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This report and a complete listing of all legislation are available on the Idaho Legislature's Internet site. Full text of all bills is included, along with statements of purpose, fiscal notes and legislative action. The Legislature's Web site is:

www.legislature.idaho.gov

Introduction: Key Actions

As Yogi Berra might say, the 2006 legislative session had everything — and a whole lot more! Some of the biggest issues were in response to outside pressures: growing property tax unrest, a proposed coal-fired plant, and court decisions on eminent domain and school facilities funding. Others were legislative initiatives, such as mental health insurance coverage, creating aquifer protection districts, and expanding Idaho’s “sunshine” laws to cover the lobbying of executive branch officials. Measures to amend the state constitution were sent to the voters dealing with the definition of marriage and a permanent endowment fund for tobacco lawsuit settlement payments. The Legislature made sweeping changes in the state’s Medicaid program, and the effort to restore Idaho’s statehouse went underground — literally — when the legislature agreed to build atrium wings on the Capitol Building. Legislators debated community colleges, toughening sex offender laws, ethanol in gasoline, recharging the Eastern Snake Plain Aquifer, more science and math in classrooms, and less junk food in school vending machines. They said “no” to funding a lawsuit against video gaming in tribal casinos, and to making dogfighting a felony, but said “yes” to outlawing bullying in schools, increasing road construction, tax incentives for movies made in Idaho, and property tax relief for low-income seniors. When the 93-day session adjourned, they had:

- < Restricted eminent domain condemnation powers to keep governments in the state from claiming and taking private property for commercial use. (S 1243, S 1247, S 1429, H 555)
- < Placed a two-year moratorium on applying for or building unregulated coal-fired plants in Idaho, and charged the Legislature’s Environment, Energy and Technology Interim Committee to begin immediately to develop an integrated state energy plan that provides for the state’s energy needs and protects the health and safety of Idaho’s citizens. (H 791, HCR 62)
- < Increased the homeowners exemption from property taxes from \$50,000 to \$75,000, included the value of the land, and indexed the top amount to future housing prices. (H 421)
- < Provided \$200 million in first-year funding that will be spent on buying land and construction for six major projects from Sagle to Soda Springs, as part of an ambitious “Connecting Idaho” road-building program. (H 854)
- < Expanded Idaho’s “Sunshine Law” lobbying registration requirements to include those who are paid to try to sway executive-branch officials, or who contact department heads and other state employees while helping clients win contracts, or try to change policies and influence agency rules. (H 707)
- < Toughened sexual abuse laws, including giving grounds for the death penalty for certain convictions, closing a loophole that allowed sex offenders to be removed from the sex offender registry, creating mandatory minimum sentences for offenders who re-offend, keeping sex offenders away from schools, broadcasting violent

sex offender registration information, and removing the statute of limitations for reporting sex crimes involving children. (H 533, S 1304, S 1301, H 713, H 535, H 534)

- < Approved going forward immediately to restore and expand Idaho's Capitol Building, with two-story, garden-level atrium additions to house larger, more modern hearing rooms that will improve public access to the legislative process. (HCR 47)
- < Responded to an Idaho Supreme Court decision that the state's system of funding public school facilities is unconstitutional, by setting aside over \$5 million for school maintenance, requiring school districts to deposit money in school building maintenance accounts, ensuring that poorer school districts are provided with larger state subsidies, and establishing a \$25 million state loan fund that districts can tap to fix safety problems. (H 743)
- < Approved submitting to voters in the November 2006 general election a proposed constitutional amendment to provide that a marriage between a man and a woman is the only domestic legal union that shall be valid or recognized in Idaho. (HJR 2)
- < Increased the "circuit breaker" property tax credit for the low-income elderly and people with disabilities. (H 422).
- < Let low-income seniors defer their property taxes until they die or sell their homes, at which time deferred taxes would be recovered. (H 680)
- < Entered in the Journal of the House of Representatives a stipulated agreement between Idaho Power and the state of Idaho that opens the door for the state to move forward with diversion of water from the Snake River, under certain water rights held by the Idaho Water Resource Board, for the purpose of recharging the Eastern Snake Plain Aquifer.
- < Closed a loophole that has allowed developers and others to reduce annual property tax payments on valuable resort property. (H 676)
- < Changed Senate and House procedural rules to restrict executive sessions of legislative committee meetings to certain limited situations, to keep member discipline proceedings open, and to require 24-hour advance notice if a committee intends to take a vote on whether to hold an executive session. (SR 108, HR 3)
- < Reformed the state's Medicaid program by breaking Medicaid funding into separate programs for the elderly, disabled, and low-income children and working-age adults (H 776), as well as letting some disabled Medicaid recipients go to work without losing health care coverage (H 664), starting an in-home respite care program for vulnerable caregivers to avoid Medicaid costs of institutional care (H 877), and giving direction to the Department of Health and Welfare on Medicaid policies relating to mental health benefits, prescription drugs, contracting for services, Medicaid copayments, personal health accounts, long-term care counseling, and dually eligible enrollments. (HCR 48 through HCR 53)

