189	224
Appropriation, public health services.....	H 566	194	224
Background checks, no federal pilot program.....	S 1296	74	133
Child Protective Act, revise certain requirements.....	S 1328	89/163	184
Department, duties include suicide prevention services.....	S 1326	87	146
Foster care/conservators/guardians, legislative study.....	HCR 59	258	264
Health Care Task Force, remove reference.....	H 375	74	174
Health and Welfare plan for behavioral health services, request report.....	HCR 54	216	-
Health grant program for medically underserved.....	H 644	269/273	276
Legislative reporting requirements, foster care program.....	H 523	156	214
Mental disease institution, Medicaid reimbursement.....	H 500	140	199
Public Health Trust Fund, appropriation.....	H 549	156	220
HEALTH CARE FACILITIES			
Epinephrine auto-injectors, prescribing provisions.....	S 1322	83/260	145/267
Idaho Unborn Infants Dignity Act.....	S 1349	104	-
Idaho Unborn Infants Dignity Act.....	S 1404	194/233	252
Legend Drug Donation Act, expanded qualifications.....	H 373	65	173
Legend drugs, who may possess.....	H 338	59	166
Sexual assault evidence kits, testing/duties/procedures.....	H 528	150	202
Unborn Child Protection from Dismemberment Abortion Act.....	S 1386	156	-
HEATING AND COOLING			
Board, Heating, Ventilation and Air Conditioning, membership.....	H 482	143	213
HEINRICH, LELAND G.			
Appointment, Member: Board of Tax Appeals			
Appointed by Governor/to Local Government and Taxation (Jan. 14).....		17	
Committee Report.....		53	
Confirmed by Senate.....			57
HIGHWAYS			
Highway Distribution Account, apportionment revised.....	S 1230	42	88
Highway Distribution Account, apportionment/hybrid fee.....	H 624	283	-
Highway transportation, bonding for certain project.....	S 1263	61	99
Interstates in Idaho, classification based on purpose.....	S 1229	42	62
Local Highway Distribution Fund, transfers to fund.....	H 626	257	272
Off-road vehicles, when permitted on highways.....	H 553	189	220
Review of highway decision, request nonresident judge.....	H 536	189	220
Tax deeds, clarification of the term "encumbrances".....	S 1348	104	-
Tax deeds, nonapplication, municipality easements.....	S 1388	163/194	209
Taxing Districts, budgeting forgone increases.....	H 474	99	174
HILL, JAMES			
Consul General of Canada Address, March 15, 2016.....		203	

	Bill Number	Intro. Page	Vote Page
HISTORICAL SOCIETY			
City records, historical preservation, nonpaper mediums.....	H 443	170	214
Idaho State Historical Society, appropriation.....	S 1407	204	235
HISTORY			
Black History Month, February, commemorate in Idaho	SCR 133	29	50
Civics test, applicability to special education pupils	S 1336	90	144
Civics test, include Idaho specific questions.....	HCR 50	170	-
Idaho day, revise date if March 4th falls on weekend.....	H 436	69	199
National Women's History Month, recognized	SCR 147	110	127
HOLIDAYS AND DAYS			
125th anniversary, Hecla Mining Company, congratulate.....	SCR 148	121	148
2016 U.S. Capitol Christmas tree, Idaho participation.....	HCR 46	156	226
Black History Month, February, commemorate in Idaho	SCR 133	29	50
Fly US, Idaho flags on 3/4, 7/3 and 7/4, encourage	HCR 57	216	241
Idaho day, revise date if March 4th falls on weekend.....	H 436	69	199
Music In Our Schools Month, observance in March.....	HCR 31	69	108
National Apprenticeship Week, recognize	HCR 36	93	152
National Day of the Cowboy, declared	HCR 38	150	226
National Women's History Month, recognized	SCR 147	110	127
Purple Heart Day, State of Idaho, designate	SCR 146	86	108
Social Work Recognition Month, March 2016, support.....	HCR 47	143	170
Statue of Liberty, commemorating 130th anniversary.....	HCR 29	87	170
Year of Idaho Military Families, observe in 2016	HCR 28	131	170
HOMELAND SECURITY			
Federal REAL ID Act, implement certain provisions	H 513	170/190	205
Homeland Security to Office of Emergency Management.....	H 355	87	186
HOMES AND HOUSING			
Factory Built Structures Advisory Board.....	H 371	65/216	230
Foreclosure, trustee sale, nontitled personal property.....	S 1315	82/172/182	196
Homeowner associations, prohibited conduct	H 511	136	203
Homeowner associations, when legal fees/costs allowed.....	S 1317	82/221	230
Homeowner's exemption, \$100K, no inflation adjuster.....	H 431	74	174
Homeowner's exemption, \$100K, no inflation adjuster, trailer	H 634	269	-
Manufactured home residency, reference to park model.....	S 1194	20	-
Tax deed sale proceeds, unclaimed property	S 1347	104/164	179
HOMOSEXUALITY			
Sexual orientation/gender identity, no discrimination.....	S 1196	23	-
HONORS AND AWARDS			
Honoring Idaho author Anthony Doerr for his work.....	HCR 30	87	127
Matt Paradis, Denver Broncos, Super Bowl Championship.....	HCR 42	96	127
HORSE RACING			
See RACING			
HOSPITALS			
Hospital Districts, board may appoint certain members.....	H 533	170	214
Idaho Unborn Infants Dignity Act	S 1349	104	-
Idaho Unborn Infants Dignity Act	S 1404	194/233	252
Unborn Child Protection from Dismemberment Abortion Act.....	S 1386	156	-
HOUSE OF REPRESENTATIVES			
See also LEGISLATURE			
HUMAN RESOURCES DIVISION			
Appropriation.....	S 1367	136	157
State personnel, add to list of nonclassified employees.....	S 1202	27	63
HUNTING			
See FISH AND GAME			
HYDROPOWER			
Columbia River Treaty, urge continuance.....	SJM 106	134	152
Water diversion, incidental hydropower use, conditions.....	S 1278	68	133

- I -

	Bill Number	Intro. Page	Vote Page
IDAHO CODE			
See CODES			
IDAHO COMMISSION ON HUMAN RIGHTS			
Cravens, L. Daniel: Appointment, Member			
Appointed by Governor/to State Affairs (Mar. 8).....		169	
Committee Report.....		233	
Confirmed by Senate.....			241
McNeal, Joe B.: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 27).....		37	
Committee Report.....		76	
Confirmed by Senate.....			108
Settles, Kevin Coyne: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 27).....		37	
Committee Report.....		76	
Confirmed by Senate.....			95
IDAHO DAY			
Committee: Senator Burgoyne, Chairman, and Senators Den Hartog and Anthon			
Idaho Day Service: March 4, 2016.....		158	
Opening Remarks: Senator Den Hartog.....		158	
Silver Trail Elementary, 4th Graders:			
"Fifty Nifty United States".....		158	
"Here We Have Idaho".....		158	
"Everyday Heroes".....		158	
Closing Remarks: Senators Anthon and Den Hartog.....		158	
IDAHO ENDOWMENT FUND INVESTMENT BOARD			
Anderson, Neil: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 13).....		12	
Committee Report.....		67	
Confirmed by Senate.....			72
Buffington, M. Dean: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 13).....		12	
Committee Report.....		67	
Confirmed by Senate.....			72
Winder, Charles L.: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 13).....		12	
Committee Report.....		67	
Confirmed by Senate.....			77
IDAHO ENERGY RESOURCES AUTHORITY			
Mooney, Michael "Mike" Mark: Appointment, Member			
Appointed by Governor/to State Affairs (Feb. 24).....		122	
Committee Report.....		135	
Confirmed by Senate.....			152
IDAHO FISH AND GAME COMMISSION			
Attebury, Derick Eldon: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 14).....		15	
Committee Report.....		49	
Confirmed by Senate.....			53
Blanco, Daniel A.: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 14).....		15	
Committee Report.....		49	
Confirmed by Senate.....			53
IDAHO HEALTH INSURANCE EXCHANGE BOARD			
Fulkerson, Janice E.: Appointment, Member			
Appointed by Governor/to Commerce and Human Resources (Jan. 15).....		18	
Committee Report.....		60	
Confirmed by Senate.....			66

	Bill Number	Intro. Page	Vote Page
IDAHO JUDICIAL COUNCIL			
Larsen, Reed W.: Appointment, Member			
Appointed by Idaho State Bar/to Judiciary and Rules (Jan. 13)			
Committee Report.....		195	
Confirmed by Senate.....			201
Reberger, J. Philip: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Jan. 14).....		16	
Committee Report.....		126	
Confirmed by Senate.....			152
IDAHO LOTTERY COMMISSION			
Brackebusch, Grant A.: Appointment, Member			
Appointed by Governor/to State Affairs (Mar. 15).....		200	
Committee Report.....		233	
Confirmed by Senate.....			241
IDAHO OUTFITTERS AND GUIDES LICENSING BOARD			
Stark, Louise D.: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 14).....		16	
Committee Report.....		49	
Confirmed by Senate.....			53
IDAHO STATE RACING COMMISSION			
Schneider, Paul J.: Appointment, Member			
Appointed by Governor/to State Affairs (Mar. 3).....		148	
Committee Report.....		228	
Confirmed by Senate.....			241
IDAHO TRANSPORTATION BOARD			
Vassar, Janice B.: Appointment, Member			
Appointed by Governor/to Transportation (Feb. 11).....		77	
Committee Report.....		141	
Confirmed by Senate.....			152
IDENTITY AND NAMES			
Electronic voter registration for persons with DMV IDs.....	S 1297	74/114/129/283	145/284
Federal REAL ID Act, implement certain provisions.....	H 513	170/190	205
Identification, additional forms allowed at polls.....	H 604	257	-
IMMUNITY			
See LIABILITY			
IMMUNIZATION			
Pharmacists, prescribe immunizations to age 6 and older.....	S 1294	73	120
INCOME TAX			
See TAX AND TAXATION, INCOME			
INDIANS			
See NATIVE AMERICANS			
INDIGENTS			
See PUBLIC ASSISTANCE			
INDUSTRIAL COMMISSION			
Appropriation.....	S 1380	150	179
PUC/Tax/Industrial commissioner salary increase.....	H 575	189	223
Workers compensation, firefighter occupational diseases.....	H 554	194	222
INDUSTRY			
125th anniversary, Hecla Mining Company, congratulate.....	SCR 148	121	148
STEM Action Center Board, provisions.....	S 1249	54	101
INFRASTRUCTURE			
Public records exemption, critical infrastructure.....	H 447	99/151	165
INSECTS			
Compensation for damage to bees/beehives by bears.....	S 1340	91	128
INSPECTIONS AND INSPECTORS			
Dyed diesel fuel, vehicles subject to inspection.....	S 1310	81	-
Invasive species, mussels, citations, inspection.....	S 1355	123	-
INSURANCE			
Department, appropriation.....	S 1381	150	179
Domestic insurer, exception to certain requirements.....	H 440	87	180

	Bill Number	Intro. Page	Vote Page
INSURANCE (Continued)			
Firefighters, certain occupational diseases	H 554	194	222
Insurance policies, valuation/nonforfeiture standards	H 432	83	173
Insurance producer, cause to suspend/revoke license	S 1345	104	144
Life insurance lapse/termination insurance protection	S 1316	82	-
Limited Lines Travel Insurance Act	S 1384	156	-
Motor vehicle financial responsibility, increased fines	S 1256	58/128/150	164
Motor vehicle online verification system, alternative	S 1283	72	112
Motor vehicles, proof of financial responsibility	S 1385	156	-
Premium tax, portion to high risk reinsurance pool	S 1265	62/260	124/268
Producer licensing, nonresidents and after revocation	S 1221	39	112
State employee group insurance plan, legislative study	HCR 61	277	277
Unfair practices by insurers, auto body repair	S 1313	82	-
Workers compensation insurance, security instruments	H 501	150	213
INTERNATIONAL RELATIONS			
Columbia River Treaty, urge continuance	SJM 106	134	152
Global Entrepreneurial Mission Program, provisions	H 377	65	174
INTERNET			
See ELECTRONIC TECHNOLOGY			
INTERSTATE COMPACTS			
See MULTISTATE COMPACTS AND AGREEMENTS			
INVESTMENTS			
Cattle/horses/livestock, capital gains tax deduction	H 535	156	206
College savings accounts, unclaimed, responsibilities for	H 428	79	167
Endowment and other fund investments by State Treasurer	H 464	123	199
Environmental Protection Trust Fund, uses, investment	S 1269	62	146
Opportunity scholarship program, funds investment	S 1208	31	63
IRRIGATION			
District assessments, delinquency dates clarified	S 1241	51	132
District delinquent assessments, sale of rights to tax deed	S 1242	51	132
District, authority, contract to construct/deepen well	S 1243	51	-
District, hydroelectric plant construction, vote, when	S 1304	78	133
Eastern Snake Plain Aquifer agreement, support	SCR 138	75	93
Eastern Snake Plain Aquifer recharge target	SCR 136	48	93
Ground Water District, assessments, indebtedness	S 1224	41	112
Ground Water District, certain assessments, indebtedness	S 1225	41	102
Ground Water District, petition/assessments, annexed lands	S 1222	40	101
Ground Water Districts, participation by nonmembers	S 1223	40	102
Ground water management plan, when not on time priority	H 595	201	248
Irrigation corporations, maximum administrative charge	S 1240	50	132
Water Resource Board, evaluate/manage aquifer shortage	SCR 137	48	93
Water diversion, incidental hydropower use, conditions	S 1278	68	133
- J -			
JAILS			
Bail enforcement agents, requirements, prohibitions	H 508	150	-
JOHNSTON, MICHAEL DAVID			
Appointment, Member: Sexual Offender Management Board			
Appointed by Governor/to Judiciary and Rules (Jan. 27)		38	
Committee Report		88	
Confirmed by Senate			95
JOINT SESSIONS			
Governor's State of the State and Budget Address, January 11, 2016		4	
JONES, CHIEF JUSTICE JIM			
State of the Judiciary Message, January 20, 2016		24	
JUDGES			
District judges, salary set	S 1420	229	251
Review of highway decision, request nonresident judge	H 536	189	220

	Bill Number	Intro. Page	Vote Page
JUDGMENTS			
Controlled substance, requirement for withheld judgment.....	H 429	87	197
Game animal, penalty for killing, possession, waste.....	S 1226	41	-
Renewal of judgment on liens, increase period of time.....	S 1362	127	161
JUDICIARY, STATE OF			
Chief Justice Jim Jones, January 20, 2016.....		24	
JUVENILE CORRECTIONS			
Alcohol violations, certain records expunged/sealed.....	H 495	123	202
Department, appropriation.....	H 562	177	223
Department, appropriation, add'l.....	S 1233	45	62
Informal disposition of petition requirements.....	S 1235	50	124
Sexual exploitation of child, electronically, penalties.....	H 555	177/216	230
- K -			
KINGHORN, DAVID E.			
Appointment, Member: Board of Tax Appeals			
Appointed by Governor/to Local Government and Taxation (Jan. 15).....		19	
Committee Report.....		52	
Confirmed by Senate.....			57
KUNZE, JAY			
Appointment, Member: Hazardous Waste Facility Siting License Application Review Panel			
Appointed by Governor/to Health and Welfare (Jan. 14).....		15	
Committee Report.....		181	
Confirmed by Senate.....			194
- L -			
LABOR			
See also EMPLOYERS AND EMPLOYEES			
Department, appropriation.....	S 1400	189	210
Department, appropriation, add'l.....	H 364	41	51
Employment security law, notice and appeal provisions.....	H 397	69	196
Industry Partner Fund, professional-technical colleges.....	S 1332	89/164	190
Labor of prisoners, community service projects.....	S 1351	111	153
National Guard activation, re-employment rights.....	H 473	123	186
Noncompete clause violation, key employee, breach.....	H 487	201	248
School employment contracts, remove state form approval.....	S 1248	54	109
State personnel, add to list of nonclassified employees.....	S 1202	27	63
Unemployment benefits, expanded claims notice provision.....	H 396	69	191
Unemployment, benefit formula, taxable wage rate.....	H 485	150	213
Workers compensation, firefighter occupational diseases.....	H 554	194	222
Workforce Development Training Fund, transfer and uses.....	S 1288	73	142
LAKE PEND OREILLE BASIN COMMISSION			
Elsaesser, Ford: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 14).....		15	
Committee Report.....		215	
Confirmed by Senate.....			226
Mitchell, Linda: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 14).....		15	
Committee Report.....		215	
Confirmed by Senate.....			226
LAKES			
Submersible well pumps, approved locations.....	H 643	277	281
LAKEY, TODD			
Appointment, Member: State Insurance Fund Board			
Appointed by Governor/to Commerce and Human Resources (Jan. 15).....		18	
Committee Report.....		60	
Confirmed by Senate.....			66

SENATE INDEX

	Bill Number	Intro. Page	Vote Page
LAND USE			
Appeal process if no longer assessed as forest land	H 345	51	69
LANDS			
Allow demonstration projects on federal land, Congress	HJM 14	257	-
Appeal process if no longer assessed as forest land	H 345	51	69
Department, appropriation	H 640	277	279
Department, appropriation, Fire Suppression Deficiency Fund.....	H 532	140	220
Department, appropriation, Fire Suppression Deficiency Fund, add'l.....	H 636	277	278
Department, appropriation, add'l	H 646	278	281
Department, appropriation, add'l	S 1200	27	36
Engineers and Surveyors Board to promulgate plat rules	S 1284	72	-
Ground Water District, petition/assessments, annexed lands	S 1222	40	101
Idaho Geological Survey, records, use, availability	H 509	150	202
Idaho Multiple Use Sustained Yield Act	H 582	226	-
Motorbike Recreation Account funds, recreation easements.....	H 471	112	186
Oil well, Lands Department duties, track integration, appeals.....	S 1306	78	-
Oil well, Lands Department duties, track integration, appeals.....	S 1339	90	130
State or federal land, catastrophic public nuisance.....	S 1338	90	164
State trust land, oppose use based on exclusivity	HCR 53	229	-
LANDSCAPE ARCHITECTS			
Board, revise provisions regarding membership.....	H 482	143	213
LARSEN, REED W.			
Appointment, Member: Idaho Judicial Council			
Appointed by Idaho State Bar/to Judiciary and Rules (Jan. 13)			
Committee Report.....		195	
Confirmed by Senate.....			201
LAW ENFORCEMENT			
Bail enforcement agents, requirements, prohibitions.....	H 508	150	-
College scholarship eligibility, funds investment	S 1208	31	63
Highway Distribution Account, apportionment revised	S 1230	42	88
Highway Distribution Account, apportionment/hybrid fee	H 624	283	-
Idaho peace officers, recognize, honor.....	SCR 132	22	61
Local Highway Distribution Fund, transfers to fund.....	H 626	257	272
Parole violation hearing, nonviolent/nonsexual conduct	S 1343	99	183
Protection orders, malicious harassment, stalking	S 1373	139	183
Sexual assault evidence kits, testing/duties/procedures	H 528	150	202
LAW WITHOUT SIGNATURE			
S 1367		249	
S 1238		265	
S 1411		288	
LAWYERS			
See ATTORNEYS			
LEGISLATIVE COUNCIL			
Legislative Services Office, appropriation	S 1411	205	236
LEGISLATIVE SERVICES			
See LEGISLATIVE COUNCIL			
LEGISLATURE			
Amendments to Administrative Rules, requirement	S 1360	127	190
Auxiliary containers, regulation only by legislature	H 372	59	206
Complete Medicaid waiver application, legislative committee.....	HCR 63	269	-
Foster care/conservators/guardians, legislative study	HCR 59	258	264
Health Care Task Force, remove reference.....	H 375	74	174
Health and Welfare, reporting requirements, foster care program	H 523	156	214
Income tax structure in Idaho, legislative study committee	SCR 155	259	267
Joint Rule 18, statements of purpose, fiscal notes	SCR 142	85	-
Joint Rule 18, statements of purpose, fiscal notes	SCR 150	161	177
Joint Rule 20, transmittal of Joint Resolution.....	SCR 143	85	148
Joint Rule 21, certain recorded proceedings	SCR 144	86	148
Joint session, message from the Governor.....	HCR 27	3	4
Legislative Legal Defense Fund, appropriation	S 1428	261	269

	Bill Number	Intro. Page	Vote Page
LEGISLATURE (Continued)			
Legislative response to administrative rules	HJR 5	201	280
Legislative session for vetoed bills	SJR 101	44	105
Mitigating bias, contested cases, legislative study	SCR 151	178	193
Public procurement, legislative study committee	HCR 48	170	266
Public school funding formula, legislative study committee	HCR 33	99	182
Senate Rule 20, committee chair's decisions	SR 101	84	149
State employee group insurance plan, legislative study	HCR 61	277	277
LEVIES			
Operating property not in taxable value for making levy	H 359	54	101
Taxing Districts, formed by certain date to make levy	H 360	54	101
LIABILITY			
Foster children, limitations on caregiver liability	S 1253	57	132
Motor vehicles, proof of financial responsibility	S 1385	156	-
Unfair practices by insurers, auto body repair	S 1313	82	-
LIBRARIES AND LIBRARIANS			
Broadband Infrastructure Improvement Grant Fund	S 1333	89	137
Commission, appropriation	S 1392	163	185
Commission, appropriation, add'l	S 1429	265	273
Education Opportunity Resource Act	S 1334	90	137
Taxing Districts, budgeting forgone increases	H 474	99	174
LICENSE PLATES			
Commercial vehicle license plates, same/new number	H 472	123	187
License plates, display provisions	S 1228	42	-
License plates, when only rear plate required	S 1282	72	-
Special, Idaho Friends of the Orofino High School Mascot	H 413	177	-
Special, veterans, when surviving spouse may obtain	H 385	69	165
LICENSES			
Alcohol beverage catering permit, two or more wineries	S 1356	123	160
Alcohol beverage catering permits, provisions	S 1354	123/261	171/268
Appraisal Management Company Registration/Regulation Act	S 1318	82	124
Bail enforcement agents, requirements, prohibitions	H 508	150	-
Barber college licensing, student qualifications	H 486	105	198
Concealed weapons law, repeal, add new section	S 1378	149	-
Concealed weapons, prohibited conduct	S 1389	163	209
Controlled hunt drawings, contract with private entity	S 1305	78	-
Controlled hunt drawings, contract with private entity	S 1344	104	133
Cosmetology license renewal/reinstatement	H 441	99	197
Driving privilege cards, eligibility requirements	S 1198	23	-
EMS Personnel Licensure Interstate Compact, enact	S 1281	68	125
Electronic cigarettes, permit to sell, required sign	H 498	140	-
Engineers/surveyors, exams, restricted licensure	S 1285	73/113	141
Engineers/surveyors, practicing without license	S 1287	73	113
Hunting/trapping/fishing, license exceptions	H 462	131	-
Identification, additional forms allowed at polls	H 604	257	-
Insurance producer, cause to suspend/revoke license	S 1345	104	144
Insurance producer, nonresidents and after revocation	S 1221	39	112
Licensure boards, certain positions and qualifications	H 480	143	211
Mortician/funeral director trainee license duration	H 367	69	180
Nurse Licensure Compact	S 1251	54	112
Optometrists, license renewal provisions	H 333	51	187
Physical therapy, license renewal, reinstatement	H 334	51	187
Powdered alcohol, definition, prohibition/violations	H 331	136	251
Residential care facility administrator requirements	H 332	51	187
Retired professional engineer/land surveyor, defined	S 1286	73	112
Upland game bird permit, revised age provision	H 350	51	202
Veterinarians, alternatives to formal discipline	H 382	79/209	230
LIENS			
Liens in crops, notice of claim requirements	H 389	79	201
Nonconsensual common law liens, prohibited, penalties	H 491	131	197

SENATE INDEX

	Bill Number	Intro. Page	Vote Page
LIENS (Continued)			
Renewal of judgment on liens, increase period of time	S 1362	127	161
LIEUTENANT GOVERNOR			
Appropriation	S 1396	177	196
LINCOLN DAY			
Committee: Senators Lee and Souza, Co-chairmen			
Lincoln Day Service: February 12, 2016		81	
Opening Remarks: Senator Lee		81	
Prayer: Senator Harris		81	
Milayni Stephens: "The Star-Spangled Banner"		81	
Senate Pages: Lincoln Quotes		81	
Milayni Stephens: "America the Beautiful"		81	
Concluding Remarks: Senator Souza		81	
LIQUOR			
Alcohol beverage catering permit, two or more wineries	S 1356	123	160
Alcohol beverage catering permits, provisions	S 1354	123/261	171/268
Alcohol violations, certain records expunged/sealed	H 495	123	202
Alcohol, certain underage violations, penalties	H 494	140/233	250
Alcoholic beverages, prohibited acts, licensed premises	H 544	189	252
Breweries, allows persons under 21 to be on premises	H 597	226/234	250
Breweries, allows persons under 21 to be on premises	H 649	280	282
Idaho State Police, alcohol beverage rule rejected	HCR 40	140	170
Liquor license applications, correct name of act	H 346	65	167
Minors, limited immunity, medical emergency	H 521	170/221	230
Powdered alcohol, definition, prohibition/violations	H 331	136	251
Retail sale of liquor by the drink, "person" defined	H 362	54/113	165
State Liquor Division, appropriation	S 1366	136	157
Tax on production of wine/certain grapes	H 456	112	197
Wineries, minors allowed to enter or be on premises	S 1324	83	-
Youth Education Account, repeal	H 392	65	167
LITERACY			
Continuous student improvement plans, requirement	H 560	177	219
Educational support program, literacy intervention	H 526	136	203
LITERATURE			
Honoring Idaho author Anthony Doerr for his work	HCR 30	87	127
Public school instruction, when Bible permitted	S 1321	82	-
Public schools, when religious texts permitted	S 1342	96/140	160
LIVESTOCK			
Agricultural facilities, biosecurity breach, penalties	H 531	170	211
Cattle/horses/livestock, capital gains tax deduction	H 535	156	206
Idaho Multiple Use Sustained Yield Act	H 582	226	-
Livestock removal requirements and trichomoniasis	S 1214	35	106
LOBBYING AND LOBBYISTS			
Lobbyists, reports by certain state entities	H 497	136/234	250
LOGGING AND LUMBER			
Associated Logging Contractors of Idaho, honor 50 years	HCR 35	123	193
Idaho Multiple Use Sustained Yield Act	H 582	226	-
LOTTERY, STATE			
Appropriation	S 1365	136	157
Bingo and raffles, definitions, conditions/procedures	S 1357	123	-
LYNCH, MOIRA A.			
Appointment, Member: Sexual Offender Management Board			
Appointed by Governor/to Judiciary and Rules (Jan. 14)		16	
Committee Report		88	
Confirmed by Senate			96
- M -			
MACMILLAN, JOHN RANDOLPH			
Appointment, Member: Board of Environmental Quality			
Appointed by Governor/to Health and Welfare (Jan. 13)		13	
Committee Report		143	
Confirmed by Senate			153

	Bill Number	Intro. Page	Vote Page
MAGISTRATES			
See JUDGES			
MAIL AND MAILING			
USPS budget priorities, urge restructure.....	SJM 105	134	152
MANUFACTURING AND MANUFACTURERS			
Factory Built Structures Advisory Board.....	H 371	65/216	230
Manufactured home residency, reference to park model.....	S 1194	20	-
MARRIAGE			
See DOMESTIC RELATIONS			
MASSAGE			
Massage therapy, student tuition credit program	H 519	140	198
MATTHEWS, MIKE H.			
Appointment, Member: Commission on Pardons and Parole			
Appointed by Governor/to Judiciary and Rules (Jan. 27)		37	
Committee Report.....		88	
Confirmed by Senate.....			96
MCNEAL, JOE B.			
Appointment, Member: Idaho Commission on Human Rights			
Appointed by Governor/to State Affairs (Jan. 27).....		37	
Committee Report.....		76	
Confirmed by Senate.....			108
MEDALS			
See HONORS AND AWARDS			
MEDICAL			
Abortion, ultrasound availability information.....	H 516	143	219
Biological products, pharmacist report to prescriber	H 483	143	206
Chiropractors, revised restrictions related to drugs	S 1231	43	109
Complete Medicaid waiver application, legislative committee.....	HCR 63	269	-
Controlled substances, schedule II revised	H 335	59	165
EMS Personnel Licensure Interstate Compact, enact.....	S 1281	68	125
Health grant program for medically underserved	H 644	269/273	276
Idaho Unborn Infants Dignity Act	S 1349	104	-
Idaho Unborn Infants Dignity Act	S 1404	194/233	252
Insulin and blood glucose supplies, district policy.....	S 1330	89	145
Legend Drug Donation Act, expanded qualifications.....	H 373	65	173
Legend drugs, who may possess	H 338	59	166
Medicaid, expand eligibility to certain persons	S 1204	31	-
Medical assistance, benchmark plan, eligibility	S 1205	31	-
Medical boards, appropriation.....	H 598	209	231
Medical boards, appropriation, add'l	S 1199	27	36
Mental disease institution, Medicaid reimbursement.....	H 500	140	199
Nurses, practice of nursing defined.....	S 1252	54	-
Nurses, practice of nursing defined.....	S 1382	150	196
Patient Freedom of Information Act, certain information	H 341	51	180
Pharmacists, prescribe immunizations to age 6 and older.....	S 1294	73	120
Pharmacy Board, authority over durable medical supplies	S 1264	61	120
Pharmacy Board, durable medical equipment provisions.....	S 1387	163	195
State employee group insurance plan, legislative study.....	HCR 61	277	277
State employee health savings account, employer portion.....	S 1319	82	-
State employee health savings account, employer portion.....	S 1346	104	144
Unborn Child Protection from Dismemberment Abortion Act	S 1386	156	-
Youth athletes, permission, post-concussion protocol	H 557	201	237
MEDICAL ASSISTANCE			
See PUBLIC ASSISTANCE			
MEDICINE			
Biological products, pharmacist report to prescriber.....	H 483	143	206
Board, revise provisions regarding membership.....	H 482	143	213
Controlled substances database, delegate access	H 374	74	174
Controlled substances database, who may access.....	H 337	59	166
Controlled substances, schedule II revised	H 335	59	165

	Bill Number	Intro. Page	Vote Page
MEDICINE (Continued)			
Controlled substances, storage requirements	H 339	59	166
Epinephrine auto-injectors, prescribing provisions.....	S 1322	83/260	145/267
Insulin and blood glucose supplies, district policy.....	S 1330	89	145
Investigational drugs, Right To Try Act	H 481	139	198
Legend Drug Donation Act, expanded qualifications.....	H 373	65	173
Legend drugs, who may possess	H 338	59	166
Pharmacists, prescribe immunizations to age 6 and older.....	S 1294	73	120
MEETINGS, PUBLIC			
Executive sessions, when authorized	S 1335	90	-
MEMORIAL SERVICE			
Memorial Service Committee: Senators Souza and Lee, Co-Chairmen			
Memorial Service: February 15, 2016		88	
Memorializing:			
Senator Steven L. Herndon.....		88	
Amazing Grace performed by Senator Buckner-Webb		88	
Accompanied by Steven Eaton			
Invocation: Senator Anthon.....		88	
Benediction: Senator Lee.....		88	
Laura McInnes, Coordinator.....		88	
MEMORIALS			
Allow demonstration projects on federal land, Congress	HJM 14	257	-
Aquatic invasive species, continued federal funding.....	SJM 104	76	96
Columbia River Treaty, urge continuance.....	SJM 106	134	152
Sage-grouse, protect state conservation plans.....	HJM 13	99	193
USPS budget priorities, urge restructure.....	SJM 105	134	152
MENTAL HEALTH			
Health and Welfare Department, appropriation, mental health, substance abuse	H 579	189	224
Health and Welfare Department, duties include suicide prevention services	S 1326	87	146
Health and Welfare plan for behavioral health services, request report.....	HCR 54	216	-
Mental disease institution, Medicaid reimbursement.....	H 500	140	199
MENTALLY RETARDED			
See DISABLED			
MILITARY AND MILITIA			
Adjutant General, duties	H 356	131	203
Division, appropriation	S 1369	136	158
Homeland Security to Office of Emergency Management.....	H 355	87	186
National Guard activation, re-employment rights.....	H 473	123	186
Purple Heart Day, State of Idaho, designate	SCR 146	86	108
Year of Idaho Military Families, observe in 2016.....	HCR 28	131	170
MINERALS AND MINING			
125th anniversary, Hecla Mining Company, congratulate.....	SCR 148	121	148
Idaho Geological Survey, records, use, availability.....	H 509	150	202
Idaho Multiple Use Sustained Yield Act	H 582	226	-
Mining, certain requirements of reclamation activities	S 1197	23	41
Oil well, Lands Department duties, track integration, appeals.....	S 1306	78	-
Oil well, Lands Department duties, track integration, appeals.....	S 1339	90	130
MITCHELL, LINDA			
Appointment, Member: Lake Pend Oreille Basin Commission			
Appointed by Governor/to Resources and Environment (Jan. 14).....		15	
Committee Report.....		215	
Confirmed by Senate.....			226
MODEL LAWS			
See UNIFORM AND MODEL LAWS			
MONUMENTS			
Statue of Liberty, commemorating 130th anniversary.....	HCR 29	87	170
MOONEY, MICHAEL "MIKE" MARK			
Appointment, Member: Idaho Energy Resources Authority			
Appointed by Governor/to State Affairs (Feb. 24).....		122	
Committee Report.....		135	
Confirmed by Senate.....			152

	Bill Number	Intro. Page	Vote Page
MORTGAGES			
Appraisal Management Company Registration/Regulation Act.....	S 1318	82	124
MORTICIANS			
Board, revise provisions regarding membership.....	H 482	143	213
Mortician/funeral director trainee license duration.....	H 367	69	180
Prearrangement sales contracts, additional requirements	H 369	69	180
MOSQUITO ABATEMENT			
See PESTS AND PESTICIDES			
MOTOR CARRIERS			
Commercial vehicle license plates, same/new number.....	H 472	123	187
Interstates in Idaho, classification based on purpose	S 1229	42	62
Vehicles, certain allowable lengths, extensions	S 1261	61	99
MOTOR FUELS			
See FUELS			
MOTOR VEHICLES			
Driving privilege cards, eligibility requirements	S 1198	23	-
Dyed diesel fuel, vehicles subject to inspection	S 1310	81	-
Electric/hybrid vehicles, fee provisions	S 1311	81	125
Electronic voter registration for persons with DMV IDs	S 1297	74/114/129/283	145/284
Financial responsibility, increase certain fine amounts.....	S 1256	58/128/150	164
Highway Distribution Account, apportionment/hybrid fee	H 624	283	-
License plates, Idaho Friends of the Orofino H/S Mascot	H 413	177	-
License plates, provisions related to display of plates.....	S 1228	42	-
License plates, when only rear plate required.....	S 1282	72	-
Motor vehicles, proof of financial responsibility	S 1385	156	-
Off-road vehicles, when permitted on highways	H 553	189	220
Online insurance verification system, alternative	S 1283	72	112
Seat belt violations, warning period, increased fine	S 1312	82/117	142
Service contracts, driver reimbursement excluded	S 1262	61	109
State vehicles, marking and identification exemptions.....	S 1254	57	-
State vehicles, marking and identification exemptions.....	S 1329	89	-
Unfair practices by insurers, auto body repair	S 1313	82	-
Vehicles, certain allowable lengths, extensions	S 1261	61	99
MOTORBIKES AND MOTORCYCLES			
License plates, provisions related to display of plates.....	S 1228	42	-
Motorbike Recreation Account funds, recreation easements.....	H 471	112	186
Off-road vehicles, when permitted on highways	H 553	189	220
MOVIES AND THEATERS			
Alcoholic beverages, prohibited acts, licensed premises.....	H 544	189	252
MULTISTATE COMPACTS AND AGREEMENTS			
Advanced Practice Registered Nurse Compact.....	S 1250	54	112
EMS Personnel Licensure Interstate Compact, enact	S 1281	68	125
Motor vehicle service contracts, reimbursement excluded.....	S 1262	61	109
Nurse Licensure Compact	S 1251	54	112
MUSIC			
Music In Our Schools Month, observance in March.....	HCR 31	69	108
- N -			
NAMES			
See IDENTITY AND NAMES			
NATIONAL GUARD			
See MILITARY AND MILITIA			
NATIVE AMERICANS			
Child Protective Act, revise certain requirements	S 1328	89/163	184
NATURAL RESOURCES			
See also ENVIRONMENT			
125th anniversary, Hecla Mining Company, congratulate.....	SCR 148	121	148

	Bill Number	Intro. Page	Vote Page
NATURAL RESOURCES (Continued)			
Allow demonstration projects on federal land, Congress	HJM 14	257	-
Eastern Snake Plain Aquifer agreement, support.....	SCR 138	75	93
Eastern Snake Plain Aquifer recharge target	SCR 136	48	93
Idaho Geological Survey, records, use, availability.....	H 509	150	202
Invasive species, mussels, citations, inspection	S 1355	123	-
Oil well, Lands Department duties, track integration, appeals.....	S 1306	78	-
Oil well, Lands Department duties, track integration, appeals.....	S 1339	90	130
Solar production of energy, taxation	H 534	150	206
State or federal land, catastrophic public nuisance.....	S 1338	90	164
Water Resource Board, evaluate/manage aquifer shortage.....	SCR 137	48	93
NORTHWEST POWER AND CONSERVATION COUNCIL			
Booth, William B.: Appointment, Member			
Appointed by Governor/to Resources and Environment (Feb. 18)		98	
Committee Report.....		147	
Confirmed by Senate.....			156
NUISANCES			
State or federal land, catastrophic public nuisance.....	S 1338	90	164
NURSING AND NURSES			
Advanced Practice Registered Nurse Compact.....	S 1250	54	112
Board, revise provisions regarding membership.....	H 482	143	213
Licensure board, executive director qualifications.....	H 480	143	211
Nurse Licensure Compact	S 1251	54	112
Patient Freedom of Information Act, certain information	H 341	51	180
Practice of nursing, definition	S 1252	54	-
Practice of nursing, definition	S 1382	150	196
NURSING HOMES			
See ASSISTED LIVING AND NURSING HOMES			
- 0 -			
OATH OF OFFICE			
See also SUBSTITUTE SENATORS			
Administered:			
Appointed Senator: Kelly Anthon		2	
Appointed Senator: Mark R. Harris		3	
Attaches and First Group Pages		14	
Second Group Pages.....		123	
OBJECTION			
Senator Schmidt, March 14, 2016.....		197	
OBSCENITY			
Alcoholic beverages, prohibited acts, licensed premises.....	H 544	189	252
OCCUPATIONAL LICENSES BUREAU			
Cosmetology license renewal/reinstatement	H 441	99	197
Mortician/funeral director trainee license duration.....	H 367	69	180
OCCUPATIONAL THERAPY			
Board, revise provisions regarding membership.....	H 482	143	213
OFFICERS			
County elected officers, attorney general investigation.....	S 1255	57	119
OIL			
Idaho Geological Survey, records, use, availability.....	H 509	150	202
Oil well, Lands Department duties, track integration, appeals.....	S 1306	78	-
Oil well, Lands Department duties, track integration, appeals.....	S 1339	90	130
OIL AND GAS COMMISSION			
Beck, Chris Charles: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 14).....		16	
Committee Report.....		107	
Confirmed by Senate.....			111

	Bill Number	Intro. Page	Vote Page
OLYMPICS			
See ATHLETICS			
OPEN MEETING LAW			
See MEETINGS, PUBLIC			
OPTOMETRY AND OPTOMETRISTS			
Board, revise provisions regarding membership.....	H 482	143	213
Optometrists, license renewal provisions	H 333	51	187
Patient Freedom of Information Act, certain information	H 341	51	180
OUTFITTERS AND GUIDES			
Board, revise provisions regarding membership.....	H 482	143	213
- P -			
PACKAGING			
Auxiliary containers, regulation only by legislature	H 372	59	206
PAGES OF THE SENATE			
See ATTACHES; INDEX SECTION III			
Sworn in, First Group: January 14, 2016.....		14	
Sworn in, Second Group: February 24, 2016		123	
PARDONS AND PAROLE			
Commission, appropriation.....	S 1405	204	235
Commission, rule rejected.....	HCR 39	140	170
Parole violation hearing, nonviolent/nonsexual conduct	S 1343	99	183
PARENTS			
Child Protective Act, revise certain requirements	S 1328	89/163	184
Compromise claim of minor, petition, priority, approval	H 558	170	219
Delegation of power over minor, nonprofit assistance	H 573	201	-
Delegation of power over minor/developmentally disabled.....	S 1375	139	-
Juvenile proceedings, adoption, placement.....	H 556	170/242	251
Minors, inter vivos nomination appointment of guardian	S 1374	139	-
Parental rights in education, responsibility, notice	S 1293	73/140	160
Third grade reading instruction, intervention plan.....	H 451	128	197
PARKING			
Administration Department, Capitol parking rules rejected.....	SCR 152	192	226
PARKS AND RECREATION			
Department, appropriation.....	S 1401	189	210
Lava Hot Springs Foundation, appropriation.....	H 547	156	220
PARKS AND RECREATION BOARD			
Black, Peter J.: Appointment, Member			
Appointed by Governor/to Resources and Environment (Jan. 14).....		16	
Committee Report.....		92	
Confirmed by Senate.....			96
PARTNERSHIPS			
Idaho Rural Development Partnership Act, revised.....	H 417	79	180
PAYNE, SUE A.			
Appointment, Member: Commission for the Blind and Visually Impaired			
Appointed by Governor/to Health and Welfare (Jan. 13).....		11	
Committee Report.....		26	
Confirmed by Senate.....			28
PERMITS			
See LICENSES			
PERSI			
See RETIREMENT			
PESTS AND PESTICIDES			
Aquatic invasive species, continued federal funding.....	SJM 104	76	96
Commission on Pesticide Management, repeal	S 1215	35	59
Pest Control Deficiency Fund, appropriation.....	H 342	39	46
PETITIONS			
Compromise claim of minor, petition, priority, approval	H 558	170	219

	Bill Number	Intro. Page	Vote Page
PETROLEUM			
Petroleum Gas Safety Board, membership	H 482	143	213
PETS			
Companion animals, torture, definitions, penalties	H 524	140	202
Dangerous and At-Risk Dogs Act	H 525	150	213
PHARMACIES AND PHARMACISTS			
Biological products, pharmacist report to prescriber	H 483	143	206
Board, authority over durable medical supplies	S 1264	61	120
Board, durable medical equipment provisions	S 1387	163	195
Board, revise provisions regarding membership	H 482	143	213
Board, terms of office and compensation	H 336	59	166
Contraceptives and prophylactics, repeal regulations	H 340	62	166
Controlled substances database, delegate access	H 374	74	174
Controlled substances database, who may access	H 337	59	166
Controlled substances, schedule II revised	H 335	59	165
Controlled substances, storage requirements	H 339	59	166
Epinephrine auto-injectors, prescribing provisions	S 1322	83/260	145/267
Legend Drug Donation Act, expanded qualifications	H 373	65	173
Legend drugs, who may possess	H 338	59	166
Licensure board, executive director qualifications	H 480	143	211
Pharmacists, prescribe immunizations to age 6 and older	S 1294	73	120
PHYSICAL THERAPISTS			
Board, revise provisions regarding membership	H 482	143	213
Patient Freedom of Information Act, certain information	H 341	51	180
Physical therapy, license renewal, reinstatement	H 334	51	187
PHYSICIANS AND SURGEONS			
Abortion, ultrasound availability information	H 516	143	219
Biological products, pharmacist report to prescriber	H 483	143	206
Epinephrine auto-injectors, prescribing provisions	S 1322	83/260	145/267
Idaho Unborn Infants Dignity Act	S 1349	104	-
Idaho Unborn Infants Dignity Act	S 1404	194/233	252
Patient Freedom of Information Act, certain information	H 341	51	180
Unborn Child Protection from Dismemberment Abortion Act	S 1386	156	-
PIKE, LINDA			
Appointment, Member: Board of Tax Appeals			
Appointed by Governor/to Local Government and Taxation (Jan. 15)		19	
Committee Report		53	
Confirmed by Senate			57
PLUMBING AND PLUMBERS			
Board, revise provisions regarding membership	H 482	143	213
PODIATRY AND PODIATRISTS			
Board, revise provisions regarding membership	H 482	143	213
Patient Freedom of Information Act, certain information	H 341	51	180
POLICE, IDAHO STATE			
See also LAW ENFORCEMENT			
Appropriation	S 1390	163	185
Appropriation, add'l	H 612	229	255
Appropriation, revised	H 403	59	69
College scholarship eligibility, funds investment	S 1208	31	63
Idaho State Police, alcohol beverage rule rejected	HCR 40	140	170
Idaho peace officers, recognize, honor	SCR 132	22	61
Protection orders, malicious harassment, stalking	S 1373	139	183
Sexual assault evidence kits, testing/duties/procedures	H 528	150	202
State vehicles, marking and identification exemptions	S 1254	57	-
State vehicles, marking and identification exemptions	S 1329	89	-
POLITICAL PARTIES			
Political statements, identity of person responsible	H 542	170	251
Primary elections, selecting/changing party affiliation	S 1203	30	-

	Bill Number	Intro. Page	Vote Page
POLLUTION			
Aquatic invasive species, continued federal funding.....	SJM 104	76	96
Department of Agriculture/DEQ, management of cattle byproduct.....	S 1260	58/128	144
Department of Environmental Quality, IPDES permits, appeals, enforcement authority.....	S 1239	50	128
Invasive species, mussels, citations, inspection.....	S 1355	123	-
Underground storage tank program, funding, fees.....	S 1244	51	105
Water body classifications, risk levels.....	S 1237	50	128
Water quality, authorizing access to certain records.....	S 1238	50	128
PORNOGRAPHY			
Alcoholic beverages, prohibited acts, licensed premises.....	H 544	189	252
PORT DISTRICTS			
See DISTRICTS			
POSTAL SYSTEM			
USPS budget priorities, urge restructure.....	SJM 105	134	152
POWER			
See ENERGY			
POWER OF ATTORNEY			
Delegation of power over minor, nonprofit assistance.....	H 573	201	-
Delegation of power over minor/developmentally disabled.....	S 1375	139	-
PRAYER			
Congressional Prayer Caucus Foundation, support.....	HCR 62	283	-
PRECIOUS METALS			
125th anniversary, Hecla Mining Company, congratulate.....	SCR 148	121	148
PRESCRIPTIONS			
Biological products, pharmacist report to prescriber.....	H 483	143	206
Chiropractors, revised restrictions related to drugs.....	S 1231	43	109
Controlled substances database, delegate access.....	H 374	74	174
Controlled substances database, who may access.....	H 337	59	166
Controlled substances, schedule II revised.....	H 335	59	165
Controlled substances, storage requirements.....	H 339	59	166
Epinephrine auto-injectors, prescribing provisions.....	S 1322	83/260	145/267
Insulin and blood glucose supplies, district policy.....	S 1330	89	145
Investigational drugs, Right To Try Act.....	H 481	139	198
Legend Drug Donation Act, expanded qualifications.....	H 373	65	173
Legend drugs, who may possess.....	H 338	59	166
PRISONS AND PRISONERS			
Insurance producer, cause to suspend/revoke license.....	S 1345	104	144
Labor of prisoners, community service projects.....	S 1351	111	153
Parole violation hearing, nonviolent/nonsexual conduct.....	S 1343	99	183
PROBATE			
See also ESTATES			
Compromise claim of minor, petition, priority, approval.....	H 558	170	219
Estates, remove reference to a family allowance.....	S 1302	78	171
Surviving spouse, qualifications, revocation by divorce.....	S 1300	78/150	164
Uniform Fiduciary Access to Digital Assets Act.....	S 1303	78/172	185
PROFESSIONAL TECHNICAL EDUCATION			
Barber college licensing, student qualifications.....	H 486	105	198
Career Technical Education Division, appropriation.....	H 625	257	272
Career technical education, additional allocation for staff.....	H 630	269	275
Education, professional-technical to career technical.....	S 1210	31	46
Industry Partner Fund, professional-technical colleges.....	S 1332	89/164	190
Vocational rehabilitation, acceptance of federal acts.....	S 1232	43	101
PROFESSIONS			
Accountancy Board, revise provisions regarding membership.....	H 482	143	213
Acupuncture Board, revise provisions regarding membership.....	H 482	143	213
Adjutant General, duties.....	H 356	131	203
Advanced Practice Registered Nurse Compact.....	S 1250	54	112
Appraisal Management Company Registration/Regulation Act.....	S 1318	82	124
Architectural Examiner Board, membership provisions.....	H 482	143	213
Architectural Examiners Board, revise compensation.....	H 366	51	198

	Bill Number	Intro. Page	Vote Page
PROFESSIONS (Continued)			
Bail enforcement agents, requirements, prohibitions.....	H 508	150	-
Barber Examiners Board, provisions regarding membership.....	H 482	143	213
Barber college licensing, student qualifications.....	H 486	105	198
Chiropractors, revised restrictions related to drugs.....	S 1231	43	109
Contractors Board, revise provisions regarding membership.....	H 482	143	213
Cosmetology Board, revise provisions regarding membership.....	H 482	143	213
Cosmetology license renewal/reinstatement.....	H 441	99	197
Counselors/Marriage/Family Therapists Board, membership.....	H 482	143	213
Dentistry Board, revise provisions regarding membership.....	H 482	143	213
Dentistry Board, revise provisions regarding membership.....	H 482	143	213
EMS Personnel Licensure Interstate Compact, enact.....	S 1281	68	125
EMT/paramedic scholarship eligibility, funds investment.....	S 1208	31	63
Education, professional-technical to career technical.....	S 1210	31	46
Engineers/Land Surveyors Board, membership provisions.....	H 482	143	213
Engineers/surveyors, exams, restricted licensure.....	S 1285	73/113	141
Engineers/surveyors, practicing without license.....	S 1287	73	113
Firefighters, certain occupational diseases.....	H 554	194	222
Genetic Counselors Licensing Board, membership.....	H 482	143	213
Heating/Ventilation/Air Conditioning Board, membership.....	H 482	143	213
Idaho peace officers, recognize, honor.....	SCR 132	22	61
Insurance producer, cause to suspend/revoke license.....	S 1345	104	144
Insurance producer, licensing revocation provisions.....	S 1221	39	112
Landscape Architects Board, membership provisions.....	H 482	143	213
Massage therapy, student tuition credit program.....	H 519	140	198
Mortician/funeral director trainee license duration.....	H 367	69	180
Morticians Board, revise provisions regarding membership.....	H 482	143	213
Nurse Licensure Compact.....	S 1251	54	112
Nurses, practice of nursing defined.....	S 1252	54	-
Nurses, practice of nursing defined.....	S 1382	150	196
Nursing Board, revise provisions regarding membership.....	H 482	143	213
Nursing Home Administrators Board, membership provisions.....	H 482	143	213
Occupational Therapy Licensure Board, membership.....	H 482	143	213
Optometrists, license renewal provisions.....	H 333	51	187
Optometry Board, revise provisions regarding membership.....	H 482	143	213
Outfitters/Guides Licensing Board, membership provisions.....	H 482	143	213
Pharmacists, prescribe immunizations to age 6 and older.....	S 1294	73	120
Pharmacy Board, revise provisions regarding membership.....	H 482	143	213
Physical Therapy Licensure Board, membership provisions.....	H 482	143	213
Physical therapy, license renewal, reinstatement.....	H 334	51	187
Plumbing Board, revise provisions regarding membership.....	H 482	143	213
Podiatry Board, revise provisions regarding membership.....	H 482	143	213
Professional Geologists Registration Board, membership.....	H 482	143	213
Psychologist Examiners Board, membership provisions.....	H 482	143	213
Public Works Contractor License Board, membership provisions.....	H 482	143	213
Real Estate Appraisers Board, membership provisions.....	H 482	143	213
Real Estate Appraisers, revise definitions.....	H 368	69	198
Residential Care Facility Administrators Board, membership.....	H 482	143	213
Retired professional engineer/land surveyor, defined.....	S 1286	73	112
School district professional personnel, evaluations.....	H 515	140	202
School employee career ladder, compensation, indicators.....	H 571	201	237
School employment contracts, remove state form approval.....	S 1248	54	109
Shorthand Reporters Board, membership provisions.....	H 482	143	213
Social Work Examiners Board, membership provisions.....	H 482	143	213
Social Work Recognition Month, March 2016, support.....	HCR 47	143	170
State personnel, add to list of nonclassified employees.....	S 1202	27	63
Teacher leadership premiums, revise provisions.....	H 627	269	275
Uniform Athlete Agents Act, revised.....	H 398	93	213
Veterinarians, alternatives to formal discipline.....	H 382	79/209	230
Veterinary Medicine Board, provisions regarding membership.....	H 482	143	213

	Bill Number	Intro. Page	Vote Page
PROPERTY			
See also REAL ESTATE			
Cemetery lots, resale of unused lots, compensation	H 496	140	198
Eminent domain property valuation, factors in assessing.....	S 1245	53	-
Farm equipment repurchase requirements, charges	S 1359	127	154
Foreclosure, trustee sale, nontitled personal property.....	S 1315	82/172/182	196
Homeowner associations, prohibited conduct	H 511	136	203
Homeowner's exemption, \$100K, no inflation adjuster.....	H 431	74	174
Homeowner's exemption, \$100K, no inflation adjuster, trailer	H 634	269	-
Motorbike Recreation Account funds, recreation easements.....	H 471	112	186
Nonconsensual common law liens, prohibited, penalties	H 491	131	197
Operating property not in taxable value for making levy	H 359	54	101
Owned by public agency, executive session to buy/sell.....	S 1335	90	-
Real Estate Appraisers, revise definitions	H 368	69	198
Regulatory takings, request by owner for analysis.....	S 1325	83	145
Tax deed sale proceeds, unclaimed property	S 1347	104/164	179
Tax deeds, clarification of the term "encumbrances".....	S 1348	104	-
Trust deeds, definition of the term "trustee"	H 503	143	219
PROPERTY TAX			
See TAX AND TAXATION, PROPERTY			
PROSECUTING ATTORNEYS			
See ATTORNEYS			
PSYCHIATRY AND PSYCHIATRISTS			
Animal cruelty, presentence psychological evaluation	S 1309	79	-
Companion animals, torture, definitions, penalties.....	H 524	140	202
PSYCHOLOGY AND PSYCHOLOGISTS			
Animal cruelty, presentence psychological evaluation	S 1309	79	-
Companion animals, torture, definitions, penalties.....	H 524	140	202
Psychologist Examiners Board, membership provisions	H 482	143	213
PUBLIC ASSISTANCE			
Complete Medicaid waiver application, legislative committee.....	HCR 63	269	-
Health grant program for medically underserved	H 644	269/273	276
Independent Living Council, revise reference	S 1323	83	154
Legend Drug Donation Act, expanded qualifications.....	H 373	65	173
Legend drugs, who may possess	H 338	59	166
Medicaid, expand eligibility to certain persons	S 1204	31	-
Medical assistance, benchmark plan, eligibility	S 1205	31	-
Mental disease institution, Medicaid reimbursement.....	H 500	140	199
Providers, provisions for civil monetary penalties.....	S 1295	73	133
State Public Defense Commission duties, county funds, grants.....	H 504	150	206
PUBLIC BROADCASTING			
Idaho Public Television, appropriation.....	S 1370	136	160
PUBLIC EMPLOYEE RETIREMENT SYSTEM			
See RETIREMENT			
PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO BOARD			
Cilek, Jeff: Appointment, Member			
Appointed by Governor/to Commerce and Human Resources (Jan. 15).....		19	
Committee Report.....		42	
Confirmed by Senate.....			45
PUBLIC OFFICERS			
Executive sessions, when authorized	S 1335	90	-
PUBLIC RECORDS			
See RECORDS			
PUBLIC UTILITIES			
See UTILITIES			
PUBLIC UTILITIES COMMISSION			
Anderson, Eric R.: Appointment, Member			
Appointed by Governor/to State Affairs (Jan. 15).....		18	
Committee Report.....		44	
Confirmed by Senate.....			65

SENATE INDEX

353

	Bill Number	Intro. Page	Vote Page
PUBLIC WORKS			
Division, appropriation	S 1422	238	257
Division, appropriation, add'l	S 1422	238	257
Public works, award of contracts	S 1219	39	69
PUBLICATIONS			
Public school instruction, when Bible permitted	S 1321	82	-
Public schools, when religious texts permitted	S 1342	96/140	160
PURCHASING			
Exclusions from local government purchasing laws	H 541	170	237
Public procurement, legislative study committee	HCR 48	170	266
State Procurement Act	H 538	170	266
PURDY, L.N. NICK			
Appointment, Member: Board of Environmental Quality			
Appointed by Governor/to Health and Welfare (Jan. 13)		13	
Committee Report		143	
Confirmed by Senate			153
- R -			
RACING			
Horse Racing Commission, certain payment to horse council	S 1220	39	-
Horse Racing Commission, certain payment to horse council	S 1298	74	119
RADIO			
See TELECOMMUNICATIONS			
RAUBENHEIMER, BRITT			
Appointment, Member: Commission for the Blind and Visually Impaired			
Appointed by Governor/to Health and Welfare (Jan. 15)		19	
Committee Report		26	
Confirmed by Senate			28
REAL ESTATE			
See also PROPERTY			
Appraisal Management Company Registration/Regulation Act	S 1318	82	124
Commission, revise provisions regarding membership	H 482	143	213
Eminent domain property valuation, factors in assessing	S 1245	53	-
Foreclosure, trustee sale, nontitled personal property	S 1315	82/172/182	196
Homeowner associations, prohibited conduct	H 511	136	203
Real Estate Appraisers Board, membership	H 482	143	213
Real Estate Appraisers, revise definitions	H 368	69	198
Tax deeds, clarification of the term "encumbrances"	S 1348	104	-
REAL PROPERTY			
Cemetery lots, resale of unused lots, compensation	H 496	140	198
Eminent domain property valuation, factors in assessing	S 1245	53	-
Homeowner associations, prohibited conduct	H 511	136	203
Homeowner's exemption, \$100K, no inflation adjuster	H 431	74	174
Homeowner's exemption, \$100K, no inflation adjuster, trailer	H 634	269	-
Nonconsensual common law liens, prohibited, penalties	H 491	131	197
Operating property not in taxable value for making levy	H 359	54	101
Owned by public agency, executive session to buy/sell	S 1335	90	-
Real Estate Appraisers, revise definitions	H 368	69	198
Trust deeds, definition of the term "trustee"	H 503	143	219
REBERGER, J. PHILIP			
Appointment, Member: Idaho Judicial Council			
Appointed by Governor/to Judiciary and Rules (Jan. 14)		16	
Committee Report		126	
Confirmed by Senate			152
RECLAMATION			
Mining, certain requirements of reclamation activities	S 1197	23	41
RECOGNITION			
See HONORS AND AWARDS			

	Bill Number	Intro. Page	Vote Page
RECORDS			
City records, historical preservation, nonpaper mediums.....	H 443	170	214
Exemption, firearm sales, federally required records	H 478	136	219
Idaho Geological Survey, records, use, availability.....	H 509	150	202
Patient Freedom of Information Act, certain information.....	H 341	51	180
Public records exemption, critical infrastructure	H 447	99/151	165
Public records, access to certain water quality records	S 1238	50	128
RECREATION			
Idaho Multiple Use Sustained Yield Act	H 582	226	-
Manufactured home residency, reference to park model.....	S 1194	20	-
Motorbike Recreation Account funds, recreation easements.....	H 471	112	186
Recreational water/sewer districts, annexation	H 406	170	213
State trust land, oppose use based on exclusivity.....	HCR 53	229	-
Taxing Districts, budgeting forgone increases	H 474	99	174
RECREATIONAL VEHICLES			
Motorbike Recreation Account funds, recreation easements.....	H 471	112	186
REGULATORY TAKINGS			
See EMINENT DOMAIN			
REHABILITATION			
Vocational rehabilitation, acceptance of federal acts	S 1232	43	101
RELIGION AND CHURCHES			
Congressional Prayer Caucus Foundation, support	HCR 62	283	-
Public school instruction, when Bible permitted.....	S 1321	82	-
Public schools, when religious texts permitted.....	S 1342	96/140	160
REPORTS			
Benefit corporations, annual report filing requirement.....	H 390	79	197
Benefit corporations, filing benefit report	S 1227	42	-
Campaign contributions/expenditures, reporting	S 1299	74	-
Continuous student improvement plans, requirement.....	H 560	177	219
Health and Welfare, reporting requirements, foster care program	H 523	156	214
Health grant program for medically underserved	H 644	269/273	276
Lobbyists, reports by certain state entities.....	H 497	136/234	250
Tax Commission, certain school district reports, availability.....	H 391	65	166
Tax Commission, no taxable value report to Department of Education	H 358	51	70
Urban renewal, provisions, requirements, reporting.....	H 606	257/269/274	276
RESEARCH			
Allow INL research quantities of spent fuel, urge AG.....	HCR 60	269	283
Global Entrepreneurial Mission Program, provisions.....	H 377	65	174
Noxious weeds, privately funded research facilities.....	H 469	136	202
RESERVOIRS			
Water resources, artificial barriers, embankments	H 351	51	206
RESIDENTIAL CARE FACILITIES			
Administrators license education/training requirements.....	H 332	51	187
Board, revise provisions regarding membership.....	H 482	143	213
Residential care/assisted living facilities, citations.....	S 1341	91/150	161
RESOLUTIONS			
Senate Rule 20, committee chair's decisions	SR 101	84	149
RESOLUTIONS, CONCURRENT			
125th anniversary, Hecla Mining Company, congratulate.....	SCR 148	121	148
2016 U.S. Capitol Christmas tree, Idaho participation	HCR 46	156	226
Administration Department, Capitol parking rules rejected.....	SCR 152	192	226
Agency fee rules approved, except ISP and Health and Welfare	SCR 153	231	261
Agency temporary rules approved and extended.....	SCR 154	232	261
Allow INL research quantities of spent fuel, urge AG.....	HCR 60	269	283
Associated Logging Contractors of Idaho, honor 50 years	HCR 35	123	193
Black History Month, February, commemorate in Idaho	SCR 133	29	50
Celebrating 125th anniversary, Great Seal of Idaho	HCR 41	160	201
Civics test, include Idaho specific questions.....	HCR 50	170	-
Commemorating pulse crop for singular recognition	HCR 32	93	159
Commerce Department, investigate improving broadband	HCR 58	257	-