- < Took steps to combat identity theft by requiring companies or groups whose computer databases are breached by hackers to inform the people whose personal information has been compromised. (S 1374)
- < Adopted a state employee compensation plan that will move employees in midpoint pay ranges toward market averages, as well as help state agencies recruit and retain employees. (S 1363)
- < Made it a misdemeanor for an adult or a juvenile to threaten to commit a violent act using a firearm or other deadly weapon on school grounds. (H 630)
- < Gave sales and use tax rebates to filmmakers who spend money on movies and hire workers to make films in Idaho. (H 497)
- < Restricted sales and limited possession of pseudoephedrine-containing cold products and other over the counter pharmaceuticals that can be used as ingredients in manufacturing the drug methamphetamine, and lowered the amount of pseudoephedrine an individual may legally possess, to impede methamphetamine production. (H 530, H 762)
- < Approved a 300-bed prison expansion at the Idaho Correctional Center and a new drug treatment center for inmates in the Boise region. (H 839, S 1457)
- < Required insurance companies that cover Idaho's state employees to treat serious mental health conditions the same as physical ailments. (H 615)
- < Offered voters the opportunity to create a constitutionally protected endowment fund for cigarette settlement payments to be used to treat tobacco-related illness and to fund smoking cessation programs. (SJR 107)
- < Made bullying in schools and on the Internet a legal infraction, and required school district trustees to prescribe rules on student harassment, intimidation and bullying. (H 750)
- < Lengthened the sentences for repeat drunken driving offenders and toughened the penalties for refusing to take tests to determine blood alcohol content. (S 1397)
- < Established an income tax credit for Idahoans who donate bone marrow or organs for transplantation. (H 745)
- < Banned the sale or use of "breathable booze" and alcohol-inhaling machines. (S 1351)
- < Tightened Idaho's campaign finance laws and limited what office-holders and candidates can pay for from their campaign war chests. (H 556)
- < For the first time in history, filled Idaho's "rainy day" fund with surplus revenues to its statutory cap, bringing the state's Budget Stabilization Fund to \$108 million. (H 409)