	Bill Number	Intro. Page	Vote Page
RESOLUTIONS, CONCURRENT (Continued)			
Commission of Pardons and Parole rule rejected	HCR 39	140	170
Community water fluoridation, great health achievement.....	HCR 34	87	149
Complete Medicaid waiver application, legislative committee.....	HCR 63	269	-
Congressional Prayer Caucus Foundation, support	HCR 62	283	-
Eastern Snake Plain Aquifer agreement, support.....	SCR 138	75	93
Eastern Snake Plain Aquifer recharge target	SCR 136	48	93
Education Board/Department Rule Docket 08-0203-1503 rejected	SCR 139	80	96
Education Board/Department Rule Docket 08-0203-1506 rejected	SCR 140	80	96
Education Board/Department Rule Docket 08-0203-1509 rejected	HCR 44	140	177
Education Board/Department Rule Docket 08-0203-1511 rejected	SCR 141	80	96
Education Board opportunity scholarship rules rejected	HCR 45	140	177
Education, support progress toward "60 by 20" goal	SCR 134	30	57
Fish and Game Department Rule Docket 13-0116-1501 rejected.....	HCR 55	226	241
Fly US, Idaho flags on 3/4, 7/3 and 7/4, encourage	HCR 57	216	241
Foster care/conservators/guardians, legislative study	HCR 59	258	264
Health and Welfare plan for behavioral health services, request report.....	HCR 54	216	-
Honoring Idaho author Anthony Doerr for his work.....	HCR 30	87	127
Idaho Power's 100th anniversary, recognize and honor.....	HCR 43	131	193
Idaho State Police, alcohol beverage rule rejected	HCR 40	140	170
Idaho peace officers, recognize, honor.....	SCR 132	22	61
Income tax structure in Idaho, legislative study committee	SCR 155	259	267
Joint Rule 18, statements of purpose, fiscal notes	SCR 142	85	-
Joint Rule 18, statements of purpose, fiscal notes	SCR 150	161	177
Joint Rule 20, transmittal of Joint Resolution.....	SCR 143	85	148
Joint Rule 21, certain recorded proceedings	SCR 144	86	148
Matt Paradis, Denver Broncos, Super Bowl Championship.....	HCR 42	96	127
Mitigating bias, contested cases, legislative study	SCR 151	178	193
Music In Our Schools Month, observance in March.....	HCR 31	69	108
National Apprenticeship Week, recognize	HCR 36	93	152
National Day of the Cowboy, declared	HCR 38	150	226
National Women's History Month, recognized	SCR 147	110	127
Public Utilities Commission safety, accident reporting rules rejected	HCR 51	177	241
Public procurement, legislative study committee	HCR 48	170	266
Public school funding formula, legislative study committee.....	HCR 33	99	182
Purple Heart Day, State of Idaho, designate	SCR 146	86	108
Social Work Recognition Month, March 2016, support.....	HCR 47	143	170
State employee group insurance plan, legislative study	HCR 61	277	277
State trust land, oppose use based on exclusivity.....	HCR 53	229	-
Statue of Liberty, commemorating 130th anniversary.....	HCR 29	87	170
Surface water/ground water settlement, support.....	SCR 135	47	-
Veterans cemetery in Eastern Idaho, endorse need.....	SCR 145	86	108
Veterans cemetery in Eastern Idaho, endorse need	SCR 149	121	148
Water Resource Board, evaluate/manage aquifer shortage.....	SCR 137	48	93
Wheat Commission rules rejected.....	HCR 49	170	193
Year of Idaho Military Families, observe in 2016.....	HCR 28	131	170
RESOLUTIONS, JOINT			
Legislative response to administrative rules	HJR 5	201	280
Legislative session for vetoed bills	SJR 101	44	105
RESTAURANTS			
See also FOOD			
RETIREMENT			
Public Employee Retirement System of Idaho, appropriation	S 1363	135	157
Retired professional engineer/land surveyor, defined	S 1286	73	112
REVENUE AND TAXATION			
See TAX AND TAXATION			
RIGHT-OF-WAY			
See EASEMENTS			
RISCH, JAMES E.			
US Senator Address, February 16, 2016.....		92	

	Bill Number	Intro. Page	Vote Page
RIVERS			
Columbia River Treaty, urge continuance.....	SJM 106	134	152
Submersible well pumps, approved locations.....	H 643	277	281
ROADS			
See HIGHWAYS			
ROLL CALL VOTE REQUEST			
Pursuant to Rule 39(C):			
SCR 137 , Senator Davis.....		93	
SCR 136 , Senator Davis.....		93	
RONK, MEGAN			
Appointment: Director of the Department of Commerce			
Appointed by Governor/to Commerce and Human Resources (Jan. 20).....		27	
Committee Report.....		52	
Confirmed by Senate.....			57
RULES			
Administration Department, Capitol parking rules rejected.....	SCR 152	192	226
Administrative Code, certain electronic copies.....	S 1234	45	153
Agency fee rules approved, except ISP and Health and Welfare.....	SCR 153	231	261
Agency rules, continue in full force and effect.....	H 639	278	282
Agency temporary rules approved and extended.....	SCR 154	232	261
Amendments to Administrative Rules, requirement.....	S 1360	127	190
Commission of Pardons and Parole rule rejected.....	HCR 39	140	170
Education Board/Department Rule Docket 08-0203-1503 rejected.....	SCR 139	80	96
Education Board/Department Rule Docket 08-0203-1506 rejected.....	SCR 140	80	96
Education Board/Department Rule Docket 08-0203-1509 rejected.....	HCR 44	140	177
Education Board/Department Rule Docket 08-0203-1511 rejected.....	SCR 141	80	96
Education Board opportunity scholarship rules rejected.....	HCR 45	140	177
Fish and Game Department Rule Docket 13-0116-1501 rejected.....	HCR 55	226	241
Idaho State Police, alcohol beverage rule rejected.....	HCR 40	140	170
Joint Rule 18, statements of purpose, fiscal notes.....	SCR 142	85	-
Joint Rule 18, statements of purpose, fiscal notes.....	SCR 150	161	177
Joint Rule 20, transmittal of Joint Resolution.....	SCR 143	85	148
Joint Rule 21, certain recorded proceedings.....	SCR 144	86	148
Legislative response to administrative rules.....	HJR 5	201	280
Public Utilities Commission safety, accident reporting rules rejected.....	HCR 51	177	241
Senate Rule 20, committee chair's decisions.....	SR 101	84	149
Wheat Commission rules rejected.....	HCR 49	170	193
RULES, SENATE AND JOINT RULES SENATE/HOUSE			
Senate Rule 12(A), Petitions, Memorials and Resolutions and Joint Rule 6:			
SCR 135 , February 9, 2016.....		67	
Senate Rule 39(C), Roll Call Vote:			
SCR 137 , February 16, 2016.....		93	
SCR 136 , February 16, 2016.....		93	
Senate Rule 14(E), Calling for a Bill:			
S 1205 , March 14, 2016.....		197	
Joint Rule 20, Petition to Waive:			
HJR 5 , March 23, 2016.....		259	
- S -			
SAFETY			
Food safety modernization, Department of Agriculture regulate.....	H 499	136	198
Idaho School Safety and Security Act.....	H 514	150	206
Protection orders, malicious harassment, stalking.....	S 1373	139	183
Public Utilities Commission safety, accident reporting rules rejected.....	HCR 51	177	241
Public records exemption, critical infrastructure.....	H 447	99/151	165
Seat belt violations, warning period, increased fine.....	S 1312	82/117	142
Underground Facilities Damage Prevention Board.....	H 454	123	213

	Bill Number	Intro. Page	Vote Page
SALARIES			
See WAGES			
SALES			
Alcohol beverage catering permits, provisions	S 1354	123/261	171/268
Cemetery lots, resale of unused lots, compensation	H 496	140	198
Electronic cigarettes, permit to sell, required sign	H 498	140	-
Farm equipment repurchase requirements, charges	S 1359	127	154
Firearm sales, federally required records not public	H 478	136	219
Foreclosure, trustee sale, nontitled personal property	S 1315	82/172/182	196
Girl Scout/Boy Scout food products, sales tax exemption	H 449	99	-
Retail sale of liquor by the drink, "person" defined	H 362	54/113	165
Tax deed sale proceeds, unclaimed property	S 1347	104/164	179
SAVINGS ACCOUNTS			
State employee health savings account, employer portion	S 1319	82	-
State employee health savings account, employer portion	S 1346	104	144
SCHNEIDER, ALLAN R.			
Appointment, Member: Commission for the Blind and Visually Impaired			
Appointed by Governor/to Health and Welfare (Jan. 13)		11	
Committee Report		26	
Confirmed by Senate			28
SCHNEIDER, PAUL J.			
Appointment, Member: Idaho State Racing Commission			
Appointed by Governor/to State Affairs (Mar. 3)		148	
Committee Report		228	
Confirmed by Senate			241
SCHOLARSHIPS			
Adult degree completion scholarship, provisions	S 1291	73/117	142
Advanced opportunities, rulemaking, support program	H 458	123/150	165
College scholarship eligibility, funds investment	S 1208	31	63
Education Board opportunity scholarship rules rejected	HCR 45	140	177
Postsecondary credit scholarship, requirements, funds	H 477	170/218	230
SCHOOLS AND SCHOOL DISTRICTS			
Advanced opportunities, rulemaking, support program	H 458	123/150	165
Broadband Infrastructure Improvement Grant Fund	S 1333	89	137
Career technical education, additional allocation for staff	H 630	269	275
Certificated employees, supplemental duty/day contracts	H 537	177	219
Charter School Debt Reserve Fund, appropriation	S 1430	266	273
Charter holders, petition, replication charter schools	S 1376	149	185
Civics test or school alternative, exception	S 1247	54	-
Civics test, applicability to special education pupils	S 1336	90	144
Civics test, include Idaho specific questions	HCR 50	170	-
College and career advisors, provisions, reporting	S 1290	73	113
Community College Districts, powers of board	S 1320	82	136
Community College Districts, zones, trustees	H 387	62	-
Community colleges, creation/provisions trustee zones	H 512	136	205
Continuous student improvement plans, requirement	H 560	177	219
Education Department, appropriation, public schools, Central Service	H 647	278	282
Education Department, appropriation, public schools, Children's Programs	H 647	278	282
Education Department, appropriation, public schools, Operations Division	H 647	278	282
Education Opportunity Resource Act	S 1334	90	137
Education, professional-technical to career technical	S 1210	31	46
Educational support program, calculations, grades 8-12	H 629	269	275
Educational support program, literacy intervention	H 526	136	203
Educational support, program calculations	S 1289	73	-
Idaho School Safety and Security Act	H 514	150	206
Insulin and blood glucose supplies, district policy	S 1330	89	145
Leadership premiums, moneys distributed to school districts	S 1266	62	119
Leadership premiums, revise provisions	H 627	269	275
Local Innovation School Act	H 570	201	237
Mastery-based education, activity provisions	S 1267	62	119

	Bill Number	Intro. Page	Vote Page
SCHOOLS AND SCHOOL DISTRICTS (Continued)			
Parental rights in education, responsibility, notice	S 1293	73/140	160
Public School Income Fund, appropriation, add'l.....	H 647	278	282
Public charter schools, amend, add provisions	S 1337	90	-
Public school funding formula, legislative study committee.....	HCR 33	99	182
Public school instruction, when Bible permitted	S 1321	82	-
Public schools, computer science initiative	H 379	54/129	165
Public schools, when religious texts permitted.....	S 1342	96/140	160
Rural education support centers, provides for	H 628	269	-
STEM Action Center, appropriation, add'l.....	S 1429	265	273
School Board Trustees, recall election, filling vacancy.....	S 1273	65	-
School District Bond Credit Enhancement Program, limits.....	S 1272	65	146
School bond guarantee, limitation.....	H 426	83	199
School district professional personnel, evaluations	H 515	140	202
School employee career ladder, compensation, indicators	H 571	201	237
School employment contracts, remove state form approval.....	S 1248	54	109
Staff allowance, determination provisions	H 603	238	272
State educational agency employees, sick leave transfer	H 452	105/172	186
Statewide average class size, calculation of.....	H 476	112	186
Taxing Districts, budgeting forgone increases	H 474	99	174
Third grade reading instruction, intervention plan.....	H 451	128	197
Trustee elections, elector qualifications, uniform date.....	S 1308	79	-
Trustees, provisions regarding elections	S 1257	58/261	124/267
Trustees, terms, meetings	S 1307	79	-
Youth athletes, permission, post-concussion protocol	H 557	201	237
SCIENCE AND TECHNOLOGY			
Career technical education, additional allocation for staff.....	H 630	269	275
Noxious weeds, privately funded research facilities.....	H 469	136	202
Public schools, computer science initiative	H 379	54/129	165
STEM Action Center Board, provisions	S 1249	54	101
STEM Action Center contributions, tax credit	H 357	69	171
STEM Action Center, appropriation	S 1425	238	256
STEM Action Center, appropriation, add'l.....	S 1429	265	273
STEM education fund, creation, provisions.....	S 1279	68	113
SCOTT, DANIEL			
Appointment, Member: Aeronautics Advisory Board			
Appointed by Governor/to Transportation (Feb. 11)		77	
Committee Report.....		100	
Confirmed by Senate.....			108
SEAT ASSIGNMENTS			
January 11, 2016.....		9	
SEAT BELTS			
Seat belt violations, warning period, increased fine	S 1312	82/117	142
SECRETARY OF STATE			
Appropriation	H 563	177	223
Appropriation, add'l.....	S 1418	229	255
Appropriation, add'l, voting system grant program	H 384	54	66
Benefit corporations, annual report filing requirement.....	H 390	79	197
Benefit corporations, filing benefit report	S 1227	42	-
Elections, provisions regarding primary elections	S 1195	22	-
Electronic voter registration for persons with DMV IDs	S 1297	74/114/129/283	145/284
Liens in crops, notice of claim requirements.....	H 389	79	201
SECURITY			
Idaho School Safety and Security Act	H 514	150	206
SELF-GOVERNING AGENCIES			
Aquaculture Commission, repeal	H 383	87	180
Department, appropriation, Building Safety Division	S 1379	149	179
Department, appropriation, Building Safety Division, add'l.....	H 365	41	54
Department, appropriation, Building Safety Division, revised.....	H 635	277	278
Department, appropriation, Veterans Services Division	H 552	156	221

	Bill Number	Intro. Page	Vote Page
SELF-GOVERNING AGENCIES (Continued)			
Department, appropriation, add'l, Public Defense Commission	H 609	229	254
Department, appropriation, medical boards	H 598	209	231
Department, appropriation, medical boards, add'l	S 1199	27	36
Department, appropriation, regulatory boards	S 1372	136	160
Idaho State Historical Society, appropriation.....	S 1407	204	235
Idaho State Lottery, appropriation.....	S 1365	136	157
Library Commission, appropriation	S 1392	163	185
Library Commission, appropriation, add'l.....	S 1429	265	273
SENATE			
See also LEGISLATURE			
See also SEAT ASSIGNMENTS, COMMITTEE ASSIGNMENTS			
See also SENATE OFFICERS; SPECIAL COMMITTEES			
See also RULES, ADOPTION			
Senate Rule 20, committee chair's decisions	SR 101	84	149
SENATORS			
Acting:			
Troy Rohn, March 22, 2016		240	
Appointed:			
Kelly Anthon, District 27, Effective July 2, 2015		2	
Mark R. Harris, District 32, Effective July 22, 2015.....		3	
Memorialized:			
Steven L. Herndon, February 15, 2016		88	
Resigned:			
Dean L. Cameron, June 15, 2015		2	
John H. Tippetts, July 5, 2015.....		2	
SENIOR CITIZENS			
Nursing Home Administrators Board, provisions regarding membership	H 482	143	213
Residential care/assisted living facilities, citations.....	S 1341	91/150	161
SENTENCING			
Animal cruelty, presentence psychological evaluation	S 1309	79	-
Companion animals, torture, definitions, penalties.....	H 524	140	202
SETTLES, KEVIN COYNE			
Appointment, Member: Idaho Commission on Human Rights			
Appointed by Governor/to State Affairs (Jan. 27).....		37	
Committee Report		76	
Confirmed by Senate.....			95
SEWERS			
Recreational water/sewer districts, annexation	H 406	170	213
SEX DISCRIMINATION			
Sexual orientation/gender identity, no discrimination.....	S 1196	23	-
SEX OFFENSES AND OFFENDERS			
Sex offenses, rape gender neutral.....	H 580	229	261
Sexual assault evidence kits, testing/duties/procedures	H 528	150	202
Sexual battery of adult, rape gender neutral	S 1277	68	132
Sexual exploitation of child, electronically, penalties.....	H 555	177/216	230
SEXUAL OFFENDER MANAGEMENT BOARD			
Betts, Jeffrey: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Feb. 10).....		71	
Committee Report		88	
Confirmed by Senate.....			95
Crawford, William Dale: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Jan. 20)		27	
Committee Report		88	
Confirmed by Senate.....			108
Johnston, Michael David: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Jan. 27)		38	
Committee Report		88	
Confirmed by Senate.....			95

	Bill Number	Intro. Page	Vote Page
SEXUAL OFFENDER MANAGEMENT BOARD (Continued)			
Lynch, Moira A.: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Jan. 14)		16	
Committee Report		88	
Confirmed by Senate			96
Sonnenberg, Erwin L.: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Feb. 1)		45	
Committee Report		88	
Confirmed by Senate			95
Thomas, Matthew Allen: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Jan. 15)		20	
Committee Report		88	
Confirmed by Senate			95
SHERIFFS			
Concealed weapons law, repeal, add new section	S 1378	149	-
Protection orders, malicious harassment, stalking	S 1373	139	183
SILVER			
See PRECIOUS METALS			
SINE DIE ADJOURNMENT			
Second Regular Session, March 24, 2016 at 9:02 p.m.		284	
SMOKING			
Cigarette taxes, wholesaler bonding requirements	H 376	59	101
Electronic cigarettes, permit to sell, required sign	H 498	140	-
Millennium Income Fund, appropriation, tobacco/drug programs	S 1410	204	236
Youth Education Account, repeal	H 392	65	167
SOCIAL WORK			
Board, revise provisions regarding membership	H 482	143	213
Social Work Recognition Month, March 2016, support	HCR 47	143	170
SOIL			
Soil and Water Conservation Commission, appropriation	S 1416	222	253
Watershed Improvement Districts, dissolution	H 569	201	236
SOLAR ENERGY			
Solar production of energy, taxation	H 534	150	206
SOLID WASTES			
See WASTES			
SONNENBERG, ERWIN L.			
Appointment, Member: Sexual Offender Management Board			
Appointed by Governor/to Judiciary and Rules (Feb. 1)		45	
Committee Report		88	
Confirmed by Senate			95
SPECIAL COMMITTEES			
Lincoln Day: Senators Lee and Souza, Co-chairmen		81	
Memorial Service: Senators Souza and Lee, Co-chairmen		88	
Idaho Day: Senator Burgoyne Chair, and Senators Anthon and Den Hartog		158	
SPEED LIMITS			
Off-road vehicles, when permitted on highways	H 553	189	220
SPORTS			
See ATHLETICS			
STANDING COMMITTEE, ASSIGNMENTS			
See COMMITTEES, STANDING			
Standing Committee Assignments		9	
STARK, LOUISE D.			
Appointment, Member: Idaho Outfitters and Guides Licensing Board			
Appointed by Governor/to Resources and Environment (Jan. 14)		16	
Committee Report		49	
Confirmed by Senate			53
STATE AGENCIES			
See GOVERNMENT			

SENATE INDEX

	Bill Number	Intro. Page	Vote Page
STATE APPELLATE PUBLIC DEFENDER			
Appropriation.....	H 600	209	235
Provisions related to powers and duties.....	H 439	105	205
STATE BOARD OF CORRECTION			
Wilson, Cindy P.: Appointment, Member			
Appointed by Governor/to Judiciary and Rules (Jan. 13).....		12	
Committee Report.....		56	
Confirmed by Senate.....			61
STATE BOARD OF EDUCATION			
Atchley, Emma Lou: Appointment, Member			
Appointed by Governor/to Education (Jan. 13).....		12	
Committee Report.....		103	
Confirmed by Senate.....			108
Clark, Linda: Appointment, Member			
Appointed by Governor/to Education (Jan. 15).....		19	
Committee Report.....		71	
Confirmed by Senate.....			77
STATE BUILDING AUTHORITY			
Enderud, Shelly Jo: Appointment, Member			
Appointed by Governor/to State Affairs (Mar. 1).....		138	
Committee Report.....		233	
Confirmed by Senate.....			241
Tracy, Bud: Appointment, Member			
Appointed by Governor/to State Affairs (Mar. 1).....		138	
Committee Report.....		233	
Confirmed by Senate.....			241
STATE INSURANCE FUND BOARD			
Gestrin, Terry: Appointment, Member			
Appointed by Governor/to Commerce and Human Resources (Feb. 1).....		45	
Committee Report.....		100	
Confirmed by Senate.....			108
Lakey, Todd: Appointment, Member			
Appointed by Governor/to Commerce and Human Resources (Jan. 15).....		18	
Committee Report.....		60	
Confirmed by Senate.....			66
STATE OF THE JUDICIARY MESSAGE			
Chief Justice Jim Jones, January 20, 2016.....		24	
STATE OF THE STATE AND BUDGET ADDRESS			
Governor C. L. "Butch" Otter, January 11, 2016.....		4	
STATE PUBLIC DEFENSE COMMISSION			
Appropriation.....	H 578	189	224
Appropriation, add'l.....	H 609	229	254
State Public Defense Commission duties, county funds, grants.....	H 504	150	206
STATE SOIL AND WATER CONSERVATION COMMISSION			
Gier, Glen R.: Appointment, Member			
Appointed by Governor/to Agricultural Affairs (Jan. 14).....		16	
Committee Report.....		77	
Confirmed by Senate.....			95
STATE SYMBOLS			
Celebrating 125th anniversary, Great Seal of Idaho.....	HCR 41	160	201
Fly US, Idaho flags on 3/4, 7/3 and 7/4, encourage.....	HCR 57	216	241
STATEHOUSE			
See CAPITOL			
STATEMENT OF PURPOSE			
Joint Rule 18, statements of purpose, fiscal notes.....	SCR 142	85	-
Joint Rule 18, statements of purpose, fiscal notes.....	SCR 150	161	177
STATUES			
See MONUMENTS			
STATUTES			
See CODES			

	Bill Number	Intro. Page	Vote Page
STREAMS			
Submersible well pumps, approved locations.....	H 643	277	281
STUDENTS			
Advanced opportunities, rulemaking, support program.....	H 458	123/150	165
Barber college licensing, student qualifications.....	H 486	105	198
Civics test or school alternative, exception.....	S 1247	54	-
Civics test, applicability to special education pupils.....	S 1336	90	144
Civics test, include Idaho specific questions.....	HCR 50	170	-
Continuous student improvement plans, requirement.....	H 560	177	219
Education Department, appropriation, public schools, Children's Programs.....	H 647	278	282
Education Opportunity Resource Act.....	S 1334	90	137
Educational support program, calculations, grades 8-12.....	H 629	269	275
Educational support program, literacy intervention.....	H 526	136	203
Insulin and blood glucose supplies, district policy.....	S 1330	89	145
Massage therapy, student tuition credit program.....	H 519	140	198
Parental rights in education, responsibility, notice.....	S 1293	73/140	160
Postsecondary credit scholarship, requirements, funds.....	H 477	170/218	230
Residency requirements for public higher education.....	S 1280	68/113	142
Statewide average class size, calculation of.....	H 476	112	186
Third grade reading instruction, intervention plan.....	H 451	128	197
Undergraduate students, tuition lock plan.....	S 1292	73	-
Youth athletes, permission, post-concussion protocol.....	H 557	201	237
STUDIES			
Complete Medicaid waiver application, legislative committee.....	HCR 63	269	-
Foster care/conservators/guardians, legislative study.....	HCR 59	258	264
Health grant program for medically underserved.....	H 644	269/273	276
Income tax structure in Idaho, legislative study committee.....	SCR 155	259	267
Mitigating bias, contested cases, legislative study.....	SCR 151	178	193
Public procurement, legislative study committee.....	HCR 48	170	266
Public school funding formula, legislative study committee.....	HCR 33	99	182
State employee group insurance plan, legislative study.....	HCR 61	277	277
SUBSTANCE ABUSE			
Millennium Income Fund, appropriation, tobacco/drug programs.....	S 1410	204	236
Youth Education Account, repeal.....	H 392	65	167
SUICIDE			
Health and Welfare Department, duties include suicide prevention services.....	S 1326	87	146
SUPERINTENDENT OF PUBLIC INSTRUCTION			
See also EDUCATION			
Appropriation.....	S 1424	238	257
Appropriation, add'l.....	S 1429	265	273
Appropriation, revised.....	S 1424	238	257
SUPREME COURT			
See COURTS			
See also COURTS, JUDICIARY			
Chief Justice Jim Jones			
State of the Judiciary Message, January 20, 2016.....		24	
SURVEYING AND SURVEYORS			
Engineers and Surveyors Board to promulgate plat rules.....	S 1284	72	-
Engineers/Land Surveyors Board, membership provisions.....	H 482	143	213
Engineers/surveyors, exams, restricted licensure.....	S 1285	73/113	141
Engineers/surveyors, practicing without license.....	S 1287	73	113
- T -			
TAX AND TAXATION			
Cigarette taxes, wholesaler bonding requirements.....	H 376	59	101
Commission, no taxable valuation report to Department of Education.....	H 358	51	70
Commission, school district report, delete need for submission.....	H 391	65	166

	Bill Number	Intro. Page	Vote Page
TAX AND TAXATION (Continued)			
Fuels, special fuels, distribution of revenues from tax	H 343	136	198
Highway Distribution Account, apportionment revised	S 1230	42	88
Highway Distribution Account, apportionment/hybrid fee	H 624	283	-
IRS tax code update, language regarding marriage	H 425	45	65
Insurance premium tax, portion to high risk reinsurance	S 1265	62/260	124/268
Operating property not in taxable value for making levy	H 359	54	101
PUC/Tax/Industrial commissioner salary increase	H 575	189	223
Solar production of energy, taxation	H 534	150	206
Tax Appeals Board, appropriation	H 588	201	231
Tax Commission, appropriation	H 589	201	231
Tax deed sale proceeds, unclaimed property	S 1347	104/164	179
Tax on production of wine/certain grapes	H 456	112	197
Taxing Districts, formed by certain date to make levy	H 360	54	101
Withholding tax, certain employers to pay monthly	H 353	51	69
Withholding tax, employer payment/correction deadlines	H 352	51	101
TAX AND TAXATION, INCOME			
Certain rates, credits, individuals and corporations	H 380	59	-
Deductions, capital gains, cattle/horses/livestock	H 535	156	206
IRS tax code update, language regarding marriage	H 425	45	65
Income tax structure in Idaho, legislative study committee	SCR 155	259	267
STEM Action Center contributions, tax credit	H 357	69	171
Withholding tax, certain employers to pay monthly	H 353	51	69
Withholding tax, employer payment/correction deadlines	H 352	51	101
TAX AND TAXATION, PROPERTY			
Appeal process if no longer assessed as forest land	H 345	51	69
Homeowner's exemption, \$100K, no inflation adjuster	H 431	74	174
Homeowner's exemption, \$100K, no inflation adjuster, trailer	H 634	269	-
Operating property not in taxable value for making levy	H 359	54	101
Property tax relief, hardship application deadline	H 344	43	66
School district reports, Tax Commission procedures, availability	H 391	65	166
Tax Commission, no taxable value report to Department of Education	H 358	51	70
Tax deeds, clarification of the term "encumbrances"	S 1348	104	-
Tax deeds, nonapplication, municipality easements	S 1388	163/194	209
Taxing Districts, budgeting forgone increases	H 474	99	174
Taxing Districts, formed by certain date to make levy	H 360	54	101
TAX AND TAXATION, SALES AND USE			
Aircraft, certain parts exempt, remove sunset	H 361	51	70
Exemption, Girl Scout/Boy Scout food products	H 449	99	-
Exemption, certain aircraft for wildfire activity	H 540	170	214
Exemption, certain hand tools from certain taxes	H 347	51	69
Exemptions, production exemption	H 386	65	171
Paddleboards, similar vessels taxable to nonresident	H 348	51	69
TEACHING AND TEACHERS			
Career technical education, additional allocation for staff	H 630	269	275
Certificated employees, supplemental duty/day contracts	H 537	177	219
Civics test or school alternative, exception	S 1247	54	-
Civics test, applicability to special education pupils	S 1336	90	144
Civics test, include Idaho specific questions	HCR 50	170	-
College and career advisors, provisions, reporting	S 1290	73	113
Computer science initiative for public schools	H 379	54/129	165
Education Department, appropriation, public schools, Teachers Division	H 618	238	262
Leadership premiums, moneys distributed to school districts	S 1266	62	119
Leadership premiums, revise provisions	H 627	269	275
Local Innovation School Act	H 570	201	237
Parental rights in education, responsibility, notice	S 1293	73/140	160
Public school instruction, when Bible permitted	S 1321	82	-
Public schools, when religious texts permitted	S 1342	96/140	160
School district professional personnel, evaluations	H 515	140	202
School employee career ladder, compensation, indicators	H 571	201	237

	Bill Number	Intro. Page	Vote Page
TEACHING AND TEACHERS (Continued)			
Staff allowance, determination provisions	H 603	238	272
Third grade reading instruction, intervention plan.....	H 451	128	197
TELECOMMUNICATIONS			
Commerce Department, investigate improving broadband	HCR 58	257	-
Public Safety Communications Commission, established.....	S 1212	33	128
TELEVISION			
Idaho Public Television, appropriation.....	S 1370	136	160
THERAPISTS AND THERAPY			
Massage therapy, student tuition credit program	H 519	140	198
Occupational Therapy Licensure Board, membership.....	H 482	143	213
Physical Therapy Licensure Board, membership provisions.....	H 482	143	213
Physical therapy, license renewal, reinstatement	H 334	51	187
THOMAS, MATTHEW ALLEN			
Appointment, Member: Sexual Offender Management Board			
Appointed by Governor/to Judiciary and Rules (Jan. 15)		20	
Committee Report		88	
Confirmed by Senate.....			95
TIPPETS, JOHN H.			
Resignation Letter, January 11, 2016		2	
Appointment: Director of the Department of Environmental Quality			
Appointed by Governor/to Health and Welfare (Jan. 15).....		20	
Committee Report		143	
Confirmed by Senate.....			153
TOBACCO			
Cigarette taxes, wholesaler bonding requirements.....	H 376	59	101
Electronic cigarettes, permit to sell, required sign.....	H 498	140	-
Millennium Income Fund, appropriation, tobacco/drug programs.....	S 1410	204	236
Youth Education Account, repeal.....	H 392	65	167
TRACY, BUD			
Appointment, Member: State Building Authority			
Appointed by Governor/to State Affairs (Mar. 1).....		138	
Committee Report		233	
Confirmed by Senate.....			241
TRANSPORTATION			
Commercial vehicle license plates, same/new number.....	H 472	123	187
Department, appropriation	S 1423	238	263
Department, appropriation, add'l	H 363	41	51
Department, appropriation, add'l	S 1423	238	263
Electric/hybrid vehicles, fee provisions	S 1311	81	125
Electronic voter registration for persons with DMV IDs	S 1297	74/114/129/283	145/284
Federal REAL ID Act, implement certain provisions	H 513	170/190	205
Highway Distribution Account, apportionment revised	S 1230	42	88
Highway transportation, bonding for certain project.....	S 1263	61	99
Interstates in Idaho, classification based on purpose.....	S 1229	42	62
License plates, special, Idaho Friends Orofino H/S Mascot.....	H 413	177	-
License plates, special, veterans surviving spouse	H 385	69	165
Off-road vehicles, when permitted on highways	H 553	189	220
Seat belt violations, warning period, increased fine	S 1312	82/117	142
Transportation Board, bases for removal of director.....	S 1246	53	100
Vehicles, certain allowable lengths, extensions	S 1261	61	99
TRAPPING			
Fish and Game Department Rule Docket 13-0116-1501 rejected.....	HCR 55	226	241
Fish and Game education programs, trapping	H 378	65	202
TRAVEL			
Limited Lines Travel Insurance Act.....	S 1384	156	-
TREASURER, STATE			
Appropriation	H 601	209	235
Highway Distribution Account, apportionment revised	S 1230	42	88
Highway Distribution Account, apportionment/hybrid fee	H 624	283	-

	Bill Number	Intro. Page	Vote Page
TREASURER, STATE (Continued)			
Idaho Bond Bank Authority, funds, costs	H 427	87	199
Investment of endowment funds, other funds, authorized.....	H 464	123	199
STEM education fund, creation, provisions.....	S 1279	68	113
Tax deed sale proceeds, unclaimed property	S 1347	104/164	179
TRUSTS			
Trust deeds, definition of the term "trustee"	H 503	143	219
Trusts, certain persons/trustees don't require charter.....	S 1314	82	120
TUITION			
Advanced opportunities, rulemaking, support program.....	H 458	123/150	165
Community colleges, tuition, out-of-district students.....	H 527	140	211
Massage therapy, student tuition credit program	H 519	140	198
Undergraduate students, tuition lock plan.....	S 1292	73	-
- U -			
UNDERGROUND STORAGE TANKS			
Revises funding, fees regarding state program	S 1244	51	105
UNEMPLOYMENT			
See EMPLOYMENT SECURITY LAW			
UNFAIR COMPETITION			
Noncompete clause violation, key employee, breach.....	H 487	201	248
UNIFORM AND MODEL LAWS			
Uniform Athlete Agents Act, revised.....	H 398	93	213
Uniform Fiduciary Access to Digital Assets Act.....	S 1303	78/172	185
UNIONS			
See LABOR			
UNIVERSITIES			
See COLLEGES AND UNIVERSITIES			
UNIVERSITY OF IDAHO			
See COLLEGES AND UNIVERSITIES			
URBAN RENEWAL			
Urban renewal, provisions, requirements, reporting.....	H 606	257/269/274	276
UTILITIES			
PUC/Tax/Industrial commissioner salary increase.....	H 575	189	223
Public Utilities Commission safety, accident reporting rules rejected	HCR 51	177	241
Public Utilities Commission, appropriation	H 548	156	220
Underground Facilities Damage Prevention Board	H 454	123	213

- V -

VASSAR, JANICE B.			
Appointment, Member: Idaho Transportation Board			
Appointed by Governor/to Transportation (Feb. 11)		77	
Committee Report.....		141	
Confirmed by Senate.....			152
VEHICLES			
See MOTOR VEHICLES			
VESSELS			
See BOATS			
VETERANS			
Purple Heart Day, State of Idaho, designate	SCR 146	86	108
Veteran license plate, when surviving spouse may obtain.....	H 385	69	165
Veterans Services Division, appropriation	H 552	156	221
Veterans cemetery in Eastern Idaho, endorse need.....	SCR 145	86	108
Veterans cemetery in Eastern Idaho, endorse need	SCR 149	121	148

	Bill Number	Intro. Page	Vote Page
VETERINARY MEDICINE			
Board, revise provisions regarding membership.....	H 482	143	213
Humane Euthanasia Committee instead of task force.....	H 381	79	186
U of I Animal/Veterinary Science Department, Fish and Game Account funds.....	S 1258	58	106
Veterinarians, alternatives to formal discipline.....	H 382	79/209	230
VETO MESSAGES, GOVERNOR'S			
S 1342 , as amended.....		288	
VETOED BILLS			
Health and Welfare Department, appropriation, health care policy initiatives, add'l.....	H 650	283	284
Legislative session for vetoed bills.....	SJR 101	44	105
Public schools, when religious texts permitted.....	S 1342	96/140	160
VICTIMS			
Sexual assault evidence kits, testing/duties/procedures.....	H 528	150	202
VIDEOS			
Sexual exploitation of child, electronically, penalties.....	H 555	177/216	230
VISITORS			
See also MEMORIAL SERVICE, VISITORS			
See also LINCOLN DAY, VISITORS			
Jones, Jim, Chief Justice Idaho Supreme Court, January 20, 2016.....		24	
Crapo, Mike, United States Senator, February 16, 2016.....		92	
Risch, Jim, United States Senator, February 16, 2016.....		92	
Hill, James, Consul General of Canada, March 15, 2016.....		203	
VISUALLY IMPAIRED			
See BLIND			
VOCATIONAL REHABILITATION			
Acceptance of federal acts, to revise reference.....	S 1232	43	101
Division, appropriation.....	S 1395	177	196
VOLUNTEERS			
Workers compensation, firefighter occupational diseases.....	H 554	194	222
VOTE, RECONSIDERATION			
S 1225 , Notice Given Senator Davis.....		102	
Lack of motion to reconsider, transmitted to the House.....		104	
S 1257 , Notice Given Senator Brackett.....		125	
Lack of motion to reconsider, transmitted to the House.....		127	
H 536 , Notice Given Senator Davis.....		221	
Lack of motion to reconsider, transmitted to the House.....		222	
VOTE, TIE			
S 1264 [President of the Senate voted Nay].....		120	
VOTING AND VOTERS			
Absentee ballot application deadline revised.....	S 1274	65	145
Early voting, eligible counties, tabulation system.....	S 1275	65	145
Election results posting at polling place not required.....	S 1377	149	190
Electronic voter registration for persons with DMV IDs.....	S 1297	74/114/129/283	145/284
Hydroelectric plant, when Irrigation District vote unneeded.....	S 1304	78	133
Identification, additional forms allowed at polls.....	H 604	257	-
Political statements, identity of person responsible.....	H 542	170	251
Primary elections, provisions.....	S 1195	22	-
Primary elections, selecting/changing party affiliation.....	S 1203	30	-
School trustees, elector qualifications, uniform date.....	S 1308	79	-
VOTING, CONFLICT, DISCLOSURE			
See also CONFLICT OF INTEREST			
- W -			
WAGES			
Architectural Examiners Board, revise compensation.....	H 366	51	198
Career technical education, additional allocation for staff.....	H 630	269	275
District judges, salary set.....	S 1420	229	251
Minimum wage, political subdivision no higher than Code.....	H 463	109	183

	Bill Number	Intro. Page	Vote Page
WAGES (Continued)			
PUC/Tax/Industrial commissioner salary increase.....	H 575	189	223
School employee career ladder, compensation, indicators	H 571	201	237
Teacher leadership premiums, revise provisions.....	H 627	269	275
WASTES			
Department of Agriculture/DEQ, management of cattle byproduct.....	S 1260	58/128	144
Recreational water/sewer districts, annexation	H 406	170	213
WATER			
Aquatic invasive species, continued federal funding.....	SJM 104	76	96
Community water fluoridation, great health achievement.....	HCR 34	87	149
Department of Agriculture/DEQ, management of cattle byproduct.....	S 1260	58/128	144
Eastern Snake Plain Aquifer agreement, support.....	SCR 138	75	93
Eastern Snake Plain Aquifer recharge target	SCR 136	48	93
Ground Water District, assessments, indebtedness	S 1224	41	112
Ground Water District, certain assessments, indebtedness	S 1225	41	102
Ground Water District, petition/assessments, annexed lands	S 1222	40	101
Ground Water Districts, participation by nonmembers	S 1223	40	102
Ground water management plan, when not on time priority.....	H 595	201	248
Invasive species, mussels, citations, inspection	S 1355	123	-
Irrigation corporations, maximum administrative charge	S 1240	50	132
Recreational water/sewer districts, annexation	H 406	170	213
Soil and Water Conservation Commission, appropriation.....	S 1416	222	253
Submersible well pumps, approved locations.....	H 643	277	281
Surface water/ground water settlement, support.....	SCR 135	47	-
Water Resource Board, evaluate/manage aquifer shortage.....	SCR 137	48	93
Water body classifications, risk levels.....	S 1237	50	128
Water diversion, incidental hydropower use, conditions	S 1278	68	133
Water quality, authorizing access to certain records.....	S 1238	50	128
Water resources, artificial barriers, embankments	H 351	51	206
WATER RESOURCES DEPARTMENT			
Appropriation	S 1402	189	210
Appropriation, add'l.....	H 446	79	97
Eastern Snake Plain Aquifer recharge target	SCR 136	48	93
Water Resource Board, evaluate/manage aquifer shortage.....	SCR 137	48	93
Water body classifications, risk levels.....	S 1237	50	128
Water resources, artificial barriers, embankments	H 351	51	206
WATERSHEDS			
Idaho Multiple Use Sustained Yield Act	H 582	226	-
Watershed Improvement Districts, dissolution.....	H 569	201	236
WEAPONS			
Concealed weapons law, repeal, add new section	S 1378	149	-
Concealed weapons, prohibited conduct.....	S 1389	163	209
Firearm rights not restored, certain felony convictions	S 1276	67	132
Firearm rights not restored, certain felony convictions	S 1383	150	179
Firearm sales, federally required records not public.....	H 478	136	219
WEEDS			
Noxious weeds, privately funded research facilities.....	H 469	136	202
WELFARE			
See PUBLIC ASSISTANCE			
WELLS			
Irrigation District contract authority to construct wells.....	S 1243	51	-
Oil well, Lands Department duties, track integration, appeals.....	S 1306	78	-
Oil well, Lands Department duties, track integration, appeals.....	S 1339	90	130
Submersible well pumps, approved locations.....	H 643	277	281
WHEAT			
Wheat Commission rules rejected.....	HCR 49	170	193
WIDOWS AND WIDOWERS			
Estates, surviving spouse qualifications	S 1300	78/150	164
Veteran license plate, when surviving spouse may obtain.....	H 385	69	165

	Bill Number	Intro. Page	Vote Page
WILDERNESS			
Tax exemption, certain aircraft for wildfire activity	H 540	170	214
WILDLIFE			
See also ANIMALS			
Compensation for damage to bees/beebees by bears	S 1340	91	128
Controlled hunt drawings, contract with private entity	S 1305	78	-
Controlled hunt drawings, contract with private entity	S 1344	104	133
Fish and Game Department Rule Docket 13-0116-1501 rejected.....	HCR 55	226	241
Game animal, penalty for killing, possession, waste.....	S 1226	41	-
Governor's wildlife partnership tags, annual issuance.....	S 1236	50	-
Hunting, prohibit use of unmanned aircraft.....	S 1213	35	59
Hunting/trapping/fishing, license exceptions	H 462	131	-
Sage-grouse, protect state conservation plans.....	HJM 13	99	193
Upland game bird permit, revised age provision.....	H 350	51	202
Wolf Control Fund, appropriation	S 1414	222	252
WILLS			
Estates, remove reference to a family allowance.....	S 1302	78	171
Surviving spouse, qualifications, revocation by divorce.....	S 1300	78/150	164
Uniform Fiduciary Access to Digital Assets Act.....	S 1303	78/172	185
WILSON, CINDY P.			
Appointment, Member: State Board of Correction			
Appointed by Governor/to Judiciary and Rules (Jan. 13)		12	
Committee Report		56	
Confirmed by Senate.....			61
WINDER, CHARLES L.			
Appointment, Member: Idaho Endowment Fund Investment Board			
Appointed by Governor/to State Affairs (Jan. 13).....		12	
Committee Report.....		67	
Confirmed by Senate.....			77
WINE			
See LIQUOR			
WOLVES			
See WILDLIFE			
WOMEN			
Abortion, ultrasound availability information.....	H 516	143	219
Idaho Unborn Infants Dignity Act	S 1349	104	-
Idaho Unborn Infants Dignity Act	S 1404	194/233	252
National Women's History Month, recognized	SCR 147	110	127
Unborn Child Protection from Dismemberment Abortion Act	S 1386	156	-
WORKERS COMPENSATION			
Firefighters, certain occupational diseases	H 554	194	222
Workers compensation insurance, security instruments	H 501	150	213

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
1194	Commerce and Human Resources	S Com/HuRes	MANUFACTURED HOME RESIDENCY ACT - Amends existing law to remove references to a park model.....	20	-	22
1195	State Affairs	S St Aff	ELECTIONS - Amends existing law to provide that write-in ballots shall not be counted in a presidential primary election.....	22	-	23
1196	Buckner-Webb and Burgoyne	S St Aff	CIVIL RIGHTS - Amends existing law to provide that freedom from discrimination because of sexual orientation or gender identity is a civil right.....	23	-	26
1197	Resources and Environment	LAW	MINES AND MINING - Amends existing law to revise certain required reclamation activities; to revise bond amount provisions and to provide for written notice by the State Board of Land Commissioners to an operator of rejection of a request for bond release upon the board's determination that the requirements of a reclamation plan or permanent closure plan have not been met..... Session Law Chapter No. 22	23	41	135
1198	Burgoyne	S Transp	MOTOR VEHICLES - Amends and adds to existing law to authorize the Idaho Transportation Department to issue driving privilege cards to certain individuals.....	23	-	26
1199	Finance	LAW	APPROPRIATIONS - MEDICAL BOARDS - Appropriates an additional \$80,000 to the Board of Dentistry for fiscal year 2016; appropriates an additional \$21,100 to the Board of Pharmacy for fiscal year 2016; and authorizes an additional position to the Board of Pharmacy..... Session Law Chapter No. 3	27	36	72
1200	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF LANDS - Appropriates an additional \$379,000 to the Department of Lands for fiscal year 2016; and authorizes 3.33 additional full-time equivalent positions..... Session Law Chapter No. 2	27	36	72
1201	Finance	LAW	APPROPRIATIONS - CATASTROPHIC HEALTH CARE PROGRAM - Appropriates and transfers \$28,892,700 from the Catastrophic Health Care Cost Fund to the General Fund for fiscal year 2016..... Session Law Chapter No. 275	27	39	287
1202	Commerce and Human Resources	LAW	STATE PERSONNEL SYSTEM - Amends existing law to provide that all employees of the STEM Action Center, the Office of Species Conservation, the Office of Drug Policy and the Office of Energy Resources shall be nonclassified employees..... Session Law Chapter No. 33	27	63	181

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1203	Jordan and Buckner-Webb	S St Aff	PRIMARY ELECTIONS - Repeals and adds to existing law to provide for changing or selecting party affiliation for a primary election.	30	-	34
1204	Schmidt	S Health/Wel	MEDICAID - Amends and adds to existing law to provide that the state shall expand Medicaid eligibility to certain persons.	31	-	34
1205	Schmidt	S Health/Wel	MEDICAL ASSISTANCE - Amends and adds to existing law to provide Medicaid eligibility standards and for certain low-income individuals certain medical assistance.	31	-	34
1206	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - DOMESTIC VIOLENCE COUNCIL/INDIRECT SUPPORT SERVICES - Appropriates an additional \$14,900 to the Department of Health and Welfare for the Domestic Violence Council; increases the number of authorized full-time equivalent positions by 1.0 to the Department of Health and Welfare for the Domestic Violence Council; and appropriates an additional \$1,349,800 to the Department of Health and Welfare for Indirect Support Services for a total of \$1,364,700 for fiscal year 2016. Session Law Chapter No. 23	31	41	135
1207	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - PSYCHIATRIC HOSPITALIZATION - Appropriates an additional \$511,600 for State Hospital South for fiscal year 2016. Session Law Chapter No. 24	31	43	135
1208	Education	LAW	EDUCATION - Amends existing law regarding the Armed Forces and Public Safety Officer Scholarship; and the investment of surplus moneys in the Opportunity Scholarship Program Account. Session Law Chapter No. 32	31	63	181
1209	Education	S 3rd Rdg	EDUCATION - Amends existing law regarding the general powers of the board of trustees of each community college district.	31	-	51
1210	Education	LAW	EDUCATION - Amends existing law to replace references to professional-technical education with career technical education. Session Law Chapter No. 25	31	46	135
1211	Local Government and Taxation	H Loc Gov	CATASTROPHIC HEALTH CARE COST PROGRAM - Amends existing law to authorize reimbursement for county commissioner members of the Catastrophic Health Care Cost Program Board.	32	63	63
1212	State Affairs	LAW	EMERGENCY COMMUNICATIONS ACT - Amends, repeals and adds to existing law to create the Idaho Public Safety Communications Commission and charge it with the duties formerly held by the Idaho Emergency Communications Commission and the Statewide Interoperability Executive Council. Session Law Chapter No. 127	33	128	265

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1213	Resources and Environment	LAW	FISH AND GAME - Amends existing law to prohibit the use of unmanned aircraft systems for hunting, molesting or locating game animals, game birds and furbearing animals..... Session Law Chapter No. 26	35	59	135
1214	Agricultural Affairs	LAW	LIVESTOCK - Adds to existing law to define terms; and to provide for livestock removal requirements. Session Law Chapter No. 49	35	106	215
1215	Agricultural Affairs	LAW	PESTICIDE MANAGEMENT COMMISSION - Repeals and amends existing law relating to the Commission on Pesticide Management; removing reference to the commission and providing for the transfer of certain moneys. Session Law Chapter No. 19	35	59	130
1216	Finance	LAW	APPROPRIATIONS - BLIND AND VISUALLY IMPAIRED - Appropriates an additional \$92,400 to the Commission for the Blind and Visually Impaired for fiscal year 2016..... Session Law Chapter No. 27	38	54	135
1217	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - Appropriates an additional \$229,300 to the Department of Administration for the Purchasing Program; transfers \$176,000 from the Idaho Education Network Fund; and appropriates an additional \$461,800 for the Information Technology Program for fiscal year 2016..... Session Law Chapter No. 20	38	54	130
1218	State Affairs	LAW	CODIFIER'S CORRECTIONS - Amends existing law to make codifier's corrections and to provide correct terminology and code references. Session Law Chapter No. 47	38	119	212
1219	State Affairs	LAW	PUBLIC WORKS CONTRACTS - Amends existing law to provide for compensation of construction managers and general contractors, to provide that certain costs may be incorporated into a contract, to provide that certain bids shall be handled in a particular manner, to clarify how construction managers and general contractors may bid, to provide that certain terms shall be included in certain contracts and to remove a provision relating to compensation. Session Law Chapter No. 35	39	69	208
1220	State Affairs	S St Aff	RACING COMMISSION - Adds to existing law to direct the commission to make certain payment to the Idaho Horse Council under specified conditions.	39	-	40
1221	Commerce and Human Resources	LAW	INSURANCE PRODUCER LICENSING - Amends existing law to revise provisions regarding suspension, revocation, refusal to continue or denial of licenses. Session Law Chapter No. 50	39	112	215
1222	Resources and Environment	LAW	GROUND WATER DISTRICTS - Amends existing law to revise provisions regarding the content of petitions for annexation into a district; and to revise provisions regarding assessments against annexed lands..... Session Law Chapter No. 109	40	101	249

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1223	Resources and Environment	LAW	GROUND WATER DISTRICTS - Amends existing law to revise provisions regarding the participation of nonmembers in ground water districts for mitigation purposes and to remove provisions regarding nonmembers deemed participants in districts and collection of a proportional share of costs. Session Law Chapter No. 110	40	102	249
1224	Resources and Environment	LAW	GROUND WATER DISTRICTS - Amends existing law to provide an alternative means of determining a member's proportionate share of the total of all amounts to be assessed; to revise provisions relating to the total dollar amount of certain warrants; and to provide an alternative means of determining certain aggregate ground water rights. Session Law Chapter No. 112	41	112	249
1225	Resources and Environment	LAW	GROUND WATER DISTRICTS - Amends existing law to provide that certain assessments to repay debt must be approved at an election; to provide that certain obligations or contract indebtedness must be submitted to a vote of qualified electors in the district; and to revise provisions regarding judicial examination prior to incurring debt. Session Law Chapter No. 113	41	102	249
1226	Resources and Environment	S Res/Env	FISH AND GAME - Amends existing law to increase certain penalties for the illegal killing, possession or waste of certain game animals.	41	-	42
1227	Commerce and Human Resources	S Com/HuRes	CORPORATE BENEFIT REPORT - Amends existing law to remove the requirement of filing a benefit corporation's benefit report with the Secretary of State.	42	-	44
1228	Transportation	S Transp	MOTOR VEHICLES - Amends existing law to revise provisions regarding the display of license plates.	42	-	44
1229	Transportation	LAW	MOTOR VEHICLES - Adds to existing law to provide that for specified purposes the interstate system, which shall be considered to consist of specified routes, in Idaho is deemed a noninterstate highway and to provide that for specified purposes the interstate system, which shall be considered to consist of specified routes, in Idaho is deemed a designated state route. Session Law Chapter No. 36	42	62	208
1230	Transportation	S FAILED	HIGHWAY DISTRIBUTION ACCOUNT - Amends existing law to revise apportionment regarding the Highway Distribution Account and to remove provisions regarding apportionment to the law enforcement account.	42	88	88
1231	Health and Welfare	H Health/Wel	CHIROPRACTORS - Amends existing law to revise restrictions on prescribing, dispensing, independently administering, distributing, directing or suggesting to patients certain drugs, substances or products.	43	109	109
1232	Education	LAW	VOCATIONAL REHABILITATION - Amends existing law to revise a reference to a federal act. Session Law Chapter No. 41	43	101	212

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1233	Finance	LAW	APPROPRIATIONS - JUVENILE CORRECTIONS - Appropriates to the Department of Juvenile Corrections an additional \$296,200 from the General Fund for fiscal year 2016; and reduces the General Fund appropriation to the Department of Juvenile Corrections by \$247,000 for fiscal year 2016, for an overall net increase of \$49,200 from the General Fund. Session Law Chapter No. 21	45	62	130
1234	State Affairs	LAW	ADMINISTRATIVE PROCEDURE ACT - Amends existing law to remove reference to certain electronic copies. Session Law Chapter No. 185	45	153	280
1235	Judiciary and Rules	LAW	JUVENILE CORRECTIONS - Amends existing law to remove reference to an admission or denial hearing and to remove reference to an application by a juvenile offender.... Session Law Chapter No. 51	50	124	215
1236	Resources and Environment	S Res/Env	FISH AND GAME - Amends existing law to require the annual issuance of certain Governor's Wildlife Partnership Tags.	50	-	52
1237	Resources and Environment	LAW	ENVIRONMENTAL QUALITY - Amends existing law to revise priority classifications for certain water bodies in regard to the development of total maximum daily load or equivalent processes. Session Law Chapter No. 111	50	128	249
1238	Resources and Environment	LAW	PUBLIC RECORDS - Amends existing law to authorize inspection and copying of certain records relating to water quality..... Session Law Chapter No. 146	50	128	265
1239	Resources and Environment	LAW	ENVIRONMENTAL QUALITY - Adds to existing law to require public notice and opportunity to comment on tentative decisions by the Department of Environmental Quality regarding Idaho Pollutant Discharge Elimination System (IPDES) permits, to provide for appeals of final decisions and for judicial review, to prohibit conflicts of interest; and to provide that provisions of Idaho's Environmental Protection and Health Act shall apply to the IPDES Program and to provide for the enforcement of pretreatment standards. Session Law Chapter No. 128	50	128	265
1240	Resources and Environment	LAW	IRRIGATION - Amends existing law to increase the maximum amount of administrative charges that may be levied..... Session Law Chapter No. 132	50	132	265
1241	Resources and Environment	LAW	IRRIGATION - Amends existing law to revise provisions regarding delinquency of assessments. Session Law Chapter No. 133	51	132	265
1242	Resources and Environment	LAW	IRRIGATION - Amends existing law to clarify when persons shall be entitled to purchase the rights of the district in unredeemed delinquency entries. Session Law Chapter No. 134	51	132	265

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1243	Resources and Environment	S Res/Env	IRRIGATION DISTRICTS - Adds to existing law to provide that certain irrigation districts shall have the power to enter into contracts to construct or deepen wells and to provide conditions.	51	-	52
1244	Resources and Environment	LAW	UNDERGROUND STORAGE TANKS - Amends existing law regarding provisions relating to the funding of the state underground storage tank program and to provide for reporting; to remove a provision that certain training by the department shall be offered at no cost; and to revise a provision regarding fees for department inspections. Session Law Chapter No. 52	51	105	215
1245	Transportation	S Loc Gov	EMINENT DOMAIN - Amends existing law to provide that the value of property to be taken in an eminent domain proceeding shall not include certain increases or decreases in value.	53	-	56
1246	Transportation	LAW	TRANSPORTATION - Amends existing law to remove provisions regarding the removal of the director of the Idaho Transportation Department by the Idaho Transportation Board. Session Law Chapter No. 53	53	100	215
1247	Education	S Educ	EDUCATION - Amends existing law to provide an exception to a certain testing requirement.	54	-	56
1248	Education	LAW	PUBLIC CHARTER SCHOOLS - Amends existing law to revise requirements regarding certain written contracts. Session Law Chapter No. 54	54	109	215
1249	Education	LAW	STEM ACTION CENTER - Adds to existing law to establish provisions regarding the STEM Action Center Board's meetings, honorarium and expenses, and organization. Session Law Chapter No. 37	54	101	208
1250	Health and Welfare	LAW	ADVANCED PRACTICE REGISTERED NURSE COMPACT - Adds to existing law to enact the Advanced Practice Registered Nurse Compact. Session Law Chapter No. 55	54	112	215
1251	Health and Welfare	LAW	NURSE LICENSURE COMPACT - Repeals and adds to existing law to enact the Nurse Licensure Compact. Session Law Chapter No. 56	54	112	215
1252	Health and Welfare	S Health/Wel	NURSING - Amends existing law to revise the definition of "practice of nursing."	54	-	56
1253	Judiciary and Rules	LAW	CHILD PROTECTION - Amends and adds to existing law to provide that caregivers exercise a certain standard of care. Session Law Chapter No. 360	57	132	288
1254	Judiciary and Rules	S Jud	MOTOR VEHICLES - Amends existing law to revise provisions regarding certain government vehicles exempt from certain markings; and to revise a provision regarding lighting on Idaho State Police vehicles.	57	-	60
1255	Judiciary and Rules	LAW	ATTORNEY GENERAL - Amends existing law to revise the duties of the Attorney General regarding investigations and actions against county elected officers in certain criminal law matters. Session Law Chapter No. 135	57	119	265

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1256	Judiciary and Rules	H Transp	MOTOR VEHICLE FINANCIAL RESPONSIBILITY - Amends existing law to increase a fine..... Amended in the Senate Amended in the Senate	58 128 150	- 164	164
1257	Education	LAW	EDUCATION - Amends existing law regarding elections for school district board trustees..... Amended in the House (See House Journal) Session Law Chapter No. 261	58	124 267	287
1258	Agricultural Affairs	LAW	FISH AND GAME - Amends existing law to remove reference to the University of Idaho Caine Veterinary Teaching and Research Center and to provide for the annual transfer of certain moneys to the College of Agricultural and Life Sciences, Department of Animal and Veterinary Science..... Session Law Chapter No. 57	58	106	215
1259	Agricultural Affairs	LAW	IDAHO DAIRY PRODUCTS COMMISSION - Amends existing law to remove provisions regarding ex officio members of the commission; and to revise provisions regarding nominating committees and petitions for nomination of producer members..... Session Law Chapter No. 38	58	79	208
1260	Agricultural Affairs	LAW	ANIMALS AND THE ENVIRONMENT - Amends, repeals and adds to existing law regarding beef cattle feeding operations and dairy farms to revise the authorities and duties of the director of the Department of Agriculture; to provide that certain specified law shall not affect the authority of the Department of Environmental Quality to administer and enforce an NPDES permit program; to revise design and construction provisions, provisions relating to nutrient management plans and inspection provisions; to provide for compliance with environmental management plans; to revise provisions relating to unauthorized discharges and releases; to provide the manner in which the Department of Agriculture shall address noncompliance; and to provide for civil penalties..... Amended in the Senate Session Law Chapter No. 129	58 128	- 144	265
1261	Transportation	LAW	VEHICLES - Amends existing law to revise provisions regarding allowable lengths of certain vehicles, overhangs and extensions of loads..... Session Law Chapter No. 58	61	99	215
1262	Transportation	LAW	MOTOR VEHICLE SERVICE CONTRACTS - Amends existing law to provide that certain agreements shall not be considered motor vehicle service contracts or contracts of insurance..... Session Law Chapter No. 59	61	109	215
1263	Transportation	S FAILED	HIGHWAYS - Amends existing law to authorize GARVEE bonding to finance highway transportation projects.	61	99	99
1264	Commerce and Human Resources	S FAILED	PHARMACY ACT - Amends existing law to add certain requirements for registration of a supplier of durable medical equipment.....	61	120	120

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1265	Commerce and Human Resources	LAW	INSURANCE PREMIUM TAX - Amends existing law to appropriate one-quarter of the insurance premium tax exceeding \$45 million to the Individual High Risk Reinsurance Pool. Amended in the House (See House Journal) Session Law Chapter No. 361	62	124 268	288
1266	Education	H Educ	EDUCATION - Amends existing law to increase the amount of moneys distributed to school districts for leadership activities.	62	119	119
1267	Education	LAW	EDUCATION - Amends existing law to clarify the number of local education agencies identified for a certain initial cohort and to allow the State Department of Education to expend or distribute certain moneys. Session Law Chapter No. 45	62	119	212
1268	Health and Welfare	LAW	DEVELOPMENTAL DISABILITIES COUNCIL - Amends existing law to revise provisions regarding council membership. Session Law Chapter No. 42	62	120	212
1269	Health and Welfare	LAW	ENVIRONMENTAL QUALITY - Amends existing law to provide for the Environmental Protection Trust, to provide for the Environmental Protection Trust Fund and to provide for the investment of moneys with the Idaho Endowment Fund Investment Board under certain conditions. Session Law Chapter No. 130	62	146	265
1270	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - BENEFIT PAYMENTS/HEALTHCARE POLICY INITIATIVES - Appropriates an additional \$2,114,300 to the Department of Health and Welfare for the Benefit Payments Program; and appropriates an additional \$1,263,800 to the Department of Health and Welfare for the Healthcare Policy Initiatives Program for a total of \$3,378,100 for fiscal year 2016. Session Law Chapter No. 39	64	100	208
1271	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - MEDICAID - Appropriates an additional \$30,667,900 to the Department of Health and Welfare for the Division of Medicaid; and reduces the appropriation by \$9,000,600 to the Department of Health and Welfare for the Division of Medicaid for a net appropriation increase of \$21,667,300 for fiscal year 2016. Session Law Chapter No. 40	64	100	208
1272	State Affairs	LAW	SCHOOL DISTRICT BOND CREDIT ENHANCEMENT PROGRAM - Amends existing law to increase the aggregate and per district guarantee limits. Session Law Chapter No. 136	65	146	265
1273	State Affairs	S St Aff	EDUCATION - Amends existing law to provide requirements regarding vacancies on a school district board when trustees are subject to a recall election.	65	-	67
1274	State Affairs	LAW	ABSENTEE VOTING - Amends existing law to revise a certain application deadline. Session Law Chapter No. 137	65	145	265

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1275	State Affairs	LAW	ABSENTEE VOTING - Amends existing law to revise provisions regarding early voting..... Session Law Chapter No. 138	65	145	265
1276	Judiciary and Rules	S FAILED	CIVIL RIGHTS OF PERSONS CONVICTED OF CRIME - Amends existing law to provide that the right to ship, transport, possess or receive a firearm shall not be restored following felony convictions for certain crimes.....	67	132	132
1277	Judiciary and Rules	H Jud	SEX CRIMES - Repeals, amends and adds to existing law to prohibit sexual battery of an adult and to provide a punishment for sexual battery of an adult; to revise terminology in the definition of "rape" to make it gender neutral, to provide a circumstance where rape can occur and to provide that both males and females are capable of committing rape; and to provide that the Sexual Offender Registration Notification and Community Right-to-Know Act shall apply to certain persons who commit sexual battery of an adult.....	68	132	132
1278	Resources and Environment	LAW	WATER - Amends existing law to provide that a person or entity operating a canal or conduit for irrigation or other beneficial uses authorized by a water right that permits water to be diverted from a natural watercourse for such purposes shall not be required to obtain an additional water right for the incidental use of that same water where the water is diverted for irrigation or other beneficial use and thereafter used to generate hydroelectricity in the canal or conduit, to provide conditions, to provide that the incidental hydropower use shall be junior to and fully subordinated to all existing and future uses, and shall be nonconsumptive and to provide for certain written notice..... Session Law Chapter No. 139	68	133	265
1279	Education	LAW	STEM ACTION CENTER - Adds to existing law to establish the STEM Education Fund and related provisions..... Session Law Chapter No. 140	68	113	265
1280	Education	LAW	EDUCATION - Amends existing law to revise residency requirements for students of an Idaho public institution of higher education..... Amended in the Senate..... Session Law Chapter No. 114	68 113	- 142	249
1281	Health and Welfare	LAW	EMERGENCY MEDICAL SERVICES - Adds to existing law to establish the EMS Personnel Licensure Interstate Compact..... Session Law Chapter No. 60	68	125	215
1282	Transportation	S Transp	MOTOR VEHICLES - Amends existing law to provide that a motor vehicle originally manufactured without a bracket, device or other means to display and secure a front license plate shall be allowed to display one plate attached to the rear of the vehicle.....	72	-	76