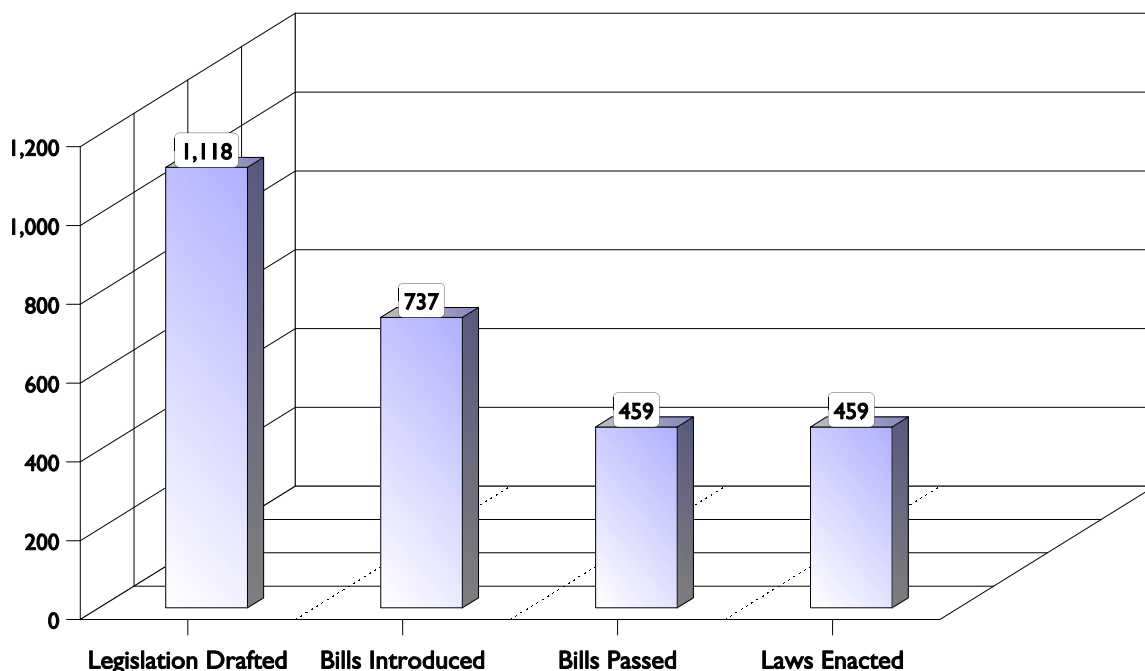
- < Toughened laws on gang membership by lengthening prison sentences for any convicted felon shown to be in a gang, and made it illegal to recruit gang members and supply guns to gangs. (S 1336)
- < Lowered the age of eligibility from 65 to 55 for insurance discounts to drivers who take a safe driving course. (H 462)
- < Appropriated \$26.5 million to fund the “Experience Idaho” program for improvements, repairs and planning at state parks across Idaho. (H 875)
- < Created a health care directive registry within the Secretary of State’s office, allowing individuals to register their living wills and durable powers of attorney, and making those documents accessible from remote locations and in time of emergency. (H 708)
- < Passed legislation to help Idaho residents safeguard their water by creating aquifer-protection districts. (H 650)
- < Kicked off an effort to adjudicate all the water rights in North Idaho, using the existing water court from the Snake River Basin adjudication. (H 545)
- < Voted to use \$3.7 million of state funds to supplement the federal Low-Income Energy Assistance Program to help poor families who have had their heat shut off for failing to pay their fuel bills. (S 1431)
- < Increased from 5 years to 20 years the time required to adversely possess real property. (S 1311)
- < Allowed out-of-state wineries with a permit to ship wine to Idaho customers for personal consumption and to enable reciprocal shipments by Idaho’s wine industry. (H 454)
- < Passed the “Genetic Testing Privacy Act,” to prevent employers and insurers from obtaining results of genetic testing, and preventing insurance companies from discriminating on the basis of genetic testing results. (S 1423)
- < Defined and set increased penalties for the crime of human trafficking, and asked for a report outlining how existing victim and witness laws respond to the needs of human trafficking victims. (H 536)
- < Made it easier for doctors and other health care professionals to apologize to patients for mistakes without affecting lawsuits. (H 634)
- < Approved \$2 million in grants dedicated to building mental health facilities, transitional housing and detoxification centers. (S 1471)
- < Set up the Rural Economic Development and Integrated Freight Transportation Program to assist businesses and industries to develop and expand their operations in shipping freight and products to market, with a revolving loan program to upgrade short line rail and freight-shipping infrastructure. (H 820)

- < Approved funding to help pay for a new community health clinic in Caldwell serving the poor and uninsured. (H 868)
- < Passed a bill that removes civil liability for anyone who is found to have used justifiable force in defending themselves, their property or their families. (S 1441)
- < Opposed the sale of federal lands in Idaho, and urged Congress to repeal the Federal Lands Recreation Enhancement Act and to not allow recreational fees authorized under that Act to be imposed on using federal public lands in Idaho. (SJM 120, HJM 14)

Volume of Legislation and Length of Session

During the 2006 legislative session 1,118 proposed pieces of legislation were prepared for legislative committees and individual legislators. From that initial group of draft proposals, 737 bills were actually introduced, along with another 101 various resolutions, memorials and proclamations.

Workload from Drafting to Enactment



By the end of the session, 459 bills had passed both houses. All of these bills entered the law books following the Governor's review, with the majority of laws to become effective July 1, 2006. Both the number of bills introduced and the number passed by both houses were the second-highest totals in the last decade.

This was the first session in Governor Kempthorne's eight years in office that he chose not to wield his veto stamp. In fact, this was the first regular session of the Idaho Legislature during which no bills were vetoed since at least 1959, when the Secretary of State began recording these statistics in the *Idaho Blue Book*.