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1283	Transportation	LAW	MOTOR VEHICLE INSURANCE - Amends and adds to existing law to provide that the Idaho Transportation Department shall promulgate rules to provide insurers an alternative method for verifying motor vehicle insurance policy data; and to provide that failure to comply with specified law regarding uninsured vehicle tracking shall constitute a wrongful practice and subject an insurer to penalties. Session Law Chapter No. 141	72	112	265
1284	Commerce and Human Resources	S Com/HuRes	PLATS AND SURVEYS - Amends existing law to provide that the Board of Licensure of Professional Engineers and Professional Land Surveyors shall promulgate certain rules; and to provide that records of survey shall have certain minimum requirements.	72	-	76
1285	Commerce and Human Resources	LAW	ENGINEERS AND SURVEYORS - Amends existing law to revise provisions regarding examinations that are offered and regarding a candidate who fails an examination and to provide that the board may issue a contingent license to engineering faculty under certain conditions. Amended in the Senate Amended in the Senate Session Law Chapter No. 142	73 113 155	- 141 170	265
1286	Commerce and Human Resources	LAW	ENGINEERS AND SURVEYORS - Amends existing law to define "retired professional engineer" and "retired professional land surveyor." Session Law Chapter No. 61	73	112	215
1287	Commerce and Human Resources	H FAILED	ENGINEERS AND SURVEYORS - Amends existing law to provide that certain actions shall be a violation and to provide a civil penalty.....	73	113	182
1288	Commerce and Human Resources	LAW	WORKFORCE DEVELOPMENT - Amends existing law to remove language for transferring training funds to the Employment Security Reserve Fund, to revise language describing appropriate uses for the training fund and to extend the sunset provision by four years..... Session Law Chapter No. 105	73	142	249
1289	Education	S Educ	EDUCATION - Amends existing law to revise provisions regarding the Educational Support Program calculation.	73	-	76
1290	Education	LAW	EDUCATION - Amends existing law to revise provisions regarding college and career advisors and reporting requirements..... Session Law Chapter No. 43	73	113	212
1291	Education	S FAILED	EDUCATION - Adds to provide for the Adult Degree Completion Scholarship and related provisions and to require the State Board of Education to promulgate certain rules..... Amended in the Senate	73 117	- 142	142
1292	Education	S Educ	EDUCATION - Amends and adds to existing law to provide for the Tuition Lock Plan for undergraduate students; and to provide for the Tuition Lock Stabilization Account in the Higher Education Stabilization Fund.	73	-	76
1293	Education	LAW	EDUCATION - Adds to existing law to provide for parental rights in education. Amended in the Senate Session Law Chapter No. 143	73 140	- 160	265

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1294	Health and Welfare	LAW	PRACTICE OF PHARMACY - Amends existing law to provide that pharmacists may prescribe immunizations for persons 6 years or older..... Session Law Chapter No. 62	73	120	215
1295	Health and Welfare	LAW	PUBLIC ASSISTANCE - Amends existing law to revise provisions regarding civil monetary penalties for providers. Session Law Chapter No. 106	73	133	249
1296	Health and Welfare	LAW	BACKGROUND CHECKS - Amends existing law to remove obsolete language regarding a federal pilot project..... Session Law Chapter No. 107	74	133	249
1297	State Affairs	LAW	ELECTIONS - Adds to existing law to provide for electronic voter registration..... Amended in the Senate..... Amended in the Senate..... Amended in the House (See House Journal) Session Law Chapter No. 359	74 114 129	- 145 284	288
1298	State Affairs	LAW	RACING COMMISSION - Adds to existing law to direct the commission to make a certain payment to the Idaho Horse Council under specified conditions. Session Law Chapter No. 63	74	119	215
1299	State Affairs	S St Aff	ELECTIONS - Amends and adds to existing law to revise definitions; to require reporting in all state and local elections and ballot measures in this state and to provide that reports shall be made to certain persons; and to remove a certain exception regarding elections of school district trustees.	74	-	76
1300	Judiciary and Rules	LAW	ESTATES - Amends and adds to existing law to provide that certain probate transfers are revoked upon divorce..... Amended in the Senate..... Session Law Chapter No. 362	78 150	- 164	288
1301	Judiciary and Rules	LAW	PROPERTY - Adds to existing law to clarify property as community or joint property..... Session Law Chapter No. 363	78	154	288
1302	Judiciary and Rules	LAW	ESTATES - Amends existing law to remove reference to a family allowance..... Session Law Chapter No. 262	78	171	287
1303	Judiciary and Rules	LAW	ESTATES - Adds to existing law to create the Revised Uniform Fiduciary Access to Digital Assets Act. Amended in the Senate..... Amended in the Senate..... Session Law Chapter No. 263	78 172 175	- 185 181	287
1304	Resources and Environment	LAW	IRRIGATION DISTRICTS - Amends existing law to provide that no election or confirmation proceedings shall be required when the contract for construction of a hydroelectric plant by an irrigation district does not involve questions of indebtedness incurred by the district..... Session Law Chapter No. 144	78	133	265

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1305	Resources and Environment	S Res/Env	FISH AND GAME - Amends and adds to existing law to revise provisions regarding controlled hunts; and to provide for contracts with private entities to conduct drawings for controlled hunt permits.....	78	-	81
1306	Resources and Environment	S Res/Env	OIL AND GAS - Amends existing law to provide a procedure regarding applications for permits or certain authorizations to drill or treat wells; to provide that the Department of Lands shall have specified responsibilities associated with spacing units and unit operations, to revise provisions regarding the integration of tracts and integration orders and to provide for the confidentiality of certain information; and to revise and to set forth provisions and procedures associated with rulemaking, complaints, application for orders, petitions, orders and appeals.....	78	-	81
1307	Education	S Educ	EDUCATION - Amends existing law to revise the election date for school district trustees and to provide a term expiration date for incumbent trustees.....	79	-	81
1308	Education	S Educ	EDUCATION - Amends existing law to remove a certain qualification requirement of school electors and to revise provisions regarding elections of trustees.....	79	-	81
1309	Agricultural Affairs	S Agric Aff	ANIMALS - Amends existing law to provide that the court may order presentence psychological evaluations prior to sentencing for violations of specified law.....	79	-	81
1310	Transportation	S Transp	DYED FUEL - Adds to existing law to provide that any vehicle shall be subject to inspection for dyed diesel fuel in the motor vehicle's diesel fuel tank under specified conditions.....	81	-	87
1311	Transportation	H Transp	VEHICLES - Amends existing law to provide an exception regarding fees for electric vehicles and to remove fee provisions regarding hybrid vehicles.....	81	125	125
1312	Transportation	S FAILED	SAFETY RESTRAINTS - Repeals, amends and adds to existing law to establish provisions regarding the issuance of a certain warning and of a certain citation and to increase a certain fine..... Amended in the Senate.....	82 117	- 142	142
1313	Commerce and Human Resources	S Com/HuRes	AUTO INSURANCE - Adds to existing law to prohibit unfair practices by insurance companies in auto body repair, with exceptions.....	82	-	87
1314	Commerce and Human Resources	LAW	TRUST INSTITUTIONS - Amends existing law to provide that certain persons acting as a trustee shall not require a charter..... Session Law Chapter No. 44	82	120	212
1315	Commerce and Human Resources	LAW	FORECLOSURE - Amends existing law to provide that a purchaser at a trustee's sale shall be entitled to dispose of any nontitled personal property under certain conditions..... Amended in the Senate..... Amended in the Senate..... Session Law Chapter No. 364	82 172 182	- 196	288

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1316	Commerce and Human Resources	S Com/HuRes	LIFE INSURANCE - Adds to existing law to provide that life insurers shall offer lapse or termination protection to holders of life insurance policies.....	82	-	87
1317	Commerce and Human Resources	LAW	HOMEOWNER'S ASSOCIATIONS - Amends existing law to provide that attorney's fees and costs may be collected, as well as a lien filed for attorney's fees and costs by a homeowner's association, only after being awarded in an amount found to be reasonable by a court of competent jurisdiction. Amended in the Senate Amended in the Senate Session Law Chapter No. 365	82 138 221	- 150 230	288
1318	Commerce and Human Resources	LAW	APPRAISAL MANAGEMENT COMPANY REGISTRATION AND REGULATION ACT - Adds to existing law to provide that appraisal management companies shall register with the Real Estate Appraiser Board and to provide requirements for registration. Session Law Chapter No. 131	82	124	265
1319	Commerce and Human Resources	S Com/HuRes	STATE EMPLOYEE HEALTH PLANS - Amends existing law to clarify that the Department of Administration shall offer a health savings account program and to provide that state employers shall deposit a certain amount into a health savings account.	82	-	87
1320	Education	LAW	EDUCATION - Amends existing law regarding the general powers of the board of trustees of each community college district. Session Law Chapter No. 108	82	136	249
1321	Education	S St Aff	PUBLIC SCHOOLS - Repeals and adds to existing law to provide when the Bible is permitted to be used in the public schools.....	82	-	87
1322	Health and Welfare	LAW	EPINEPHRINE AUTO-INJECTORS - Amends and adds to existing law to provide that epinephrine auto-injectors may be prescribed and dispensed to certain entities..... Amended in the House (See House Journal) Session Law Chapter No. 264	83	145 267	287
1323	State Affairs	LAW	INDEPENDENT LIVING COUNCIL - Amends existing law to revise references to federal law; and to revise the funding mechanism for the State Independent Living Council. Session Law Chapter No. 224	83	154	285
1324	State Affairs	S St Aff	ALCOHOLIC BEVERAGES - Amends existing law to allow persons under 21 to enter or be on the premises of a winery.....	83	-	87
1325	State Affairs	LAW	REGULATORY TAKINGS - Amends existing law to provide that an owner of private property may submit a written request for a regulatory takings analysis with the clerk or the agency or entity taking the regulatory or administrative action and to provide that a private property owner is not required to submit a request under the regulatory takings chapter and the failure to submit a written request shall not prevent or prohibit the private property owner from seeking any legal or equitable remedy including, but not limited to, the payment of just compensation. Session Law Chapter No. 225	83	145	285

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1326	Health and Welfare	LAW	SUICIDE PREVENTION - Amends existing law to grant certain authority to the director of the Department of Health and Welfare..... Session Law Chapter No. 97	87	146	249
1327	Judiciary and Rules	LAW	VULNERABLE ADULTS - Amends existing law to revise the definition of "neglect."..... Session Law Chapter No. 147	89	153	265
1328	Judiciary and Rules	LAW	CHILD PROTECTIVE ACT - Amends existing law to revise the requirements and criteria for various hearings and plans required by the Child Protective Act. Amended in the Senate Session Law Chapter No. 265	89 163	- 184	287
1329	Judiciary and Rules	S Jud	MOTOR VEHICLES - Amends existing law to revise provisions regarding certain government vehicles exempt from certain markings; and to revise a provision regarding lighting on Idaho State Police vehicles.....	89	-	92
1330	Education	LAW	EDUCATION - Amends existing law to provide that the board of trustees of each school district shall adopt a certain policy and to allow certain students to possess and use certain medications and supplies..... Session Law Chapter No. 184	89	145	280
1331	Education	S Educ	EDUCATION - Amends existing law to revise provisions regarding the Public Education Stabilization Fund, to provide for an annual transfer of certain moneys from the General Fund to the Public Education Stabilization Fund, to provide conditions for such transfer; and to revise an amount to be transferred from the General Fund to the Budget Stabilization Fund.	89	-	92
1332	Education	LAW	EDUCATION - Adds to existing law to establish the Industry Partner Fund and related provisions and to grant rulemaking authority. Amended in the Senate Session Law Chapter No. 266	89 164	- 190	287
1333	Education	LAW	EDUCATION - Adds to existing law to provide the Broadband Infrastructure Improvement Grant Fund and related provisions and to require rulemaking..... Session Law Chapter No. 183	89	137	280
1334	Education	LAW	EDUCATION - Repeals, amends and adds to existing law to establish the Education Opportunity Resource Act. Session Law Chapter No. 182	90	137	280
1335	Education	S St Aff	OPEN MEETINGS LAW - EXECUTIVE SESSIONS - Amends existing law to revise conditions when an executive session is authorized regarding the acquisition, sale or lease of an interest in real property by a public agency.	90	-	92
1336	Education	LAW	EDUCATION - Amends existing law to provide an exception to a certain testing requirement. Session Law Chapter No. 98	90	144	249
1337	Education	S Educ	EDUCATION - Amends and adds to existing law regarding public charter schools.....	90	-	92

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1338	Resources and Environment	LAW	PUBLIC NUISANCE ABATEMENT - Adds to existing law to provide procedures for counties to declare and demand abatement of a catastrophic public nuisance..... Session Law Chapter No. 366	90	164	288
1339	Resources and Environment	LAW	OIL AND GAS - Amends existing law regarding applications for permits or certain authorizations to drill or treat wells; to provide that the Department of Lands shall have specified responsibilities associated with spacing units and unit operations; to revise provisions regarding the integration of tracts and integration orders and to provide for the confidentiality of certain information; and to revise and to set forth provisions and procedures associated with rulemaking, complaints, application for orders, petitions, orders and appeals..... Session Law Chapter No. 48	90	130	212
1340	Resources and Environment	LAW	FISH AND GAME - Amends existing law to provide a process for claims in the event of damage to bees and beehives by bears..... Session Law Chapter No. 104	91	128	249
1341	Health and Welfare	LAW	RESIDENTIAL CARE OR ASSISTED LIVING FACILITIES - Amends existing law to provide that residential care or assisted living facilities may be cited only for violations of a requirement that is specified in applicable law or rule..... Amended in the Senate..... Session Law Chapter No. 210	91 150	- 161	285
1342	State Affairs	VETOED	PUBLIC SCHOOL INSTRUCTION - Repeals and adds to existing law to provide when the Bible is permitted to be used in public schools, with exceptions. Amended in the Senate.....	96 140	- 160	288
1343	Judiciary and Rules	LAW	PAROLE - Amends existing law to revise a provision regarding allegations of a violation of parole conditions. Session Law Chapter No. 267	99	183	287
1344	State Affairs	LAW	FISH AND GAME - Amends and adds to existing law to revise provisions regarding controlled hunts; and to provide for contracts with private entities to conduct drawings for controlled hunt permits and tags. Session Law Chapter No. 103	104	133	249
1345	State Affairs	H Bus	INSURANCE PRODUCER LICENSING - Amends existing law to provide a cause or violation for the director of the Department of Insurance to suspend, revoke or refuse to issue or to continue a producer license.	104	144	144
1346	State Affairs	H Com/HuRes	STATE EMPLOYEE HEALTH PLANS - Amends existing law to clarify that the Department of Administration shall offer a health savings account program, to provide for a health savings account administrator and to provide that state employers shall deposit a certain amount into a health savings account.....	104	144	144
1347	State Affairs	LAW	TAX DEED SALES - Amends existing law to transfer authority of handling excess proceeds from tax deed sales to the State Treasurer. Amended in the Senate..... Session Law Chapter No. 211	104 164	- 179	285

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1348	State Affairs	S Loc Gov	TAX DEEDS - Amends existing law to provide that for tax deed purposes the term "encumbrances" does not include easements, highways and rights-of-way.	104	-	107
1349	State Affairs	S St Aff	UNBORN INFANTS DIGNITY ACT - Adds to existing law to enact the Idaho Unborn Infants Dignity Act.	104	-	107
1350	State Affairs	S FAILED	IDAHO LIMITED ARTICLE V CONVENTION ACT - Adds to existing law to provide for the Idaho Limited Article V Convention Act.	111	178	178
1351	Judiciary and Rules	LAW	PRISONERS - Amends existing law to provide that certain confined persons may be required to perform labor on community service projects. Session Law Chapter No. 212	111	153	285
1352	Judiciary and Rules	LAW	GUARDIANS OF MINORS - Amends existing law to provide that a guardian's authority and responsibility shall terminate upon termination of the guardianship and to revise a provision regarding the resignation of a guardian; and to provide for proceedings for the modification or termination of a guardianship. Session Law Chapter No. 148	111	153	265
1353	Finance	LAW	APPROPRIATIONS - CORRECTION DEPARTMENT - Appropriates to the Department of Correction an additional \$1,146,500 from the General Fund, \$441,100 from dedicated funds, and \$263,700 from federal funds for a total of \$1,851,300 for fiscal year 2016; and reduces the General Fund appropriation to the Department of Correction by \$3,029,900 for fiscal year 2016. These changes represent a net reduction of \$1,883,400 in the General Fund and an overall net reduction of \$1,178,600 in all funds. Session Law Chapter No. 64	118	145	215
1354	State Affairs	LAW	ALCOHOL BEVERAGE CATERING PERMITS - Amends existing law to revise provisions regarding alcohol beverage catering permits. Amended in the House (See House Journal) Amended in the House (See House Journal) Session Law Chapter No. 268	123	171 202 268	287
1355	State Affairs	S Agric Aff	INVASIVE SPECIES - Amends existing law to clarify that peace officers may issue a citation for certain persons and to provide that peace officers shall accompany a vehicle to an inspection station in certain instances; and to revise penalties.	123	-	129
1356	State Affairs	LAW	ALCOHOL BEVERAGE CATERING PERMIT - Amends existing law to provide that two or more wineries may use a winery's licensed premises to host an event under an alcohol beverage catering permit to serve and sell their respective wines at that event. Session Law Chapter No. 181	123	160	280

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1357	State Affairs	S St Aff	BINGO AND RAFFLES - Amends and adds to existing law to provide deadlines for conducting raffle drawings; to revise qualifications for Bingo-Raffle Advisory Board members; to reduce the minimum number of board meetings; to authorize approval of electronic bill payment of bingo expenses; and to provide conditions and procedures for the suspension or revocation of licenses.	123	-	212
1358	Judiciary and Rules	S Com/HuRes	EQUIPMENT DEALER PROTECTION LAW - Amends existing law to revise terminology, to provide clarification regarding competitive circumstances; and to revise provisions regarding notice.	127	-	131
1359	Judiciary and Rules	LAW	FARM IMPLEMENTS AND EQUIPMENT - Amends existing law to revise provisions associated with the repurchase of certain equipment from retailers by wholesalers, manufacturers and distributors and to revise provisions regarding sums to be paid for repurchase; and to provide for the purchase price of repair tools in complete and usable condition. Session Law Chapter No. 213	127	154	285
1360	Judiciary and Rules	LAW	ADMINISTRATIVE PROCEDURE ACT - Amends existing law to provide a requirement regarding certain amendments to administrative rules. Session Law Chapter No. 367	127	190	288
1361	Judiciary and Rules	LAW	PUBLIC DEFENSE - Amends existing law to provide that money to administer public defense may be appropriated from certain funds..... Session Law Chapter No. 214	127	161	285
1362	Judiciary and Rules	LAW	JUDGMENTS - Amends existing law to increase the time a renewed judgment on a lien may be continued for certain judgments..... Session Law Chapter No. 269	127	161	287
1363	Finance	LAW	APPROPRIATIONS - PERSI - Appropriates \$7,825,800 to the Public Employee Retirement System of Idaho for fiscal year 2017; limits the number of authorized full-time equivalent positions to 66; and provides legislative intent..... Session Law Chapter No. 65	135	157	215
1364	Finance	LAW	APPROPRIATIONS - STATE INDEPENDENT LIVING COUNCIL - Appropriates \$649,200 to the State Independent Living Council for fiscal year 2017; limits the number of full-time equivalent positions to 4; and appropriates and transfers up to \$89,900 to the State Independent Living Council (Ded) Fund within the State Independent Living Council on July 1, 2016, or as soon thereafter as is practicable..... Session Law Chapter No. 66	136	157	215
1365	Finance	LAW	APPROPRIATIONS - IDAHO STATE LOTTERY - Appropriates \$5,902,600 to the Idaho State Lottery for fiscal year 2017; limits the number of authorized full-time equivalent positions to 45; and provides legislative intent with regard to certain continuous appropriations..... Session Law Chapter No. 99	136	157	249

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1366	Finance	LAW	APPROPRIATIONS - STATE LIQUOR DIVISION - Appropriates \$19,670,900 to the State Liquor Division for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 222..... Session Law Chapter No. 100	136	157	249
1367	Finance	LAW	APPROPRIATIONS - DIVISION OF HUMAN RESOURCES - Appropriates \$1,808,200 to the Division of Human Resources for fiscal year 2017; limits the number of authorized full-time equivalent positions to 12; provides legislative intent; and provides guidance on employee compensation. Session Law Chapter No. 115	136	157	249
1368	Finance	H FAILED	APPROPRIATIONS - COMMISSION ON THE ARTS - Appropriates \$1,956,000 to the Commission on the Arts for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 10.....	136	158	188
1369	Finance	LAW	APPROPRIATIONS - MILITARY DIVISION - Appropriates an additional \$3,500,000 from the Federal Grant Fund to the Military Division for the Federal/State Agreements Program for fiscal year 2016; appropriates \$69,685,700 to the Military Division for fiscal year 2017; limits the number of authorized full-time equivalent positions to 319.8; 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. Session Law Chapter No. 96	136	158	249
1370	Finance	LAW	APPROPRIATIONS - PUBLIC TELEVISION - Appropriates \$9,294,600 to Idaho Public Television for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 64.48..... Session Law Chapter No. 95	136	160	249
1371	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF FINANCE - Appropriates \$8,170,300 to the Department of Finance for fiscal year 2017; limits the number of authorized full-time equivalent positions to 64; and provides legislative intent relating to certain continuous appropriations. Session Law Chapter No. 101	136	160	249
1372	Finance	LAW	APPROPRIATIONS - REGULATORY BOARDS - Appropriates \$7,583,800 to the Regulatory Boards for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 68..... Session Law Chapter No. 102	136	160	249
1373	Judiciary and Rules	LAW	PROTECTION ORDERS - Adds to existing law to provide actions for a protection order and an ex parte temporary protection order against harassment and stalking; and to provide that certain fees shall be waived. Session Law Chapter No. 270	139	183	287
1374	Judiciary and Rules	S Jud	GUARDIANS - Amends and adds to existing law to authorize the inter vivos nomination appointment of a guardian of a minor.	139	-	143

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1375	Judiciary and Rules	S Jud	PARENTAL POWERS - Amends existing law to clarify the duration and revocation of a power of attorney from a parent or guardian, and to authorize a parent or guardian to delegate certain powers over a minor or person with a developmental disability upon the occurrence of certain conditions.	139	-	143
1376	State Affairs	LAW	EDUCATION - Amends and adds to existing law regarding public charter schools. Session Law Chapter No. 271	149	185	287
1377	State Affairs	LAW	ELECTIONS - Amends existing law to remove the requirement that election judges must post a correct copy of results at the polling place. Session Law Chapter No. 272	149	190	287
1378	State Affairs	S St Aff	CONCEALED WEAPONS - Repeals, amends and adds to existing law to establish provisions regarding concealed weapons; and to revise provisions regarding prohibited conduct.	149	-	155
1379	Finance	LAW	APPROPRIATIONS - BUILDING SAFETY - Appropriates \$12,707,600 to the Division of Building Safety for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 126. Session Law Chapter No. 149	149	179	265
1380	Finance	LAW	APPROPRIATIONS - INDUSTRIAL COMMISSION - Appropriates \$16,691,000 to the Industrial Commission for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 138.25. Session Law Chapter No. 150	150	179	265
1381	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF INSURANCE - Appropriates \$9,556,900 to the Department of Insurance for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 73.5. Session Law Chapter No. 151	150	179	265
1382	Judiciary and Rules	LAW	NURSES - Amends existing law to revise the definition of "practice of nursing." Session Law Chapter No. 215	150	196	285
1383	Judiciary and Rules	H 3rd Rdg	CIVIL RIGHTS OF PERSONS CONVICTED OF CRIME - Amends existing law to provide that the right to ship, transport, possess or receive a firearm shall not be restored following felony convictions for certain crimes.	150	179	179
1384	State Affairs	S Com/HuRes	LIMITED LINES TRAVEL INSURANCE ACT - Adds to existing law to provide requirements for limited lines travel insurance producers.	156	-	159
1385	State Affairs	S Com/HuRes	MOTOR VEHICLES - FINANCIAL RESPONSIBILITY - Amends existing law to revise a definition.	156	-	159
1386	State Affairs	S St Aff	ABORTION - Repeals, amends and adds to existing law to prohibit dismemberment abortions, to provide for protection of privacy in court proceedings, to provide for injunctions against dismemberment abortions and to provide civil remedies.	156	-	159

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1387	State Affairs	H Health/Wel	PHARMACY ACT - Amends existing law to add certain requirements for registration of a supplier of certain types of durable medical equipment.....	163	195	195
1388	State Affairs	LAW	TAX DEEDS - Amends existing law to further define "party in interest"; and to revise what a tax deed conveys..... Amended in the Senate..... Session Law Chapter No. 273	163 194	- 209	287
1389	State Affairs	LAW	CONCEALED WEAPONS - Amends existing law to revise provisions regarding concealed weapons; and regarding prohibited conduct. Session Law Chapter No. 208	163	209	285
1390	Finance	LAW	APPROPRIATIONS - IDAHO STATE POLICE - Appropriates \$77,449,600 to the Idaho State Police for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 572.85..... Session Law Chapter No. 180	163	185	280
1391	Finance	LAW	APPROPRIATIONS - HEALTH AND WELFARE - MEDICAID - Appropriates \$2,233,804,500 for the Medicaid Division in the Department of Health and Welfare for fiscal year 2017; limits the number of authorized full-time equivalent positions to 209; 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..... Session Law Chapter No. 179	163	185	280
1392	Finance	LAW	APPROPRIATIONS - IDAHO COMMISSION FOR LIBRARIES - Appropriates \$5,525,300 to the Idaho Commission for Libraries for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 37.5..... Session Law Chapter No. 178	163	185	280
1393	Finance	LAW	APPROPRIATIONS - CATASTROPHIC HEALTH CARE PROGRAM - Appropriates \$18,000,000 from the General Fund and directs the transfer to the Catastrophic Health Care Cost Fund for fiscal year 2017..... Session Law Chapter No. 292	163	185	287
1394	Finance	LAW	APPROPRIATIONS - COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED - Appropriates \$4,964,500 to the Commission for the Blind and Visually Impaired for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 40.12..... Session Law Chapter No. 177	163	186	280
1395	Finance	LAW	APPROPRIATIONS - DIVISION OF VOCATIONAL REHABILITATION - Appropriates \$27,791,900 to the Division of Vocational Rehabilitation for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 152.5..... Session Law Chapter No. 216	177	196	285

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1396	Finance	LAW	<p>APPROPRIATIONS - LIEUTENANT GOVERNOR - Appropriates \$170,000 to the Office of the Lieutenant Governor for fiscal year 2017; limits the number of authorized full-time equivalent positions to 3; and authorizes lump sum spending authority.....</p> <p>Session Law Chapter No. 217</p>	177	196	285
1397	Finance	LAW	<p>APPROPRIATIONS - STATE CONTROLLER - Appropriates \$15,322,700 to the Idaho State Controller for fiscal year 2017; 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 certain dedicated fund reappropriation authority; and provides certain General Fund reappropriation authority.</p> <p>Session Law Chapter No. 218</p>	177	196	285
1398	Finance	LAW	<p>APPROPRIATIONS - SPECIAL PROGRAMS - Appropriates \$17,154,500 to Special Programs under the State Board of Education for fiscal year 2017; limits the number of authorized full-time equivalent positions to 42.13; provides for the transfer of any unexpended and unencumbered General Fund moneys to the Opportunity Scholarship Program Account at the end of fiscal year 2016; and provides legislative intent on the level of services by the Geological Survey Program in eastern Idaho.</p> <p>Session Law Chapter No. 219</p>	189	210	285
1399	Finance	LAW	<p>APPROPRIATIONS - EDUCATION BOARD, HEALTH EDUCATION PROGRAMS - Appropriates \$13,831,200 to the State Board of Education and the Board of Regents of the University of Idaho for Health Education Programs for fiscal year 2017; limits the number of authorized full-time equivalent positions to 24.8; provides a lump sum appropriation for dedicated funds; and reappropriates unexpended and unencumbered dedicated fund balances for the Dental Education Programs.</p> <p>Session Law Chapter No. 220</p>	189	210	285
1400	Finance	LAW	<p>APPROPRIATIONS - LABOR DEPARTMENT - Appropriates \$104,819,200 to the Department of Labor for fiscal year 2017; limits the number of authorized full-time equivalent positions to 700; and provides legislative intent requiring a report on operations of local Department of Labor offices and services provided.....</p> <p>Session Law Chapter No. 221</p>	189	210	285
1401	Finance	LAW	<p>APPROPRIATIONS - PARKS AND RECREATION DEPARTMENT - Appropriates \$39,630,900 to the Idaho Department of Parks and Recreation for fiscal year 2017; limits the number of authorized full-time equivalent positions to 150.89; permits the department to exceed the 10% transfer limitations between programs for certain project grants; and provides carryover authority for the Capital Development Program.....</p> <p>Session Law Chapter No. 222</p>	189	210	285

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1402	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF WATER RESOURCES - Appropriates \$28,274,300 to the Department of Water Resources for fiscal year 2017; limits the number of authorized full-time equivalent positions to 155; appropriates and transfers \$716,000 from the Revolving Development Fund to the Aquifer Planning and Management Fund; transfers \$2,500,000 of the appropriation from the Economic Recovery Reserve Fund to the Secondary Aquifer Planning, Management and Implementation Fund; transfers \$5,000,000 of the appropriation from the General Fund to the Secondary Aquifer Planning, Management and Implementation Fund; appropriates and transfers \$100,400 from the General Fund to the Priest Lake Outlet Subaccount; and expresses legislative intent concerning the sale of the Pristine Springs property..... Session Law Chapter No. 176	189	210	280
1403	Finance	LAW	APPROPRIATIONS - HEALTH AND WELFARE - CHILD WELFARE/DEVELOPMENTALLY DISABLED SERVICES/SERVICE INTEGRATION - Appropriates \$103,048,600 to the Department of Health and Welfare for the divisions of Child Welfare, Services for the Developmentally Disabled, and Service Integration for fiscal year 2017; limits the number of authorized full-time equivalent positions for the three divisions to 731.46; 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..... Session Law Chapter No. 223	189	210	285
1404	State Affairs	LAW	UNBORN INFANTS DIGNITY ACT - Adds to existing law to enact the Idaho Unborn Infants Dignity Act..... Amended in the Senate Session Law Chapter No. 368	194 233	- 252	288
1405	Finance	LAW	APPROPRIATIONS - PARDONS AND PAROLE COMMISSION - Appropriates \$2,969,000 to the Commission for Pardons and Parole for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 33..... Session Law Chapter No. 369	204	235	288
1406	Finance	LAW	APPROPRIATIONS - IDAHO STATE CAPITOL COMMISSION - Appropriates \$2,342,000 to the Idaho State Capitol Commission for fiscal year 2017; provides a cash transfer; provides certain reappropriation authority; and provides legislative intent..... Session Law Chapter No. 309	204	235	287
1407	Finance	LAW	APPROPRIATIONS - IDAHO STATE HISTORICAL SOCIETY - Appropriates \$14,253,000 to the Idaho State Historical Society for fiscal year 2017; designates moneys for museum renovation and expansion; and limits the number of authorized full-time equivalent positions to 49..... Session Law Chapter No. 310	204	235	287

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1408	Finance	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 2017. Session Law Chapter No. 324	204	235	287
1409	Finance	LAW	APPROPRIATIONS - CORRECTION DEPARTMENT - Appropriates \$240,321,600 to the Department of Correction for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 1,972.85..... Session Law Chapter No. 335	204	236	288
1410	Finance	LAW	APPROPRIATIONS - MILLENNIUM FUND - Appropriates, distributes and transfers a total of \$9,587,000 from the Idaho Millennium Income Fund for fiscal year 2017; provides that certain unexpended and unencumbered moneys shall revert to the Idaho Millennium Income Fund at the end of fiscal year 2017; 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 2017. Session Law Chapter No. 370	204	236	288
1411	Finance	LAW	APPROPRIATIONS - LEGISLATIVE BRANCH - Appropriates \$8,582,000 to the Legislative Branch for fiscal year 2017; reappropriates any unexpended and unencumbered balances in the Professional Services Fund; and exempts the appropriation from object transfer limitations. Session Law Chapter No. 376	205	236	289
1412	Finance	LAW	APPROPRIATIONS - OFFICE OF STATE BOARD OF EDUCATION - Appropriates \$7,081,000 to the Office of the State Board of Education for fiscal year 2017; limits the number of authorized full-time equivalent positions to 28.75; and authorizes the reappropriation of certain funds. Session Law Chapter No. 311	205	236	287
1413	Finance	LAW	APPROPRIATIONS - HEALTH AND WELFARE - INDEPENDENT COUNCILS/INDIRECT SUPPORT SERVICES/HEALTHCARE POLICY INITIATIVES/LICENSING AND CERTIFICATION - Appropriates \$67,479,300 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 2017; limits the number of authorized full-time equivalent positions to 376.5; provides for General Fund transfers to the Cooperative Welfare Fund; directs expenditures for trustee and benefit payments; limits services to available resources; requires a report on VOCA funds; requires a monthly Medicaid tracking report; requires a biannual Medicaid Integrity Unit report; requires quarterly transfer reports; requires monthly vacancy reports; requires a report on the implementation of the SHIP grant; and requires a report on facility licensing and certification. Session Law Chapter No. 312	205	236	287
1414	Finance	LAW	APPROPRIATIONS - WOLF CONTROL BOARD - Appropriates and transfers \$400,000 from the General Fund to the Wolf Control Fund for fiscal year 2017..... Session Law Chapter No. 313	222	252	287

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1415	Finance	LAW	APPROPRIATIONS - ENVIRONMENTAL QUALITY DEPARTMENT - Appropriates \$67,332,600 to the Department of Environmental Quality for fiscal year 2017; limits the number of authorized full-time equivalent positions to 372; 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. Session Law Chapter No. 336	222	253	288
1416	Finance	LAW	APPROPRIATIONS - SOIL AND WATER CONSERVATION COMMISSION - Appropriates \$3,158,500 to the Soil and Water Conservation Commission for fiscal year 2017; limits the number of authorized full-time equivalent positions to 17.75; provides legislative intent regarding distributions to the districts; and provides legislative intent regarding the use of moneys for North Central Idaho Wildfire Restoration. Session Law Chapter No. 337	222	253	288
1417	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF AGRICULTURE - Appropriates an additional \$300,000 to the Department of Agriculture for fiscal year 2016; appropriates \$40,428,500 to the Department of Agriculture for fiscal year 2017; limits the number of authorized full-time equivalent positions to 200; and provides legislative intent regarding use of the Invasive Species Fund. Session Law Chapter No. 314	222	253	287
1418	Finance	LAW	APPROPRIATIONS - SECRETARY OF STATE - Appropriates an additional \$258,000 to the Secretary of State for fiscal year 2016 for an online voter registration system. Session Law Chapter No. 315	229	255	287
1419	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - Appropriates and transfers an additional \$13,140,000 from the General Fund to the Department of Administration for fiscal year 2016; appropriates \$20,274,700 to the Department of Administration for fiscal year 2017; limits the number of authorized full-time equivalent positions to 138; 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; and provides legislative intent regarding the employee group insurance plan structure. Session Law Chapter No. 316	229	256	287
1420	Judiciary and Rules	LAW	DISTRICT JUDGES - Amends existing law regarding salaries of district judges. Session Law Chapter No. 371	229	251	288
1421	Finance	LAW	APPROPRIATIONS - Appropriates and transfers \$2,000,000 from the General Fund to the Constitutional Defense Fund in fiscal year 2016; and appropriates \$971,700 from the General Fund to the Department of Administration for the Purchasing Program for fiscal year 2016. Session Law Chapter No. 317	229	256	287

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1422	Finance	LAW	<p>APPROPRIATIONS - PERMANENT BUILDING FUND - Appropriates an additional \$2,897,000 for the Permanent Building Fund for fiscal year 2016; authorizes the allocation of funds for specific projects for fiscal year 2016; appropriates \$26,729,700 from the Permanent Building Fund for fiscal year 2017; authorizes the allocation of funds for specific projects for fiscal year 2017; provides legislative intent relating to utilization of matching funds; exempts the appropriation from certain provisions; and provides legislative intent relating to reallocation of project savings.....</p> <p>Session Law Chapter No. 372</p>	238	257	288
1423	Finance	LAW	<p>APPROPRIATIONS - IDAHO TRANSPORTATION DEPARTMENT - Appropriates an additional \$55,839,00 to the Idaho Transportation Department for fiscal year 2016; appropriates \$655,885,100 for fiscal year 2017; limits the number of authorized full-time equivalent positions to 1,678; 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; authorizes a transfer of funds for debt service; provides a cash transfer to the GARVEE Debt Service Fund; and provides a cash transfer to the Local Highway Trust Fund.....</p> <p>Session Law Chapter No. 318</p>	238	263	287
1424	Finance	LAW	<p>APPROPRIATIONS - SUPERINTENDENT OF PUBLIC INSTRUCTION - Reduces the fiscal year 2016 appropriation by \$5,500,000; appropriates \$38,190,800 to the Superintendent of Public Instruction for fiscal year 2017; limits the number of authorized full-time equivalent positions to 142; and provides legislative intent related to school district broadband services.....</p> <p>Session Law Chapter No. 319</p>	238	257	287
1425	Finance	LAW	<p>APPROPRIATIONS - STEM ACTION CENTER - Appropriates \$2,421,700 to the STEM Action Center for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 2.....</p> <p>Session Law Chapter No. 320</p>	238	256	287
1426	Finance	LAW	<p>APPROPRIATIONS - AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE - Appropriates \$30,540,700 to the Agricultural Research and Cooperative Extension Service for fiscal year 2017; and exempts object transfer limitations.....</p> <p>Session Law Chapter No. 321</p>	248	267	287
1427	Finance	LAW	<p>APPROPRIATIONS - SUPREME COURT - Appropriates to the Supreme Court an additional \$815,700 from the General Fund for fiscal year 2017; and exempts the appropriation from object and program transfer limitations.....</p> <p>Session Law Chapter No. 322</p>	257	268	287
1428	Finance	LAW	<p>APPROPRIATIONS - Appropriates and transfers \$8,000,000 from the General Fund to the Legislative Legal Defense Fund in fiscal year 2016.....</p> <p>Session Law Chapter No. 274</p>	261	269	287

SENATE INDEX

Senate Bill	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1429	Finance	LAW	APPROPRIATIONS - EDUCATIONAL EFFORT - Appropriates a total of \$9,979,000 to the Idaho Commission for Libraries, Community Colleges, the Superintendent of Public Instruction, the Office of the State Board of Education, and the STEM Action Center for fiscal year 2017; and authorizes one additional full-time equivalent position..... Session Law Chapter No. 323	265	273	287
1430	Finance	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - Appropriates and transfers \$750,000 from the Economic Recovery Reserve Fund to the Charter School Debt Reserve Fund for fiscal year 2017..... Session Law Chapter No. 338	266	273	288

SECTION VI

SENATE JOINT RESOLUTIONS

Senate Joint Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
101	State Affairs	H St Aff	VETO POWER - Proposing an amendment to the Constitution of the State of Idaho to provide that upon the veto of a bill following adjournment of the Legislature, the Governor, at the request of the Speaker of the House of Representatives and the President Pro Tempore of the Senate, shall call the Legislature back into session to reconsider the vetoed bill.....	44	105	105

SECTION VII

SENATE JOINT MEMORIALS

Senate Joint Memorial	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
104	Resources and Environment	ADOPTED	AQUATIC INVASIVE SPECIES PREVENTION - Stating findings of the Legislature and requesting that Congress ensure the continued appropriation of funds in the fiscal year 2017 budget to significantly enhance aquatic invasive species prevention efforts and to implement the intent of the Water Resources Reform and Development Act.....	76	96	287
105	State Affairs	ADOPTED	MAIL PROCESSING PLANTS - Stating findings of the Legislature and requesting Congress to pass legislation that would direct USPS to restructure its budget priorities, rethink its administrative model, make appropriate budget cuts if necessary, focus on customer service and acceptable delivery times, and reopen shuttered mail processing plants throughout the United States.	134	152	287
106	State Affairs	H St Aff	COLUMBIA RIVER TREATY - Stating findings of the Legislature and urging the United States Department of State to continue the Columbia River Treaty, to consult with British Columbia and the states of the pacific northwest regarding any review of the treaty, and to receive and consider input from British Columbia and the states of the pacific northwest regarding any negotiations with respect to the treaty.	134	152	152

SECTION VIII

SENATE RESOLUTIONS

Senate Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
101	Judiciary and Rules	ADOPTED	SENATE RULE 20 - Stating findings of the Senate and proposing an amendment to Senate Rule 20 regarding a committee chair's decision.....	84	149	149

SECTION IX

SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
132	Martin	ADOPTED	PEACE OFFICERS - Stating findings of the Legislature and recognizing Idaho peace officers for their service to the state.....	22	61	110
133	Buckner-Webb, Burgoyne, Lacey, Ward-Engelking	ADOPTED	BLACK HISTORY MONTH - Stating findings of the Legislature and recognizing February as Black History Month, and recognizing the contributions of Black citizens to the state and nation.	29	50	107
134	Education	ADOPTED	EDUCATION - Stating findings of the Legislature and supporting the State Board of Education's goal that 60% of Idaho citizens ages 25-34 earn a postsecondary degree or certificate by 2020 to meet the state's workforce needs.....	30	57	240
135	Resources and Environment	S Res/Env	WATER - Stating findings of the Legislature and supporting the settlement agreement entered into on June 30, 2015, between participating members of the Surface Water Coalition and participating members of the Idaho Ground Water Appropriators, Inc.	47	-	67
136	Resources and Environment	ADOPTED	ESPA MANAGED RECHARGE - Stating findings of the Legislature and recognizing the need for managed recharge of the ESPA and resolving that the state establish certain managed recharge goals.....	48	93	264
137	Resources and Environment	ADOPTED	AQUIFERS - Stating findings of the Legislature and requesting that the Idaho Water Resource Board address statewide aquifer stabilization and sustainability projects, including managed recharge.	48	93	264
138	Resources and Environment	ADOPTED	WATER - Stating findings of the Legislature and supporting the settlement agreement entered into on June 30, 2015, between participating members of the Surface Water Coalition and participating members of the Idaho Ground Water Appropriators, Inc.	75	93	264
139	Education	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 Thoroughness.	80	96	274
140	Education	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 Thoroughness.	80	96	274
141	Education	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 Thoroughness.	80	96	274
142	Judiciary and Rules	S Jud	JOINT RULE 18 - Stating findings of the Legislature and providing for the amendment of Joint Rule 18 of the Joint Rules of the Senate and the House of Representatives of the State of Idaho to revise provisions relating to statements of purpose and fiscal notes.	85	-	148

SENATE INDEX

Senate Concurrent Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
143	Judiciary and Rules	ADOPTED	JOINT RULE 20 - Stating findings of the Legislature and proposing an amendment to Joint Rule 20 revising language regarding a transmittal date of a joint resolution.	85	148	274
144	Judiciary and Rules	ADOPTED	JOINT RULE 21 - Stating findings of the Legislature and providing for the amendment of Joint Rule 21 regarding provisions relating to certain recorded proceedings.	86	148	274
145	State Affairs	H St Aff	VETERANS CEMETERY - Stating findings of the Legislature and endorsing the need for a second veterans cemetery in Eastern Idaho.	86	108	108
146	State Affairs	ADOPTED	PURPLE HEART DAY - Stating findings of the Legislature and designating Idaho as a Purple Heart state and permanently setting August 7 as Purple Heart Day.	86	108	274
147	State Affairs	ADOPTED	WOMEN'S HISTORY MONTH - Stating findings of the Legislature and recognizing Women's History Month in March.	110	127	274
148	State Affairs	ADOPTED	HECLA MINING COMPANY - Stating findings of the Legislature and recognizing the contributions and accomplishments of Hecla Mining Company and its employees and congratulating Hecla Mining Company on its 125th anniversary.	121	148	240
149	State Affairs	ADOPTED	VETERANS CEMETERY - Stating findings of the Legislature and endorsing the need for a veterans cemetery in Eastern Idaho.	121	148	274
150	Judiciary and Rules	ADOPTED	JOINT RULE 18 - Stating findings of the Legislature and providing for the amendment of Joint Rule 18 of the Joint Rules of the Senate and the House of Representatives of the State of Idaho to revise provisions relating to statements of purpose and fiscal notes.	161	177	274
151	Judiciary and Rules	ADOPTED	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 mitigate the risk of bias in contested cases by the appointment of administrative hearing officers.	178	193	287
152	State Affairs	H St Aff	DEPARTMENT OF ADMINISTRATION - RULE REJECTION - Stating findings of the Legislature and rejecting certain rules of the Department of Administration relating to Rules Governing Capitol Mall Parking.	192	226	226
153	State Affairs	ADOPTED	ADMINISTRATIVE FEE RULES - Stating findings of the Legislature and approving administrative rules that impose a fee or charge, with exceptions, and rejecting certain agency rule dockets that are not approved.	231	261	287
154	State Affairs	ADOPTED	ADMINISTRATIVE TEMPORARY RULES - Stating findings of the Legislature and approving and extending temporary rules reviewed by the Legislature.	232	261	287

SENATE INDEX

Senate Concurrent Resolution	Introduced by	Final Action	Subject Matter	Intro- duction Page	Senate Vote Page	Final Disp. Page
155	State Affairs	H Held at Desk	INCOME TAX STUDY COMMITTEE - Stating findings of the Legislature and authorizing the creation of an interim study committee to study state income tax policy and structure.	259	267	267

SECTION X

ENROLLED 2016 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)
1197	22	Resources and Environment	02/25/2016	07/01/2016
1199	3	Finance	02/10/2016	02/10/2016
1200	2	Finance	02/10/2016	02/10/2016
1201	275	Finance	03/30/2016	03/30/2016
1202	33	Commerce and Human Resources	03/09/2016	07/01/2016
1206	23	Finance	02/25/2016	02/25/2016
1207	24	Finance	02/25/2016	02/25/2016
1208	32	Education	03/09/2016	07/01/2016
1210	25	Education	02/25/2016	07/01/2016
1212	127	State Affairs	03/22/2016	07/01/2016
1213	26	Resources and Environment	02/25/2016	07/01/2016
1214	49	Agricultural Affairs	03/16/2016	07/01/2016
1215	19	Agricultural Affairs	02/24/2016	07/01/2016
1216	27	Finance	02/25/2016	02/25/2016
1217	20	Finance	02/24/2016	02/24/2016
1218	47	State Affairs	03/16/2016	07/01/2016
1219	35	State Affairs	03/15/2016	07/01/2016
1221	50	Commerce and Human Resources	03/16/2016	07/01/2016
1222	109	Resources and Environment	03/22/2016	07/01/2016
1223	110	Resources and Environment	03/22/2016	07/01/2016
1224	112	Resources and Environment	03/22/2016	07/01/2016
1225	113	Resources and Environment	03/22/2016	07/01/2016
1229	36	Transportation	03/15/2016	07/01/2016
1232	41	Education	03/15/2016	07/01/2016
1233	21	Finance	02/24/2016	02/24/2016
1234	185	State Affairs	03/24/2016	07/01/2016
1235	51	Judiciary and Rules	03/16/2016	07/01/2016
1237	111	Resources and Environment	03/22/2016	07/01/2016
1238	146	Resources and Environment	Law w/o Signature	07/01/2016
1239	128	Resources and Environment	03/22/2016	07/01/2016
1240	132	Resources and Environment	03/23/2016	07/01/2016
1241	133	Resources and Environment	03/23/2016	07/01/2016
1242	134	Resources and Environment	03/23/2016	07/01/2016

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1244	52	Resources and Environment	03/16/2016	07/01/2016
1246	53	Transportation	03/16/2016	07/01/2016
1248	54	Education	03/16/2016	07/01/2016
1249	37	Education	03/15/2016	07/01/2016
1250	55	Health and Welfare	03/16/2016	07/01/2016
1251	56	Health and Welfare	03/16/2016	On and after the date on which the executive director of the State Board of Nursing certifies to the Secretary of State that twenty-five other states have enacted the Nurse Licensure Compact.
1253	360	Judiciary and Rules	04/05/2016	07/01/2016
1255	135	Judiciary and Rules	03/23/2016	07/01/2016
1257, aaH	261	Education	03/30/2016	07/01/2016
1258	57	Agricultural Affairs	03/16/2016	07/01/2016
1259	38	Agricultural Affairs	03/15/2016	07/01/2016
1260, aa	129	Agricultural Affairs	03/22/2016	07/01/2016
1261	58	Transportation	03/16/2016	07/01/2016
1262	59	Transportation	03/16/2016	07/01/2016
1265, aaH	361	Commerce and Human Resources	04/05/2016	07/01/2017
1267	45	Education	03/15/2016	07/01/2016
1268	42	Health and Welfare	03/15/2016	07/01/2016
1269	130	Health and Welfare	03/22/2016	07/01/2016
1270	39	Finance	03/15/2016	03/15/2016
1271	40	Finance	03/15/2016	03/15/2016
1272	136	State Affairs	03/23/2016	03/23/2016
1274	137	State Affairs	03/23/2016	07/01/2016
1275	138	State Affairs	03/23/2016	03/23/2016
1278	139	Resources and Environment	03/23/2016	07/01/2016
1279	140	Education	03/23/2016	07/01/2016
1280, aa	114	Education	03/22/2016	07/01/2016
1281	60	Health and Welfare	03/16/2016	07/01/2016
1283	141	Transportation	03/23/2016	07/01/2016
1285, aa	142	Commerce and Human Resources	03/23/2016	07/01/2016
1286	61	Commerce and Human Resources	03/16/2016	07/01/2016
1288	105	Commerce and Human Resources	03/22/2016	07/01/2016
1290	43	Education	03/15/2016	07/01/2016
1293, aa	143	Education	03/23/2016	07/01/2016

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1294	62	Health and Welfare	03/16/2016	07/01/2016
1295	106	Health and Welfare	03/22/2016	07/01/2016
1296	107	Health and Welfare	03/22/2016	07/01/2016
1297, aa,aa,aaH	359	State Affairs	04/05/2016	04/05/2016
1298	63	State Affairs	03/16/2016	03/16/2016; 07/01/2016 Sunset Clause - Section 1
1300, aa	362	Judiciary and Rules	04/05/2016	07/01/2016
1301	363	Judiciary and Rules	04/05/2016	07/01/2016
1302	262	Judiciary and Rules	03/30/2016	07/01/2016
1303, aa	263	Judiciary and Rules	03/30/2016	07/01/2016
1304	144	Resources and Environment	03/23/2016	07/01/2016
1314	44	Commerce and Human Resources	03/15/2016	07/01/2016
1315, aa,aa	364	Commerce and Human Resources	04/05/2016	07/01/2016
1317, aa	365	Commerce and Human Resources	04/05/2016	07/01/2016
1318	131	Commerce and Human Resources	03/22/2016	07/01/2016
1320	108	Education	03/22/2016	07/01/2016
1322, aaH	264	Health and Welfare	03/30/2016	07/01/2016
1323	224	State Affairs	03/28/2016	07/01/2016
1325	225	State Affairs	03/28/2016	07/01/2016
1326	97	Health and Welfare	03/22/2016	07/01/2016
1327	147	Judiciary and Rules	03/23/2016	07/01/2016
1328, aa	265	Judiciary and Rules	03/30/2016	07/01/2016
1330	184	Education	03/24/2016	07/01/2016
1332, aa	266	Education	03/30/2016	07/01/2016
1333	183	Education	03/24/2016	03/24/2016
1334	182	Education	03/24/2016	07/01/2016
1336	98	Education	03/22/2016	03/22/2016
1338	366	Resources and Environment	04/05/2016	07/01/2016
1339	48	Resources and Environment	03/16/2016	03/16/2016
1340	104	Resources and Environment	03/22/2016	07/01/2016
1341, aa	210	Health and Welfare	03/28/2016	07/01/2016
1343	267	Judiciary and Rules	03/30/2016	07/01/2016
1344	103	State Affairs	03/22/2016	07/01/2016
1347, aa	211	State Affairs	03/28/2016	07/01/2016
1351	212	Judiciary and Rules	03/28/2016	07/01/2016
1352	148	Judiciary and Rules	03/23/2016	07/01/2016
1353	64	Finance	03/16/2016	03/16/2016
1354, aaH	268	State Affairs	03/30/2016	07/01/2016

SENATE INDEX

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1356	181	State Affairs	03/24/2016	03/24/2016
1359	213	Judiciary and Rules	03/28/2016	07/01/2016
1360	367	Judiciary and Rules	04/05/2016	07/01/2016
1361	214	Judiciary and Rules	03/28/2016	07/01/2016
1362	269	Judiciary and Rules	03/30/2016	Retroactive to 07/01/2015 and shall apply only to judgments issued on and after 07/01/2015 by a court of competent jurisdiction.
1363	65	Finance	03/16/2016	07/01/2016
1364	66	Finance	03/16/2016	07/01/2016
1365	99	Finance	03/22/2016	07/01/2016
1366	100	Finance	03/22/2016	07/01/2016
1367	115	Finance	Law w/o Signature	07/01/2016
1369	96	Finance	03/22/2016	03/22/2016 - Section 1; 07/01/2016 - Sections 2, 3 & 4
1370	95	Finance	03/22/2016	07/01/2016
1371	101	Finance	03/22/2016	07/01/2016
1372	102	Finance	03/22/2016	07/01/2016
1373	270	Judiciary and Rules	03/30/2016	07/01/2016
1376	271	State Affairs	03/30/2016	07/01/2018 - Section 4; 07/01/2016 - All other sections
1377	272	State Affairs	03/30/2016	07/01/2016
1379	149	Finance	03/23/2016	07/01/2016
1380	150	Finance	03/23/2016	07/01/2016
1381	151	Finance	03/23/2016	07/01/2016
1382	215	Judiciary and Rules	03/28/2016	07/01/2016
1388, aa	273	State Affairs	03/30/2016	03/30/2016
1389	208	State Affairs	03/24/2016	07/01/2016
1390	180	Finance	03/24/2016	07/01/2016
1391	179	Finance	03/24/2016	07/01/2016
1392	178	Finance	03/24/2016	07/01/2016
1393	292	Finance	03/30/2016	07/01/2016
1394	177	Finance	03/24/2016	07/01/2016
1395	216	Finance	03/28/2016	07/01/2016
1396	217	Finance	03/28/2016	07/01/2016
1397	218	Finance	03/28/2016	07/01/2016
1398	219	Finance	03/28/2016	03/28/2016 - Section 3; 07/01/2016 - Sections 1, 2 & 4

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1399	220	Finance	03/28/2016	07/01/2016
1400	221	Finance	03/28/2016	07/01/2016
1401	222	Finance	03/28/2016	07/01/2016
1402	176	Finance	03/24/2016	07/01/2016
1403	223	Finance	03/28/2016	07/01/2016
1404, aa	368	State Affairs	04/05/2016	07/01/2016
1405	369	Finance	04/05/2016	07/01/2016
1406	309	Finance	03/31/2016	07/01/2016
1407	310	Finance	03/31/2016	07/01/2016
1408	324	Finance	03/31/2016	07/01/2016
1409	335	Finance	03/31/2016	07/01/2016
1410	370	Finance	04/05/2016	07/01/2016
1411	376	Finance	Law w/o Signature	07/01/2016
1412	311	Finance	03/31/2016	07/01/2016
1413	312	Finance	03/31/2016	07/01/2016
1414	313	Finance	03/31/2016	07/01/2016
1415	336	Finance	03/31/2016	07/01/2016
1416	337	Finance	03/31/2016	07/01/2016
1417	314	Finance	03/31/2016	03/31/2016 - Sections 1 & 4; 07/01/2016 - Sections 2 & 3
1418	315	Finance	03/31/2016	03/31/2016
1419	316	Finance	03/31/2016	03/31/2016 - Section 1; 07/01/2016 - All other sections
1420	371	Judiciary and Rules	04/05/2016	07/01/2016
1421	317	Finance	03/31/2016	03/31/2016
1422	372	Finance	04/05/2016	04/05/2016 - Sections 1 & 2; 07/01/2016 - All other sections
1423	318	Finance	03/31/2016	03/31/2016 - Sections 1, 9 & 10; 07/01/2016 - All other sections
1424	319	Finance	03/31/2016	03/31/2016 - Section 1; 07/01/2016 - Sections 2, 3 & 4
1425	320	Finance	03/31/2016	07/01/2016
1426	321	Finance	03/31/2016	07/01/2016
1427	322	Finance	03/31/2016	07/01/2016
1428	274	Finance	03/30/2016	03/30/2016
1429	323	Finance	03/31/2016	07/01/2016
1430	338	Finance	03/31/2016	07/01/2016

SECTION XI

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
331	State Affairs	LAW	ALCOHOLIC BEVERAGES - Amends existing law to define "powdered alcohol," to prohibit the possession, use, sale or purchase of powdered alcohol and to provide for the revocation of liquor licenses held by violators. Amended in the House (See House Journal)	136	- 251	271
332	Health and Welfare	LAW	RESIDENTIAL CARE FACILITY ADMINISTRATORS - Repeals and amends existing law regarding license renewal and reinstatement.	51	187	200
333	Health and Welfare	LAW	OPTOMETRISTS - Amends existing law to revise license renewal provisions.	51	187	200
334	Health and Welfare	LAW	PHYSICAL THERAPY - Repeals and amends existing law relating to license renewal and reinstatement.	51	187	200
335	Health and Welfare	LAW	CONTROLLED SUBSTANCES - Amends existing law to revise the list of Schedule II Uniform Controlled Substances.	59	165	188
336	Health and Welfare	LAW	PHARMACY BOARD - Amends existing law to remove obsolete language; to eliminate officer term limits; and to increase board member compensation.	59	166	188
337	Health and Welfare	LAW	PRESCRIPTIONS - Amends existing law to provide that medical examiners or coroners may access information in the prescriptions database.	59	166	188
338	Health and Welfare	LAW	LEGEND DRUGS - Amends existing law to clarify persons who may possess legend drugs.	59	166	188
339	Health and Welfare	LAW	CONTROLLED SUBSTANCES - Amends existing law to clarify drug storage requirements.	59	166	188
340	Health and Welfare	LAW	CONTRACEPTIVES AND PROPHYLACTICS - Repeals existing law relating to regulation of contraceptives and prophylactics.	62	166	188
341	Health and Welfare	LAW	PATIENT FREEDOM OF INFORMATION ACT - Repeals, amends, and adds to existing law relating to the Patient Freedom of Information Act.	51	180	193
342	Appropriations	LAW	APPROPRIATIONS - DEFICIENCY WARRANTS - Appropriates and transfers \$324,000 from the General Fund to the Pest Control Deficiency Fund.	39	46	56
343	Transportation and Defense	LAW	FUELS - Amends existing law to clarify certain revenue distribution provisions; and to provide for the distribution of revenues received from tax imposed on certain special fuels.	136	198	216
344	Revenue and Taxation	LAW	PROPERTY TAX RELIEF - Amends existing law to change the filing deadline to apply for a hardship application with the Board of Equalization.	43	66	77

SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
345	Revenue and Taxation	LAW	FOREST LAND ASSESSMENT - Amends existing law to provide an appeals process for a taxpayer when an assessor has determined that a property no longer meets the criteria of forest land.	51	69	81
346	Revenue and Taxation	LAW	ALCOHOLIC BEVERAGES - Amends existing law to update a code reference to the Idaho Income Tax Act.	65	167	188
347	Revenue and Taxation	LAW	SALES AND USE TAX - Amends existing law to exempt certain hand tools up to \$100 from the sales and use tax and to remove reference to a definition.	51	69	81
348	Revenue and Taxation	LAW	SALES AND USE TAX - Amends existing law to add paddleboards and similar vessels to the list of watercraft that are taxable to nonresident purchasers.	51	69	81
349	Appropriations	LAW	APPROPRIATIONS - FISH AND GAME DEPARTMENT - Appropriates an additional \$1,638,700 to the Department of Fish and Game for fiscal year 2016.	39	46	56
350	Resources and Conservation	LAW	FISH AND GAME - Amends existing law to revise age provisions associated with the purchase of wildlife management area upland game bird permits.	51	202	225
351	Resources and Conservation	LAW	WATER RESOURCES - Amends existing law to provide for written reports that certain artificial barriers are unsafe and endangering life or property; to provide for inspection; to revise criteria regarding those owners required to submit duplicate plans, drawings and specifications of proposed construction, enlargement, alteration or repair of dams to the director of the Department of Water Resources, to revise provisions regarding professional engineers and the authentication of plans, drawings and specifications and to provide for design and construction criteria.	51	206	225
352	Revenue and Taxation	LAW	INCOME TAX - Amends existing law to revise the deadline by which an employer must report certain information to the State Tax Commission and to provide a time period for employers to correct any errors in an electronic filing.	51	101	122
353	Revenue and Taxation	LAW	INCOME TAX WITHHOLDING - Amends existing law to allow certain employers to pay income tax withholding on a monthly basis.	51	69	81
355	Transportation and Defense	LAW	IDAHO OFFICE OF EMERGENCY MANAGEMENT - Amends existing law to change the name of the Bureau of Homeland Security to the Idaho Office of Emergency Management.	87	186	200
356	Transportation and Defense	LAW	MILITARY DIVISION - Repeals and amends existing law regarding the duties of the Adjutant General. Amended in the House (See House Journal)	131	- 203	225
357	Revenue and Taxation	LAW	STEM ACTION CENTER - Amends existing law to allow a certain income tax credit for a charitable contribution to the Idaho STEM Action Center.	69	171	188
358	Revenue and Taxation	LAW	REVENUE AND TAXATION - Amends existing law to remove a requirement that the Tax Commission provide certain property valuation information by school district; and to clarify a past code reference.	51	70	81

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
359	Revenue and Taxation	LAW	PROPERTY TAXES - Amends existing law to provide that operating property shall not be included in the taxable value for the purpose of making a levy that is to be made against real property only.....	54	101	122
360	Revenue and Taxation	LAW	PROPERTY TAXES - Amends existing law to remove an exception to the rule that any taxing district must be formed or organized by the first day of January in order to make a levy for that calendar year.....	54	101	122
361	Revenue and Taxation	LAW	SALES TAX - AIRCRAFT - Amends existing law to remove a sunset clause.....	51	70	81
362	State Affairs	LAW	RETAIL SALE OF LIQUOR BY THE DRINK - Amends existing law to revise the definition of "person" for retail sale of liquor by the drink..... Amended in the Senate	54 113	- 165	216
363	Appropriations	LAW	APPROPRIATIONS - IDAHO TRANSPORTATION DEPARTMENT- Appropriates an additional \$104,586,700 to the Idaho Transportation Department for fiscal year 2016.....	41	51	61
364	Appropriations	LAW	APPROPRIATIONS - LABOR DEPARTMENT - Appropriates an additional \$1,808,100 to the Department of Labor for the State Longitudinal Data System, a fraud prevention award, and other activities for fiscal year 2016.....	41	51	61
365	Appropriations	LAW	APPROPRIATIONS - BUILDING SAFETY DIV - Appropriates an additional \$300,000 to the Division of Building Safety for a new school security inspections program for fiscal year 2016.....	41	54	64
366	Business	LAW	ARCHITECTURAL EXAMINERS BOARD - Amends existing law to revise board compensation provisions.....	51	198	216
367	Business	LAW	MORTICIANS - Amends existing law to revise license eligibility provisions for resident trainees.....	69	180	193
368	Business	LAW	REAL ESTATE APPRAISERS - Amends existing law to revise definitions.....	69	198	216
369	Business	LAW	FUNERAL AND CEMETERY MERCHANDISE AND SERVICES - Amends existing law to provide that licensed morticians and funeral directors shall designate the licensed funeral establishment responsible for merchandise or services under prearrangement sales and to provide that the licensed funeral establishment shall maintain all contracts and documents associated with prearrangement sales.....	69	180	193
371	Business	LAW	FACTORY BUILT STRUCTURES - Amends existing law to redesignate the Modular Building Advisory Board as the Factory Built Structures Advisory Board and to provide that the board shall have certain powers and duties..... Amended in the Senate Amended in the Senate	65 155 216	- 176 230	285

SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
372	Business	LAW	CONTAINERS - Adds to existing law to provide that any regulation regarding the use, disposition or sale or any prohibition, restriction, fee or taxation of auxiliary containers at the retail, manufacturer or distributor setting shall be done only by statute enacted by the Legislature.....	59	206	225
373	Health and Welfare	LAW	LEGEND DRUGS - Amends existing law to define terms; and to provide that certain clinics, centers or institutions may accept donations of and dispense medications.....	65	173	188
374	Health and Welfare	LAW	CONTROLLED SUBSTANCES PRESCRIPTIONS DATABASE - Amends existing law to provide that delegates of practitioners and pharmacists may access the database under certain circumstances.....	74	174	188
375	Health and Welfare	LAW	HEALTH CARE TASK FORCE - Repeals and amends existing law to remove references to the task force.	74	174	188
376	Revenue and Taxation	LAW	CIGARETTE TAXES - Amends existing law to revise cigarette wholesaler bonding requirements and to provide an alternative of prepaying the full value of stamps in lieu of posting bond.....	59	101	122
377	Commerce and Human Resources	LAW	GLOBAL ENTREPRENEURIAL MISSION - Amends existing law to revise the provisions regarding the Governor's designation of the council chairman; to provide weighted consideration for Idaho industry partners for grants; and to further define and clarify the distribution of commercialization revenue.	65	174	188
378	Resources and Conservation	LAW	FISH AND GAME - Amends existing law to clarify that the Fish and Game Commission shall prescribe and administer education programs in trapping.....	65	202	225
379	Education	LAW	EDUCATION - Amends and adds to existing law to establish the Computer Science Initiative for Public Schools. Amended in the Senate	54 129	- 165	216
380	Revenue and Taxation	S Loc Gov	INCOME TAXES - Amends existing law to reduce certain income tax rates; and to increase certain grocery tax credits.....	59	-	59
381	Agricultural Affairs	LAW	VETERINARIANS - Amends existing law to redesignate the Euthanasia Task Force as the Committee on Humane Euthanasia.	79	186	200
382	Agricultural Affairs	LAW	VETERINARIANS - Amends existing law regarding alternatives to formal discipline and regarding who may not be offered an alternative to formal discipline and to provide that a person who receives an alternative to formal discipline may be subject to certain conditions. Amended in the Senate Amended in the Senate	79 82 209	- 97 230	285
383	Agricultural Affairs	LAW	AQUACULTURE COMMISSION - Repeals and amends existing law relating to the Aquaculture Commission; and providing for the transfer of certain moneys.	87	180	193
384	Appropriations	LAW	APPROPRIATIONS - SECRETARY OF STATE - Appropriates an additional \$1,300,000 to the Secretary of State for fiscal year 2016.....	54	66	77

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
385	Transportation and Defense	LAW	MOTOR VEHICLES - Amends existing law to provide conditions when the surviving spouse of a qualified veteran may obtain veterans license plates.	69	165	188
386	Revenue and Taxation	LAW	PRODUCTION EXEMPTION - Amends existing law to revise a term.	65	171	188
387	State Affairs	S Educ	COMMUNITY COLLEGES - Amends and adds to existing law to provide for community college trustee zones and related provisions; to revise provisions regarding the addition of territory to community college districts; to revise provisions regarding trustees of Community College Districts; and to revise provisions regarding an appeal from an order of the State Board of Education.	62	-	62
389	State Affairs	LAW	AGRICULTURAL LIENS - Amends existing law to provide what the notice of claim of lien must include; and to provide that a notice of claim of lien will be deemed by the Secretary of State to meet the requirements of a farm products financing statement.	79	201	225
390	State Affairs	LAW	BENEFIT CORPORATION REPORT - Amends existing law to remove the requirement of filing a benefit corporation's benefit report with the Secretary of State.	79	197	216
391	Education	LAW	TAX AND EDUCATION - Amends existing law to remove the requirement that a certain report be submitted to the State Department of Education.	65	166	188
392	Education	LAW	EDUCATION - Repeals existing law relating to the Youth Education Account.	65	167	188
396	Commerce and Human Resources	LAW	EMPLOYMENT SECURITY LAW - Amends existing law to expand Department of Labor notice provisions.	69	191	208
397	Commerce and Human Resources	LAW	EMPLOYMENT SECURITY LAW - Amends existing law to clarify notice and appeal provisions for certain determinations.	69	196	216
398	Commerce and Human Resources	LAW	REVISED UNIFORM ATHLETE AGENTS ACT - Repeals and adds to existing law to establish the Revised Uniform Athlete Agents Act.	93	213	229
403	Appropriations	LAW	APPROPRIATIONS - IDAHO STATE POLICE - Reduces the General Fund appropriation to the Idaho State Police by \$16,400 for fiscal year 2016; and appropriates and transfers up to \$16,400 from the General Fund to the Federal Grant Fund for fiscal year 2016.	59	69	81
405	Local Government	LAW	FIRE PROTECTION DISTRICTS - Amends and adds to existing law to revise and establish provisions regarding the residence requirements of fire protection commissioners; to provide requirements regarding the Board of Fire Protection Commissioners' responsibility to revise subdistricts; and to establish a process to decrease the size of a fire protection board.	74	173	188

SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
406	Local Government	LAW	RECREATIONAL WATER AND/OR SEWER DISTRICTS - Amends and adds to existing law to provide that annexation does not change the status of a recreational water and/or sewer district; to provide when director zones are created and for the appointment of a person-at-large; to provide for the creation of board of director zones; and to provide procedures for annexation or withdrawal of an area within a city..... Amended in the House (See House Journal)	170	- 213	229
413	Transportation and Defense	S Transp	MOTOR VEHICLES - Amends and adds to existing law to provide for Idaho Friends of the Orofino Maniacs license plates..... Amended in the House (See House Journal)	177	-	177
417	Agricultural Affairs	LAW	RURAL DEVELOPMENT PARTNERSHIP ACT - Amends existing law to revise responsibilities of partnership and to provide for an annual report to the Governor; to revise board of director membership provisions; to revise cochair appointment provisions; and to remove a provision that the executive director be an exempt, full-time position within a department of the Executive Branch.....	79	180	193
425	Revenue and Taxation	LAW	TAXES - Amends existing law to update references to the Internal Revenue Code and to add language regarding marriage.....	45	65	66
426	State Affairs	LAW	BOND GUARANTY - Amends existing law to provide that guaranteed bonds that are advance refunded and bond proceeds held in escrow no longer have the benefit of a guaranty.....	83	199	216
427	State Affairs	LAW	IDAHO BOND BANK AUTHORITY - Amends existing law to appropriate funds to the Idaho Bond Bank Authority and to authorize reimbursement of costs incurred by the State Treasurer.....	87	199	216
428	Education	LAW	COLLEGE SAVINGS PROGRAM - Amends existing law to revise the treatment of unclaimed College Savings Program accounts and to authorize the management of those accounts by the College Savings Program Board under certain conditions.....	79	167	188
429	Judiciary, Rules, and Administration	LAW	CONTROLLED SUBSTANCES - Amends existing law to provide that certain requirements for granting of a withheld judgment shall not apply to certain defendants.....	87	197	216
431	Revenue and Taxation	LAW	TAXATION - Amends existing law to revise provisions regarding certain property exempt from taxation.....	74	174	188
432	Business	LAW	INSURANCE - Amends existing law to revise how insurance policies are valued.....	83	173	188
436	State Affairs	LAW	IDAHO DAY - Amends existing law to revise the day of celebration for Idaho Day when March 4 falls on a Saturday or Sunday.....	69	199	216

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
439	Judiciary, Rules, and Administration	LAW	STATE APPELLATE PUBLIC DEFENDER - Amends existing law to provide that the State Appellate Public Defender shall provide representation for certain interlocutory appeals and to revise provisions relating to post-conviction relief and habeas corpus proceedings.....	105	205	225
440	Business	LAW	INSURANCE - Amends existing law to provide an exception to the requirement that every domestic insurer must have and maintain its principal place of business and home office in this state.	87	180	193
441	Business	LAW	COSMETICIANS - Amends existing law to provide for license renewal.	99	197	216
443	Local Government	LAW	MUNICIPAL RECORDS - Repeals and amends existing law relating to retention and storage of municipal records using photographic and digital media Amended in the House (See House Journal)	170	- 214	229
445	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF AGRICULTURE - Changes the fiscal year 2016 appropriation to the Department of Agriculture for a net increase of \$2,014,500; and authorizes one additional position.....	79	157	176
446	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF WATER RESOURCES - Appropriates an additional \$484,900 to the Department of Water Resources for fiscal year 2016.....	79	97	107
447	State Affairs	LAW	PUBLIC RECORDS - Amends existing law to provide that records regarding proposed or existing critical infrastructure held by or in the custody of any public agency shall be exempt from disclosure. Amended in the Senate	99 151	- 165	216
449	Revenue and Taxation	S Loc Gov	SALES TAX - Amends existing law to add sales of food products by Idaho chapters of the Girl Scouts of the United States of America or the Boy Scouts of America to the definition of "occasional sales" exempt from sales tax.	99	-	99
451	Education	LAW	EDUCATION - Repeals and adds to existing law regarding reading instruction and intervention.....	128	197	216
452	Education	LAW	EDUCATION - Amends existing law regarding the transfer of accrued sick leave by employees of a state educational agency; and to revise provisions regarding accrued unused sick leave. Amended in the Senate	105 172	- 186	225
454	Environment, Energy, and Technology	LAW	UNDERGROUND FACILITIES - Amends and adds to existing law to create the Damage Prevention Board and to provide for its duties regarding the prevention of underground facilities damage.	123	213	229
455	Agricultural Affairs	LAW	IDAHO APPLE COMMISSION - Amends, repeals and adds to existing law to revise provisions relating to the Idaho Apple Commission.	112	180	193
456	Agricultural Affairs	LAW	GRAPES AND WINE - Amends existing law to revise provisions regarding tax on the production of wine and on certain grapes and grape juice.....	112	197	216

SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
458	Education	LAW	EDUCATION - Repeals, amends and adds to existing law relating to the "8 in 6 Program" and the Mastery Advancement Program; to provide for advanced opportunities; and to grant the State Board of Education rulemaking authority..... Amended in the Senate	123 150	- 165	216
459	Education	LAW	EDUCATION - Amends existing law to provide for the Community College Start-Up Account in the Higher Education Stabilization Fund.	123	183	200
461	Judiciary, Rules, and Administration	LAW	FEES - Amends existing law to provide that a certain portion of surcharge fees shall be deposited in the state General Fund.	109	144	159
462	Resources and Conservation	S Res/Env	HUNTING AND TRAPPING - Amends existing law to remove age limitations for certain exceptions and to provide for predatory and unprotected birds and animals. Amended in the House (See House Journal)	131	-	131
463	Business	LAW	MINIMUM WAGE - Amends existing law to revise obsolete language and to prohibit political subdivisions from establishing minimum wages higher than the minimum wages provided by state law.....	109	183	200
464	State Affairs	LAW	STATE TREASURER - Amends and adds to existing law to revise duties of the State Treasurer regarding public endowment funds; and to grant authority for the State Treasurer to invest certain funds otherwise excluded from his duties.	123	199	216
469	Agricultural Affairs	LAW	NOXIOUS WEEDS - Amends existing law to revise the definition of "research facility.".....	136	202	225
471	Transportation and Defense	LAW	RECREATION ACTIVITIES - Repeals and adds to existing law to revise violation and penalty provisions; to provide that moneys in the Motorbike Recreation Account may be used for securing use licenses and recreation easements; and to provide for the enforcement of certain rules.	112	186	200
472	Transportation and Defense	LAW	LICENSE PLATES - Amends existing law to provide that the Idaho Transportation Department shall provide new plates bearing the same number or, if requested by the owner, the next available number, as it applies to certain vehicles for purposes of specified provisions of law.	123	187	200
473	Transportation and Defense	LAW	MILITARY - Amends existing law to revise definitions and provisions regarding the applicability of certain law.....	123	186	200
474	Revenue and Taxation	LAW	TAXING DISTRICT BUDGETS - Amends existing law to require notice and a public hearing prior to a taxing district budgeting a forgone increase.....	99	174	188
476	Education	LAW	EDUCATION - Amends existing law to establish provisions regarding the statewide average class size.....	112	186	200
477	Education	LAW	EDUCATION - Repeals, amends and adds to existing law to provide for the Postsecondary Credit Scholarship..... Amended in the House (See House Journal) Amended in the House (See House Journal) Amended in the Senate	170 218	- 230	285

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
478	State Affairs	LAW	PUBLIC RECORDS - Amends existing law to provide that records of any certification or notification required by federal law to be made in connection with the acquisition or transfer of a firearm are exempt from disclosure under the Public Records Act.	136	219	233
480	Health and Welfare	LAW	LICENSURE BOARDS - Amends existing law to provide that the executive directors of the Board of Licensure of Professional Engineers and Professional Land Surveyors, the Board of Nursing and the Board of Pharmacy do not need to be licensees.	143	211	229
481	Health and Welfare	LAW	RIGHT TO TRY ACT - Adds to existing law to implement the Right to Try Act regarding investigational drugs, biological products and devices for patients with terminal illnesses.	139	198	216
482	Health and Welfare	LAW	BOARDS - Amends existing law to revise qualifications for various licensure boards so that all members serve at the pleasure of the Governor and each board has at least one consumer member.	143	213	229
483	Health and Welfare	LAW	PHARMACY - Adds to existing law to provide that a pharmacist who dispenses a biological product shall communicate certain information to the prescriber.	143	206	225
485	Commerce and Human Resources	LAW	EMPLOYMENT SECURITY ACT - Amends existing law to revise provisions regarding the base tax rate; and to revise the formula and maximum weeks of benefit entitlement.	150	213	229
486	Business	LAW	BARBERS - Amends existing law to provide additional requirements regarding certain schools and colleges.	105	198	216
487	Business	LAW	AGREEMENTS PROTECTING LEGITIMATE BUSINESS INTERESTS - Amends existing law to provide that a rebuttable presumption of irreparable harm is established under certain circumstances.	201	248	271
491	Judiciary, Rules, and Administration	LAW	LIENS - Repeals and adds to existing law to prohibit nonconsensual common law liens.	131	-	216
			Amended in the House (See House Journal)		197	
			Amended in the House (See House Journal)		227	
493	Judiciary, Rules, and Administration	S Jud	FINES AND FORFEITURES - Amends existing law to provide that a certain amount shall be deposited in the Public School Income Fund and to provide that a certain amount shall be deposited in the Drug Court, Mental Health Court and Family Court Services Fund.	131	-	131
494	Judiciary, Rules, and Administration	LAW	ALCOHOL - Amends existing law to reclassify certain offenses as infractions and to provide for penalties.	140	-	285
			Amended in the Senate	233	250	
495	Judiciary, Rules, and Administration	LAW	ALCOHOL VIOLATIONS - Amends existing law to provide that certain violations and records of violations shall be vacated and sealed.	123	202	225

SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
496	Local Government	LAW	CEMETERIES - Adds to existing law to provide a way for cities or cemetery maintenance districts operating cemeteries to recover and resell unused cemetery lots.....	140	198	216
497	State Affairs	LAW	LOBBYISTS - Adds to existing law to provide for reports by certain state entities with exceptions to the Secretary of State under the state Sunshine Law..... Amended in the Senate Amended in the Senate	136 186 234	- 209 250	285
498	Health and Welfare	S St Aff	ELECTRONIC CIGARETTES - Amends existing law to require a certain permit to sell or distribute electronic cigarettes and to require a sign.....	140	-	140
499	Health and Welfare	LAW	FOOD - Amends and adds to existing law to provide that the Idaho State Department of Agriculture shall be the delegated authority to regulate certain activities if specified conditions are met.	136	198	216
500	Health and Welfare	LAW	MEDICARE PROVIDER PAYMENT - Amends existing law to provide that certain services will be reimbursed at 91% of the current Medicare rate.....	140	199	216
501	Commerce and Human Resources	LAW	WORKER'S COMPENSATION INSURANCE - Amends existing law to revise acceptable security instruments for worker's compensation insurers.....	150	213	229
503	Judiciary, Rules, and Administration	LAW	TRUST DEEDS - Amends existing law to revise the definition of "trustee.".....	143	219	233
504	Judiciary, Rules, and Administration	LAW	PUBLIC DEFENSE - Amends and adds to existing law to authorize the Public Defense Commission to promulgate rules for indigent defense standards; to require compliance with indigent defense standards, to provide for indigent defense grants, to provide application procedures for indigent defense grants, to provide procedures for noncompliance with indigent defense standards; and to revise reporting requirements.....	150	206	225
508	Judiciary, Rules, and Administration	S Jud	BAIL ENFORCEMENT AGENTS - Amends and adds to existing law to provide requirements regarding bail enforcement agents, including agent credentials.	150	-	273
509	Resources and Conservation	LAW	OIL AND GAS - Amends existing law to provide that the Idaho Geological Survey shall preserve and use samples and records deposited with it, to provide for reports of determinations and identifications specific to the samples and records; to authorize specified uses of information derived from samples and records; to provide that the Idaho Geological Survey shall share certain information with the Idaho Oil and Gas Conservation Commission and the Department of Lands; and to provide for the sharing of records and information between the commission, the department, the Idaho Geological Survey and other state agencies.....	150	202	225
511	Business	LAW	HOMEOWNER'S ASSOCIATIONS - Amends existing law to provide additional prohibited conduct regarding covenants, conditions or restrictions by homeowner's associations with exceptions.	136	203	225

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
512	State Affairs	LAW	COMMUNITY COLLEGES - Amends and adds to existing law to provide for community college trustee zones and related provisions; to revise provisions regarding trustees of community college districts and to provide an appeals process.....	136	205	225
513	State Affairs	LAW	REAL ID ACT - Amends existing law to provide for participation in the implementation of the Real ID Act of 2005 and to provide for submission of compliance extension requests and status reports to the United States Department of Homeland Security.....	170	-	277
			Amended in the House (See House Journal)			
			Amended in the Senate	190	205	
514	Education	LAW	EDUCATION - Amends and adds to existing law to provide the Idaho School Safety and Security Act, to provide the Office of School Safety and Security, the Idaho School Safety and Security Advisory Board, and to provide powers and duties of the board.....	150	206	225
515	Education	LAW	SCHOOL DISTRICTS - Amends existing law to provide for formal written performance evaluations and when a school district shall be excused and to provide for written evaluations of principals and assistant superintendents.....	140	202	225
516	State Affairs	LAW	ABORTION - Amends existing law to provide that the Department of Health and Welfare shall compile a list of providers that perform free ultrasounds and shall state that a patient has the right to obtain a free ultrasound, view an ultrasound image and hear heart tone monitoring and to provide that no abortion shall be performed unless the woman is informed that ultrasound imaging and heart tone monitoring are available.....	143	219	233
519	Business	LAW	MASSAGE THERAPY - Amends existing law to revise the definition of "compensation"; and to authorize the Board of Massage Therapy to establish requirements for a student tuition credit program and for a temporary license and provisional permit.....	140	198	216
521	Judiciary, Rules, and Administration	LAW	ALCOHOLIC BEVERAGES - Adds to existing law to provide limited use immunity to a minor who acts in good faith and for a medical emergency, to provide requirements and to allow prosecution for other charges.....	170	-	285
			Amended in the Senate	221	230	
523	Health and Welfare	LAW	JUVENILE PROCEEDINGS - Adds to existing law to provide certain reporting requirements of the State Department of Health and Welfare.....	156	214	229
524	Agricultural Affairs	LAW	ANIMAL CRUELTY - Amends and adds to existing law to provide for the crime of torturing a companion animal; and to revise penalties.....	140	202	225
525	Agricultural Affairs	LAW	DOGS - Amends and adds to existing law to provide for the regulation of dangerous or at-risk dogs.....	150	-	229
			Amended in the House (See House Journal)		213	

SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
526	Education	LAW	EDUCATION - Repeals, amends and adds to existing law to revise the calculation of the Educational Support Program; to provide for a reading assessment; and to establish provisions regarding literacy intervention programs.	136	203	225
527	Education	LAW	COMMUNITY COLLEGES - Amends existing law to revise provisions regarding tuition of out-of-district students, county taxes and other financial support.	140	211	229
528	State Affairs	LAW	SEXUAL ASSAULT EVIDENCE KITS - Adds to existing law to provide that the Idaho State Police Forensic Services Laboratory shall test sexual assault evidence kits, to provide duties for health care facilities and local law enforcement, to provide procedures for testing kits, to provide for retention of kits, to provide for independent review of kits in certain instances, to provide for rules for a tracking process of kits, to provide that Idaho State Police Forensic Services shall provide kits to certain parties, to provide reporting and auditing requirements for untested kits, to provide for victim notification and to provide for reporting requirements.	150	202	225
531	State Affairs	LAW	AGRICULTURAL FACILITIES AND OPERATIONS - Adds to existing law to prohibit certain acts regarding agricultural facilities and operations, to provide for violations and penalties, and to clarify that specified provisions shall not be construed to limit a court's power to order restitution or to limit civil actions and remedies.	170	211	229
532	Appropriations	LAW	APPROPRIATIONS - DEFICIENCY WARRANTS - Appropriates and transfers \$60,000,000 from the General Fund to the Fire Suppression Deficiency Fund for fiscal year 2016.	140	220	233
533	Health and Welfare	LAW	HOSPITAL DISTRICTS - Amends existing law to provide that the board of trustees of a hospital district may appoint certain board members; and to revise provisions regarding a board quorum and vacancies.	170	214	229
534	Revenue and Taxation	LAW	ENERGY TAX - Repeals, amends and adds to existing law to exempt certain solar energy property from property tax; to levy a solar energy tax; to provide for its distribution; to add a limitation on a taxing district's budget requests; and to clarify which property is subject to the gross receipts tax.	150	206	225
535	Revenue and Taxation	LAW	INCOME TAXATION - Amends existing law to revise the capital gains deduction for cattle, horses or breeding livestock.	156	206	225
536	State Affairs	LAW	HIGHWAYS - Amends existing law to provide that either party to a proceeding may request appointment of a judge who is not a resident of the county where a subject road or property is located.	189	220	260
537	Education	LAW	EDUCATION - Amends existing law to revise provisions regarding supplemental contracts.	177	219	233
538	Commerce and Human Resources	LAW	STATE PROCUREMENT - Repeals, amends and adds to existing law to recodify state purchasing laws into a new State Procurement Act.	170	266	277

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
540	Revenue and Taxation	LAW	SALES AND USE TAX - Amends existing law to provide a sales and use tax exemption for the sale, lease, purchase or use of fixed-wing aircraft primarily used as an air tactical group supervisor platform under contract with a governmental entity for wildfire activity.	170	214	229
541	Revenue and Taxation	LAW	PURCHASING - Amends existing law to provide an exclusion from local government purchasing laws for the acquisition of personal property or services through contracts entered into by the Division of Purchasing of the Department of Administration of the State of Idaho.	170	237	260
542	State Affairs	LAW	ELECTIONS - Amends existing law to provide that whenever any person makes an expenditure for the purpose of financing communications expressly advocating the election, approval or defeat of a person standing for election to the position of precinct committeeman through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing or any other type of general public political advertising, the person responsible for such communication shall be clearly indicated on such communication.	170	251	271
544	State Affairs	LAW	ALCOHOL - Amends existing law to provide that showing films, still pictures, electronic reproductions or other visual reproductions that violate state indecency and obscenity laws or federal laws regarding pornography, indecency or obscenity is prohibited in or on a licensed premises.	189	252	271
546	Appropriations	LAW	APPROPRIATIONS - ENDOWMENT FUND INVESTMENT BOARD - Appropriates \$675,400 to the Endowment Fund Investment Board for fiscal year 2017; limits the number of authorized 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.	156	220	233
547	Appropriations	LAW	APPROPRIATIONS - LAVA HOT SPRINGS - Appropriates \$2,337,200 to the Lava Hot Springs Foundation for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 13.8.	156	220	233
548	Appropriations	LAW	APPROPRIATIONS - PUBLIC UTILITIES COMMISSION - Appropriates \$6,316,300 to the Public Utilities Commission for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 52.	156	220	233
549	Appropriations	LAW	APPROPRIATIONS - PUBLIC HEALTH DISTRICTS - Appropriates \$9,289,500 from the General Fund to the Public Health Districts for fiscal year 2017.	156	220	233
550	Appropriations	LAW	APPROPRIATIONS - OFFICE OF DRUG POLICY - Appropriates \$4,660,600 to the Office of Drug Policy for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 6.	156	221	233
551	Appropriations	LAW	APPROPRIATIONS - ENERGY RESOURCES - Appropriates \$1,257,700 to the Office of Energy Resources for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 8.	156	221	233

SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
552	Appropriations	LAW	APPROPRIATIONS - DIVISION OF VETERANS SERVICES - Appropriates \$35,500,200 to the Division of Veterans Services for fiscal year 2017; limits the number of authorized full-time equivalent positions to 333; and provides for the transfer of \$1,500 from the Federal Grant Fund to the Resident Trust Fund for fiscal year 2016.....	156	221	233
553	State Affairs	LAW	MOTOR VEHICLES AND MOTORBIKES - Amends existing law to revise provisions regarding the use of certain highways by all-terrain, utility type and specialty off-highway vehicles and motorbikes.	189	220	233
554	Commerce and Human Resources	LAW	WORKER'S COMPENSATION - Amends existing law to provide that compensation shall be payable for disability or death resulting from certain firefighter occupational diseases, to provide a presumption of proximate causation between specified diseases and employment as a firefighter, to provide for rebuttal of the presumption, to provide for the demonstration of causal connection, to provide that the presumption shall not apply under certain circumstances and to clarify that employment shall be within the State of Idaho.	194	222	260
555	Judiciary, Rules, and Administration	LAW	SEXUAL EXPLOITATION OF A CHILD - Adds to existing law to provide that sexual exploitation of a child by certain electronic means shall be a misdemeanor in certain instances and a felony in certain instances and that proceedings shall fall under the Juvenile Corrections Act. Amended in the Senate	177 216	- 230	285
556	Judiciary, Rules, and Administration	LAW	JUVENILE PROCEEDINGS - Amends and adds to existing law to provide that consent to adoption is required from certain courts; to provide certain notice and reporting requirements; to provide requirements regarding notification to relatives; to provide for judicial approval of all matters regarding the custody of certain children; to provide additional requirements regarding case plans; to provide that certain adoptions must be sanctioned by the court; to provide for judicial approval of certain determinations and to revise and establish provisions regarding the placement priority and considerations for certain children; and to establish provisions regarding a removal and change in foster home placement. Amended in the Senate	170 242	- 251	285
557	Health and Welfare	LAW	YOUTH ATHLETE - CONCUSSIONS - Amends existing law to provide that certain sports officials shall review concussion and head injury guidelines and requirements biennially, to require parental written authorization for participation in athletic activities and to provide for monitoring of a student suspected of suffering a concussion prior to the student resuming athletic activities.	201	237	260

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
558	Judiciary, Rules, and Administration	LAW	UNIFORM PROBATE CODE - Amends existing law to provide that certain persons may petition for a compromise of the claim of a minor, to provide for the order of priority to make a petition, to authorize a court to pass over a person having priority under certain conditions, to provide requirements for a petition, to authorize a court to take certain actions regarding a compromise, to provide for approval of a compromise and payment and to provide that no filing fee shall be charged for the filing of a petition.....	170	219	233
560	Education	LAW	EDUCATION - Amends existing law to provide an additional requirement for annual continuous improvement plans, to define "statewide student readiness and improvement metrics" and to clarify certain scores.....	177	219	233
561	Appropriations	LAW	APPROPRIATIONS - COMMISSION ON AGING - Appropriates \$12,570,600 to the Commission on Aging for fiscal year 2017; limits the number of authorized full-time equivalent positions to 13; requires a management review implementation report; and requires a region three Area Agency on Aging report to be submitted quarterly.....	177	223	260
562	Appropriations	LAW	APPROPRIATIONS - JUVENILE CORRECTIONS DEPARTMENT - Appropriates \$51,402,600 to the Department of Juvenile Corrections for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 412.....	177	223	260
563	Appropriations	LAW	APPROPRIATIONS - SECRETARY OF STATE - Appropriates \$3,175,600 to the Secretary of State for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 27.....	177	223	260
564	Appropriations	LAW	APPROPRIATIONS - OFFICE OF SPECIES CONSERVATION - Appropriates \$13,878,400 to the Office of Species Conservation for fiscal year 2017; limits the number of authorized full-time equivalent positions to 12.63; and expresses legislative intent with regard to sage-grouse conservation actions.....	177	223	260
566	Appropriations	LAW	APPROPRIATIONS - HEALTH AND WELFARE - PUBLIC HEALTH SERVICES - Appropriates \$113,050,400 to the Department of Health and Welfare for the Public Health Services Division for fiscal year 2017; limits the number of authorized full-time equivalent positions to 233.34; 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 Fund moneys; and requires an annual report on accreditation status.....	194	224	260
567	Appropriations	LAW	APPROPRIATIONS - HISPANIC AFFAIRS - Appropriates \$283,400 to the Commission on Hispanic Affairs for fiscal year 2017; and limits the number of authorized full-time positions to 3.....	177	223	260
569	Ways and Means	LAW	WATERSHED IMPROVEMENT DISTRICTS - Amends existing law to provide for the dissolution of districts by county commissioners under certain conditions.....	201	236	260

SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
570	Education	LAW	EDUCATION - Adds to existing law to establish the Local Innovation School Act and to provide eligibility requirements and eligibility exemptions and school agreements.	201	237	260
571	Education	LAW	EDUCATION - Repeals, amends and adds to existing law to revise provisions regarding the experience and education multiplier; the career ladder; a district's salary-based apportionment; and eligibility for an Idaho professional endorsement.	201	237	260
573	State Affairs	S Jud	POWERS OF PARENT OR GUARDIAN - Amends and adds to existing law to revise provisions regarding delegation of powers by a parent or guardian; and to establish provisions regarding assistance by a qualified nonprofit organization in a parent or guardian's delegation of powers.	201	-	201
574	Appropriations	LAW	APPROPRIATIONS - HEALTH AND WELFARE - WELFARE DIVISION - Appropriates \$168,949,700 for the Welfare Division in the Department of Health and Welfare for fiscal year 2017; limits the number of authorized full-time equivalent positions to 635.55; 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.....	194	231	260
575	Appropriations	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 \$10,700 to the Public Utilities Commission for commissioner salaries; appropriates an additional \$13,200 to the State Tax Commission for commissioner salaries; and appropriates an additional \$10,400 to the Industrial Commission for commissioner salaries.....	189	223	260
576	Appropriations	LAW	APPROPRIATIONS - SUPREME COURT - Appropriates \$66,709,900 to the Supreme Court for fiscal year 2017; and exempts the appropriation from object and program transfer limitations.	189	224	260
577	Appropriations	LAW	APPROPRIATIONS - ATTORNEY GENERAL - Appropriates \$24,282,700 to the Attorney General for fiscal year 2017; limits the number of authorized full-time equivalent positions to 205.6; and exempts the Attorney General from object and program transfer limitations.	189	280	285
578	Appropriations	LAW	APPROPRIATIONS - PUBLIC DEFENSE COMMISSION - Appropriates \$314,100 to the Public Defense Commission for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 1.5.....	189	224	260

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
579	Appropriations	LAW	APPROPRIATIONS - HEALTH AND WELFARE - MENTAL HEALTH SERVICES/PSYCHIATRIC HOSPITALIZATION/SUBSTANCE ABUSE TREATMENT AND PREVENTION - Appropriates \$97,605,000 to the divisions of Mental Health, Psychiatric Hospitalization, and Substance Abuse Treatment and Prevention for fiscal year 2017; limits the number of authorized full-time equivalent positions for the three divisions to 695.58; 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 legislative intent relating to a crisis center location; requires an annual report on community support for the Idaho Falls Crisis Center; and provides for reappropriation for the Adult Mental Health Program.	189	224	260
580	Judiciary, Rules, and Administration	LAW	SEX CRIMES - Repeals and amends existing law to provide a circumstance where rape can occur and to provide that both males and females are capable of committing rape; and to revise terminology in the definition of "rape" to make it gender neutral.	229	261	277
582	State Affairs	S Res/Env	LANDS - Adds to existing law to provide for lands received from the federal government, to provide administration and management criteria, to provide for multiple use and to provide for sustained yield.	226	-	226
587	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF COMMERCE - Appropriates \$36,232,700 to the Department of Commerce for fiscal year 2017; limits the number of authorized full-time equivalent positions to 43; and transfers \$17,000 from the Small Business Assistance Fund to the Idaho Global Entrepreneurial Mission Fund.	201	231	260
588	Appropriations	LAW	APPROPRIATIONS - BOARD OF TAX APPEALS - Appropriates \$565,300 to the Board of Tax Appeals for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 5.	201	231	260
589	Appropriations	LAW	APPROPRIATIONS - STATE TAX COMMISSION - Appropriates \$42,650,200 to the Idaho State Tax Commission for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 451.	201	231	260
595	Resources and Conservation	LAW	GROUND WATER MANAGEMENT AREAS - Amends existing law to remove language regarding when an order may be given and may be effective and to provide that water right holders participating in an approved ground water management plan shall not be subject to administration on a time priority basis under specified conditions.	201	248	271
597	State Affairs	H 3rd Rdgaa	BREWERIES - Amends existing law to allow persons under 21 years of age to enter or be on the premises of a licensed brewery where beer is consumed. Amended in the Senate	226 234	- 250	250

SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
598	Appropriations	LAW	APPROPRIATIONS - MEDICAL BOARDS - Appropriates \$6,309,900 to the Medical Boards for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 48.2.	209	231	260
600	Appropriations	LAW	APPROPRIATIONS - STATE APPELLATE PUBLIC DEFENDER - Appropriates \$2,661,600 to the Office of the State Appellate Public Defender for fiscal year 2017; limits the number of authorized full-time equivalent positions to 23; provides legislative intent for the payment of outside counsel costs; and provides legislative intent for the payment of capital representation costs.	209	235	260
601	Appropriations	LAW	APPROPRIATIONS - STATE TREASURER - Appropriates \$4,035,800 to the State Treasurer for fiscal year 2017; limits the number of authorized 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; and provides legislative intent regarding mitigation of bank service fees.	209	235	260
603	Education	LAW	EDUCATION - Repeals, amends and adds to existing law to establish additional provisions regarding the determination of staff allowance; and to provide an effective date.	238	272	285
604	State Affairs	S St Aff	ELECTIONS - Amends existing law to provide additional forms of personal identification that may be presented at the polls.	257	-	257
606	Revenue and Taxation	LAW	URBAN RENEWAL - Amends and adds to existing law to revise the makeup of boards and to allow for an elected board; to provide that urban renewal plans be submitted to the State Tax Commission; and to provide the effect of an ordinance to modify an urban renewal plan.	257	-	287
			Amended in the House (See House Journal)			
			Amended in the House (See House Journal)			
			Amended in the Senate	269		
			Amended in the Senate	274	276	
608	Appropriations	LAW	APPROPRIATIONS - SUPREME COURT - Appropriates to the Supreme Court an additional \$2,949,000 from the General Fund for fiscal year 2017; reduces the appropriation to the Supreme Court by \$2,949,000 from the Drug Court, Mental Health Court and Family Court Services Fund for fiscal year 2017; and exempts the appropriation from object and program transfer limitations.	229	254	271
609	Appropriations	LAW	APPROPRIATIONS - PUBLIC DEFENSE COMMISSION - Appropriates an additional \$5,482,800 to the Public Defense Commission for fiscal year 2017; and authorizes an additional 4.5 full-time equivalent positions.	229	254	271
610	Appropriations	LAW	APPROPRIATIONS - FINANCIAL MANAGEMENT DIVISION - Appropriates \$1,814,800 to the Division of Financial Management for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 15.....	229	254	271

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
611	Appropriations	LAW	APPROPRIATIONS - GOVERNOR, EXECUTIVE OFFICE OF - Appropriates \$2,160,500 to the Executive Office of the Governor for fiscal year 2017; limits the number of authorized full-time equivalent positions to 22; and exempts appropriation object and program transfer limitations.....	229	255	271
612	Appropriations	LAW	APPROPRIATIONS - IDAHO STATE POLICE - Appropriates an additional \$222,300 from the General Fund to the Idaho State Police for the Forensic Services Program for fiscal year 2017; and authorizes an additional 3 full-time equivalent positions.	229	255	271
617	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - ADMINISTRATORS DIVISION - Appropriates \$86,798,500 for the Public Schools Educational Support Program/Division of Administrators for fiscal year 2017; amends existing law to increase the salary-based apportionment for administrators; and limits the amount distributed for school district and charter school continuous improvement planning and training.	238	262	277
618	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - TEACHERS DIVISION - Appropriates \$855,733,000 for the Public Schools Educational Support Program/Division of Teachers for fiscal year 2017; directs the use of moneys for professional development; and defines the term "distributed."	238	262	277
619	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - OPERATIONS DIVISION - Appropriates \$613,471,500 for the Public Schools Educational Support Program/Division of Operations for fiscal year 2017; 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.	238	262	277
620	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - CHILDREN'S PROGRAMS DIVISION - Appropriates \$286,915,800 for the Public Schools Educational Support Program/Division of Children's Programs for fiscal year 2017; 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."	238	262	277
621	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - FACILITIES DIVISION - Appropriates \$49,410,500 for the Public Schools Educational Support Program/Division of Facilities for fiscal year 2017; provides moneys for the Bond Levy Equalization Fund; and specifies the amount of revenue to be distributed to the General Fund.	238	263	277

SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
622	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND DIVISION - Appropriates \$10,312,300 for the Public Schools Educational Support Program/Division of Educational Services for the Deaf and the Blind for fiscal year 2017.	238	263	277
623	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - CENTRAL SERVICES DIVISION - Appropriates \$15,262,500 for the Public Schools Educational Support Program/Division of Central Services for fiscal year 2017; directs the use for literacy programs, intervention services, math initiative programs and limited English proficiency programs; directs the use for student assessments; directs the use for performance evaluations; directs the use for wireless technology infrastructure; directs the use for professional development; provides legislative intent related to the use for digital content and credit recovery; provides guidance on year-end reconciliation; provides legislative intent for content and curriculum related to technology; provides direction for the development of an online portal; and defines terms.	238	263	277
624	Revenue and Taxation	S Transp	HIGHWAY FUNDING - Amends existing law to revise apportionment provisions regarding the Highway Distribution Account; and to provide an exception regarding fees for electric vehicles, and to remove fee provisions regarding hybrid vehicles.	283	-	283
625	Appropriations	LAW	APPROPRIATIONS - CAREER TECHNICAL EDUCATION DIVISION - Appropriates \$71,849,200 to the Division of Career Technical Education for fiscal year 2017; exempts appropriation object transfer limitations; and reappropriates certain unexpended and unencumbered fund balances.	257	272	285
626	Appropriations	LAW	APPROPRIATIONS - SPECIAL FUELS - Provides a cash transfer from the Idaho Law Enforcement Fund to the Local Highway Distribution Fund; and provides a cash transfer from the State Highway Fund (dedicated) to the Local Highway Distribution Fund for fiscal year 2016.	257	272	285
627	Education	LAW	EDUCATION - Amends existing law to revise provisions regarding leadership premiums.	269	275	285
628	Education	S Educ	EDUCATION - Adds to existing law to provide for the Rural Education Support Center and related provisions.	269	-	269
629	Education	LAW	EDUCATION - Amends existing law to revise provisions regarding the calculation for the Educational Support Program.	269	275	285
630	Education	LAW	EDUCATION - Amends existing law to provide an additional allocation amount for certain Career Technical Education instructional staff.	269	275	285
634	Revenue and Taxation	S Loc Gov	TAXATION - Provides an effective date for House Bill No. 431, as enacted by the Second Regular Session of the Sixty-third Legislature.	269	-	269

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
635	Appropriations	LAW	APPROPRIATIONS - BUILDING SAFETY - Appropriates an additional \$270,000 from the General Fund to the Division of Building Safety for the Office of School Safety and Security; transfers \$247,500 from operating expenditures to personnel costs in the School Security Assessment Fund; authorizes an additional 5 full-time equivalent positions; and clarifies the transfer of funds to the Miscellaneous Revenue/School Security Assessment Fund.	277	278	285
636	Appropriations	LAW	APPROPRIATIONS - Appropriates and transfers from the General Fund \$34,500,000 to the Fire Suppression Deficiency Fund for fiscal year 2017.....	277	278	285
637	Appropriations	LAW	APPROPRIATIONS - COLLEGE AND UNIVERSITIES - Appropriates \$556,135,800 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 2017; provides certain reappropriation authority; provides legislative intent for systemwide needs; provides legislative intent for the Complete College Idaho initiative; provides legislative intent for a cybersecurity lab in conjunction with the Idaho National Lab; and exempts appropriation object and program transfer limitations.	277	278	285
638	Appropriations	LAW	APPROPRIATIONS - COMMUNITY COLLEGES - Appropriates \$37,519,000 to the State Board of Education for community colleges for fiscal year 2017; 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.	277	279	285
639	Ways and Means	LAW	ADMINISTRATIVE RULES - Adds to existing law to provide that administrative rules that expire on July 1, 2016, will continue to be effective until July 1, 2017, to provide that administrative rules approved or extended by the adoption of a concurrent resolution shall be effective until July 1, 2017, 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.....	278	282	285
640	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF LANDS - Appropriates \$54,525,400 to the Department of Lands for fiscal year 2017; limits the number of authorized full-time equivalent positions to 291.1; and exempts certain appropriation object transfer limitations.	277	279	285
641	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF FISH AND GAME - Appropriates \$104,070,300 to the Department of Fish and Game for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 558.....	277	279	285
642	Appropriations	LAW	APPROPRIATIONS - COMMISSION ON THE ARTS - Appropriates \$1,956,200 to the Commission on the Arts for fiscal year 2017; and limits the number of authorized full-time equivalent positions to 10.....	277	281	285

SENATE INDEX

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
643	State Affairs	LAW	SUBMERSIBLE WELL PUMPS - Adds to existing law to provide that listed submersible well pumps are approved for use in lakes, rivers, ponds and streams, to provide that certain regulations shall not apply and to provide that the Division of Building Safety shall promulgate rules.....	277	281	285
644	Health and Welfare	H Held at Desk	HEALTH CARE - Adds to existing law to create the Health Grant Program for the Medically Underserved. Amended in the Senate	269 273	- 276	276
645	Appropriations	LAW	APPROPRIATIONS - Appropriates an additional \$1,000,000 to the State Board of Education's Special Programs for the Scholarships and Grants Program for fiscal year 2017.....	277	281	285
646	Appropriations	LAW	APPROPRIATIONS - CONSERVATION EASEMENT - Appropriates an additional \$5,000,000 to the Department of Lands for fiscal year 2017; provides fiscal year 2016 reappropriation for the Forest Legacy Program; appropriates an additional \$2,000,000 to the Department of Fish and Game for fiscal year 2017; and provides legislative intent....	278	281	285
647	Appropriations	LAW	APPROPRIATIONS - PUBLIC SCHOOLS - TRAILER - Appropriates additional funding for the Public Schools Support Program/Division of Children's Programs; appropriates additional funding for the Public Schools Support Program/Division of Operations; reduces the appropriation to the Public School Support Program/Division of Central Services; and appropriates additional funding to the Office of the State Board of Education.....	278	282	285
649	Ways and Means	LAW	BREWERIES - Amends existing law to define "brewery" and "winery"; and to allow persons under 21 to enter or be on the premises of a licensed brewery where beer is consumed.....	280	282	285
650	Appropriations	VETOED	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - HEALTHCARE POLICY INITIATIVES - Appropriates an additional \$400,000 from the General Fund to the Department of Health and Welfare for the Healthcare Policy Initiatives Program for fiscal year 2017; transfers \$5,000,000 from the Idaho Millennium Fund to the Idaho Millennium Income Fund; and appropriates an additional \$5,000,000 from the Millennium Income Fund for the Health Care Initiatives Program for fiscal year 2017.	283	284	285

SECTION XII

NUMERICAL INDEX OF HOUSE JOINT RESOLUTIONS RECEIVED BY THE SENATE

House Joint Resolution	Introduced by	Final Action	Subject Matter	Intro- duction Page	Senate Vote Page	Final Disp. Page
5	State Affairs	ADOPTED	ADMINISTRATIVE RULES - Proposing an amendment to Article III of the Constitution of the State of Idaho by the addition of a new Section 29 to provide that the Legislature may review, approve or reject any administrative rule to ensure it is consistent with legislative intent and to provide that legislative approval or rejection of a rule is not subject to gubernatorial veto.	201	280	285

SECTION XIII

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
13	Resources and Conservation	ADOPTED	SAGE-GROUSE - Stating findings of the Legislature and resolving that Congress should, by legislative enactment, provide protections for adoption and implementation of state sage-grouse conservation plans by, among other things, making no funds available for use by either the Secretary of the Interior or the Secretary of Agriculture to implement recent federal land use plan amendments if they are inconsistent with the state's sage-grouse conservation plan for a period of 10 years through and including fiscal year 2026.	99	193	216
14	State Affairs	S Res/Env	COMMUNITY LANDS - Stating the findings of the Legislature requesting that the U.S. House of Representatives markup and pass H.R. 2316, and to provide a possible path forward beyond Secure Rural Schools to allow local communities to generate the revenues necessary to fund local operations by utilizing the natural resources available in their communities.....	257	-	257

SECTION XIV

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
27	Moyle, 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.....	3	4	17
28	Transportation and Defense	ADOPTED	MILITARY FAMILIES - Stating findings of the Legislature and recognizing the commitment, sacrifice and courage our military families consistently demonstrate through appropriate public events, ceremonies, patriotic activities in our communities and private prayers, and recognizing 2016 throughout the State of Idaho as the Year of Idaho Military Families. Amended in the House (See House Journal)	131	- 170	188
29	State Affairs	ADOPTED	STATUE OF LIBERTY - Stating findings of the Legislature and commemorating and recognizing the 130th anniversary of the Statue of Liberty.	87	170	188
30	State Affairs	ADOPTED	ANTHONY DOERR - Stating findings of the Legislature and honoring Boise author Anthony Doerr for winning the Pulitzer Prize for Fiction and commending his contributions to the literary world.....	87	127	139
31	Education	ADOPTED	MUSIC EDUCATION - Stating findings of the Legislature, recognizing the importance of music education in Idaho schools and recognizing Music in Our Schools Month.	69	108	127
32	Agricultural Affairs	ADOPTED	PULSE CROPS - Stating findings of the Legislature and recognizing pulse crops.....	93	159	188
33	Education	ADOPTED	EDUCATION - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to conduct a study of the public school funding formula and to make recommendations.....	99	182	200
34	Health and Welfare	S FAILED	COMMUNITY WATER FLUORIDATION - Stating findings of the Legislature and recognizing community water fluoridation as a significant public health achievement.....	87	149	149
35	Resources and Conservation	ADOPTED	LOGGING - Stating findings of the Legislature and honoring the Associated Logging Contractors of Idaho for 50 years of accomplishments and services to Idaho.....	123	193	216
36	Commerce and Human Resources	ADOPTED	NATIONAL APPRENTICESHIP WEEK - Stating findings of the Legislature and recognizing National Apprenticeship Week.	93	152	170
38	State Affairs	ADOPTED	NATIONAL DAY OF THE COWBOY - Stating findings of the Legislature and recognizing National Day of the Cowboy.....	150	226	260
39	Judiciary, Rules, and Administration	ADOPTED	PARDONS AND PAROLE COMMISSION - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule of the Idaho Commission of Pardons and Parole relating to Rules of the Commission of Pardons and Parole.	140	170	188

SENATE INDEX

House Concurrent Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
40	Judiciary, Rules, and Administration	ADOPTED	IDAHO STATE POLICE - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule docket of the Idaho State Police relating to Rules Governing Alcohol Beverage Control.....	140	170	188
41	State Affairs	ADOPTED	GREAT SEAL - Stating findings of the Legislature and commemorating the 125th anniversary of the Great Seal of the State of Idaho, and honoring its designer Emma Edwards Green.....	160	201	225
42	Education	ADOPTED	MATT PARADIS - Stating findings of the Legislature and congratulating Idahoan Matt Paradis for his part in Denver Broncos' Super Bowl win.....	96	127	139
43	Revenue and Taxation	ADOPTED	IDAHO POWER COMPANY - Stating findings of the Legislature and honoring Idaho Power Company on its hundredth anniversary.....	131	193	216
44	Education	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 regarding Rules Governing Thoroughness.....	140	177	193
45	Education	ADOPTED	EDUCATION - RULE REJECTION - Stating findings of the Legislature and rejecting certain rules of the State Board of Education regarding Rules Governing the Opportunity Scholarship Program.....	140	177	193
46	State Affairs	ADOPTED	U.S. CAPITOL CHRISTMAS TREE - Stating findings of the Legislature and urging Idahoans to participate in the activities surrounding the 2016 U.S. Capitol Christmas tree, urging communities, businesses and schools throughout Idaho to contribute toward the effort to provide the U.S. Capitol Christmas tree, including involving organizations and schoolchildren in making ornaments for the tree, and urging Idahoans to participate in any community celebrations that may occur in their communities as the tree travels throughout Idaho prior to its trip across the United States to Washington, D.C.....	156	226	260
47	Health and Welfare	ADOPTED	SOCIAL WORK RECOGNITION MONTH - Stating findings of the Legislature and proclaiming March 2016 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.....	143	170	188
48	Commerce and Human Resources	ADOPTED	PUBLIC PROCUREMENT - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of issues relating to public procurement and to make recommendations.....	170	266	277
49	State Affairs	ADOPTED	WHEAT COMMISSION - Stating findings of the Legislature and rejecting certain rules of the Idaho Wheat Commission relating to Rules of the Idaho Wheat Commission.....	170	193	216
50	Education	S Educ	CIVICS TEST - Stating findings of the Legislature and requesting that the State Board of Education adopt rules to provide for Idaho state government and Idaho history questions for the civics test given to high school seniors starting with the 2017-18 school year.....	170	-	222

House Concurrent Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
51	State Affairs	ADOPTED	PUBLIC UTILITIES COMMISSION - RULE REJECTION - Stating findings of the Legislature and rejecting certain final and certain pending rules of the Idaho Public Utilities Commission relating to Safety and Accident Reporting Rules for Utilities Regulated by the Idaho Public Utilities Commission.	177	241	271
53	Ways and Means	S Res/Env	HUNTER, ANGLER, TRAPPER ACCESS - Stating findings of the Legislature and opposing any proposals that bar Idaho hunters, anglers and trappers from accessing state endowment trust land on the basis of exclusivity and encouraging the State Board of Land Commissioners to preserve and promote reasonable and equitable access to state endowment trust land for the benefit of all Idahoans.	229	-	229
54	Health and Welfare	S Health/Wel	BEHAVIORAL HEALTH - Stating findings of the Legislature and requesting a report on the strategic plan for improving behavioral health treatment from the Department of Health and Welfare.	216	-	216
55	Resources and Conservation	ADOPTED	FISH AND GAME - RULE REJECTION - Stating findings of the Legislature and rejecting a certain rule docket of the Idaho Department of Fish and Game relating to the Trapping of Predatory and Unprotected Wildlife and the Taking of Furbearing Animals.	226	241	271
57	State Affairs	ADOPTED	DISPLAY OF FLAGS - Stating findings of the Legislature and encouraging every person and government entity in this state to appropriately display the flags of Idaho and the United States.	216	241	271
58	Health and Welfare	S Com/HuRes	BROADBAND SERVICE - Stating findings of the Legislature and requesting that the Idaho Department of Commerce investigate improving broadband service in Idaho.	257	-	257
59	Ways and Means	ADOPTED	FOSTER CARE SYSTEM - STUDY COMMITTEE - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of the foster care system in Idaho and of the Idaho Code provisions governing the conservatorship and guardianship of adults, minors and persons with a developmental disability. ...	258	264	277
60	Environment, Energy, and Technology	ADOPTED	WAIVER - SPENT FUELS - Stating findings of the Legislature and urging Attorney General Lawrence Wasden to issue a waiver allowing research quantities of spent fuel into Idaho for research and development at the INL.	269	283	285
61	Commerce and Human Resources	ADOPTED	GROUP INSURANCE AND TOTAL COMPENSATION STUDY - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of the state's employee group insurance plan structure and total compensation package, including salary and benefits, and to make recommendations.	277	277	285
62	State Affairs	S St Aff	PRAYER FOR AMERICA - Stating findings of the Legislature and supporting the Congressional Prayer Caucus Foundation, Inc.	283	-	283

SENATE INDEX

House Concurrent Resolution	Introduced by	Final Action	Subject Matter	Intro- duction Page	Senate Vote Page	Final Disp. Page
63	Health and Welfare	S Health/Wel	HEALTH CARE - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and prepare a Medicaid waiver application for a state-driven health care plan.	269	-	269

SECTION XV

SENATE SPONSORS - SENATE LEGISLATION VOTED ON IN SENATE - 2016

BILL NO.	SPONSOR(S)
S 1197	Lacey
S 1199	Johnson
S 1200	Nuxoll
S 1201	Schmidt
S 1202	Martin
S 1206	Schmidt
S 1207	Schmidt
S 1208	Buckner-Webb
S 1209	Souza
S 1210	Patrick
S 1211	Schmidt
S 1212	McKenzie
S 1213	Hagedorn
S 1214	Brackett
S 1215	Rice
S 1216	Mortimer
S 1217	Mortimer
S 1218	McKenzie
S 1219	Lakey
S 1221	Nonini
S 1222	Hagedorn
S 1223	Lacey
S 1224	Stennett
S 1225	Bair
S 1229	Brackett
S 1230	Den Hartog
S 1231	Lodge
S 1232	Buckner-Webb
S 1233	Schmidt
S 1234	Buckner-Webb
S 1235	Anthon
S 1237	Heider
S 1238	Bayer
S 1239	Bayer
S 1240	Heider
S 1241	Vick

BILL NO.	SPONSOR(S)
S 1242	Nuxoll
S 1244	Siddoway
S 1246	Hagedorn
S 1248	Nonini
S 1249	Ward-Engelking
S 1250	Hagedorn
S 1251	Martin
S 1253	Johnson
S 1255	Rice
S 1256 aa,aa	Burgoyne
S 1257 aaH	Brackett
S 1258	Siddoway
S 1259	Lee
S 1260 aa	Bayer
S 1261	Brackett
S 1262	Lacey
S 1263	Winder
S 1264	Guthrie
S 1265 aaH	Martin
S 1266	Mortimer
S 1267	Thayn
S 1268	Jordan
S 1269	Winder
S 1270	Schmidt
S 1271	Schmidt
S 1272	Winder
S 1274	Winder
S 1275	Winder
S 1276	Jordan
S 1277	Johnson
S 1278	Lacey
S 1279	Nonini
S 1280 aa	Den Hartog
S 1281	Harris
S 1283	Hagedorn
S 1285 aa	Rice

BILL NO.	SPONSOR(S)
S 1286	Schmidt
S 1287	Guthrie
S 1288	Keough
S 1290	Patrick
S 1291 aa	Thayn
S 1293 aa	Souza
S 1294	Martin
S 1295	Schmidt
S 1296	Hagedorn
S 1297 aa,aa,aaH	McKenzie
S 1298	Rice
S 1300 aa	Anthon
S 1301	Burgoyne
S 1302	Lee
S 1303 aa	Lodge
S 1304	Hagedorn
S 1311	Keough
S 1312 aa	Winder
S 1314	Schmidt
S 1315 aa,aa	Lakey
S 1317 aa	Lakey
S 1318	Patrick
S 1320	Souza
S 1322 aaH	Heider
S 1323	Hagedorn
S 1325	Lakey
S 1326	Martin
S 1327	Lodge
S 1328 aa	Anthon
S 1330	Den Hartog
S 1332 aa	Mortimer
S 1333	Mortimer
S 1334	Mortimer
S 1336	Patrick
S 1338	Nuxoll
S 1339	Siddoway

BILL NO.	SPONSOR(S)
S 1340	Lee
S 1341 aa	Martin
S 1342 aa	Nuxoll
S 1343	Anthon
S 1344	Brackett
S 1345	Heider
S 1346	Thayn
S 1347 aa	Siddoway
S 1350	McKenzie
S 1351	Brackett
S 1352	Lee
S 1353	Nuxoll
S 1354 aaH	Rohn(Buckner-Webb)
S 1356	McKenzie
S 1359	Patrick
S 1360	Rice
S 1361	Lakey
S 1362	Davis
S 1363	Thayn
S 1364	Johnson
S 1365	Guthrie
S 1366	Johnson
S 1367	Johnson
S 1368	Johnson
S 1369	Johnson
S 1370	Lacey
S 1371	Johnson
S 1372	Keough
S 1373	Burgoyne
S 1376	Nonini
S 1377	Winder
S 1379	Keough
S 1380	Johnson
S 1381	Johnson
S 1382	Martin
S 1383	Jordan

BILL NO.	SPONSOR(S)
S 1387	Guthrie
S 1388 aa	Davis
S 1389	McKenzie
S 1390	Lacey
S 1391	Schmidt
S 1392	Mortimer
S 1393	Guthrie
S 1394	Thayn
S 1395	Guthrie
S 1396	Guthrie
S 1397	Mortimer
S 1398	Brackett
S 1399	Mortimer
S 1400	Mortimer
S 1401	Bair
S 1402	Bair
S 1403	Bair
S 1404 aa	Bayer
S 1405	Bair
S 1406	Lacey
S 1407	Schmidt
S 1408	Lacey
S 1409	Bair
S 1410	Johnson
S 1411	Keough
S 1412	Mortimer
S 1413	Bair
S 1414	Brackett
S 1415	Bair
S 1416	Brackett
S 1417	Bair
S 1418	Johnson
S 1419	Lacey
S 1420	Davis
S 1421	Keough
S 1422	Lacey
S 1423	Brackett

BILL NO.	SPONSOR(S)
S 1424	Mortimer
S 1425	Mortimer
S 1426	Lacey
S 1427	Keough
S 1428	Keough
S 1429	Mortimer
S 1430	Mortimer
SCR NO.	SPONSOR(S)
SCR 132	Martin
SCR 133	Buckner-Webb
SCR 134	Mortimer
SCR 136	Stennett
SCR 137	Bair
SCR 138	Bair
SCR 139	Thayn
SCR 140	Thayn
SCR 141	Thayn
SCR 143	Davis
SCR 144	Davis
SCR 145	Mortimer
SCR 146	Hagedorn
SCR 147	Buckner-Webb
SCR 148	Nonini
SCR 149	Mortimer
SCR 150	Davis
SCR 151	Burgoyne
SCR 152	Davis
SCR 153	McKenzie
SCR 154	McKenzie
SCR 155	Hill
SJM NO.	SPONSOR(S)
SJM 104	Heider
SJM 105	Guthrie

SJM NO.	SPONSOR(S)
SJM 106	McKenzie
SJR NO.	SPONSOR(S)
SJR 101	Vick
SR NO.	SPONSOR(S)
SR 101	Davis

SECTION XVI

SENATE SPONSORS - HOUSE LEGISLATION VOTED ON IN SENATE - 2016

BILL NO.	SPONSOR(S)
H 331 aa	Stennett
H 332	Heider
H 333	Lakey
H 334	Heider
H 335	Martin
H 336	Schmidt
H 337	Schmidt
H 338	Nuxoll
H 339	Harris
H 340	Heider
H 341	Thayn
H 342	Bair
H 343	Brackett
H 344	Johnson
H 345	Burgoyne
H 346	Stennett
H 347	Vick
H 348	Stennett
H 349	Bair
H 350	Vick
H 351	Bair
H 352	Rice
H 353	Bayer
H 355	McKenzie
H 356 aa	Lakey
H 357	Nonini
H 358	Rice
H 359	Bayer
H 360	Johnson
H 361	Vick
H 362 aaS	McKenzie
H 363	Brackett
H 364	Mortimer
H 365	Johnson
H 366	Lakey
H 367	Schmidt

BILL NO.	SPONSOR(S)
H 368	Heider
H 369	Guthrie
H 371 aaS	Lakey
H 372	Patrick
H 373	Schmidt
H 374	Schmidt
H 375	Hagedorn
H 376	Guthrie
H 377	Martin
H 378	Hagedorn
H 379 aaS	Nonini
H 381	Souza
H 382 aaS	Burgoyne
H 383	Souza
H 384	Guthrie
H 385	Hagedorn
H 386	Guthrie
H 389	Davis
H 390	Winder
H 391	Ward-Engelking
H 392	Nonini
H 396	Thayn
H 397	Guthrie
H 398	Schmidt
H 403	Mortimer
H 405	Lee
H 406 aa	Siddoway
H 417	Harris
H 425	Rice
H 426	Winder
H 427	Hagedorn
H 428	Mortimer
H 429	Nonini
H 431	Guthrie
H 432	Nonini
H 436	McKenzie

BILL NO.	SPONSOR(S)
H 439	Nonini
H 440	Winder
H 441	Lakey
H 443 aa	Stennett
H 445	Bair
H 446	Bair
H 447 aaS	Anthon
H 451	Nonini
H 452 aaS	Ward-Engelking
H 454	Rice
H 455	Lee
H 456	Bayer
H 458 aaS	Thayn
H 459	Mortimer
H 461	Lodge
H 463	Rice
H 464	Winder
H 469	Keough
H 471	Hagedorn
H 472	Harris
H 473	Lakey
H 474	McKenzie
H 476	Anthon
H 477 aa,aaS	Thayn
H 478	Vick
H 480	Patrick
H 481	Buckner-Webb
H 482	Martin
H 483	Hagedorn
H 485	Martin
H 486	Martin
H 487	Rice
H 491 aa	Lee
H 494 aaS	McKenzie
H 495	Jordan
H 496	Stennett

BILL NO.	SPONSOR(S)
H 497 aaS	Lodge
H 499	Lee
H 500	Schmidt
H 501	Ward-Engelking
H 503	Anthon
H 504	Lakey
H 509	Bayer
H 511	Heider
H 512	Brackett
H 514	Hagedorn
H 515	Johnson
H 516	Nuxoll
H 519	Vick
H 521 aaS	Lodge
H 523	Nuxoll
H 524	Rice
H 525 aa	Rice
H 526	Mortimer
H 527	Souza
H 528	Jordan
H 531	Rice
H 532	Johnson
H 533	Hagedorn
H 534	Siddoway
H 535	Hill
H 536	Brackett
H 537	Ward-Engelking
H 538	Martin
H 540	Johnson
H 541	Winder
H 542	Souza
H 544	Winder
H 546	Lacey
H 547	Lacey
H 548	Schmidt
H 549	Nuxoll

BILL NO.	SPONSOR(S)
H 550	Schmidt
H 551	Lacey
H 552	Johnson
H 553	Hagedorn
H 554	McKenzie
H 555 aaS	Lee
H 556 aaS	Lee
H 557	Heider
H 558	Nonini
H 560	Thayn
H 561	Lacey
H 562	Johnson
H 563	Johnson
H 564	Brackett
H 566	Schmidt
H 567	Lacey
H 569	Siddoway
H 570	Den Hartog
H 571	Mortimer
H 574	Bair
H 575	Johnson
H 576	Guthrie
H 577	Guthrie
H 578	Guthrie
H 579	Nuxoll
H 580	Lodge
H 587	Schmidt
H 588	Johnson
H 589	Johnson
H 595	Bair
H 597 aaS	Keough
H 598	Brackett
H 600	Guthrie
H 601	Guthrie
H 603	Mortimer
H 606 aa,aaS,aaS	Johnson

BILL NO.	SPONSOR(S)
H 608	Johnson
H 609	Johnson
H 610	Johnson
H 611	Johnson
H 612	Lacey
H 617	Mortimer
H 618	Mortimer
H 619	Mortimer
H 620	Schmidt
H 621	Thayn
H 622	Thayn
H 623	Lacey
H 625	Guthrie
H 626	Brackett
H 627	Den Hartog
H 629	Patrick
H 630	Anthon
H 635	Mortimer
H 636	Keough
H 637	Mortimer
H 638	Brackett
H 639	Lakey
H 640	Brackett
H 641	Brackett
H 642	Schmidt
H 643	Nonini
H 644 aaS	Hagedorn
H 645	Thayn
H 646	Johnson
H 647	Mortimer
H 649	Keough
H 650	Keough
HCR NO.	SPONSOR(S)
HCR 27	Davis
HCR 28 aa	Winder

HCR NO.	SPONSOR(S)
HCR 29	Winder
HCR 30	Buckner-Webb
HCR 31	Buckner-Webb
HCR 32	Johnson
HCR 33	Winder
HCR 34	Lee
HCR 35	Johnson
HCR 36	Ward-Engelking
HCR 38	Harris
HCR 39	Nonini
HCR 40	Nonini
HCR 41	Lodge
HCR 42	Lee
HCR 43	McKenzie
HCR 44	Thayn
HCR 45	Thayn
HCR 46	Thayn
HCR 47	Buckner-Webb
HCR 48	Martin
HCR 49	Lee
HCR 51	Winder
HCR 55	Vick
HCR 57	McKenzie
HCR 59	Lodge
HCR 60	Mortimer
HCR 61	Patrick
HJM NO.	SPONSOR(S)
HJM 13	Brackett
HJR NO.	SPONSOR(S)
HJR 5	McKenzie