SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

ORGANIZATIONAL SESSION
SIXTY-THIRD LEGISLATURE

FIRST LEGISLATIVE DAY
THURSDAY, DECEMBER 4, 2014

Senate Chamber

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

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

STATE OF IDAHO
OFFICE OF THE SECRETARY OF STATE

CERTIFICATE OF ELECTION

I, Ben T. Ysursa, Secretary of State of the State of Idaho and legal custodian of the records of elections held in the State of Idaho, do hereby certify that the following is a full, true, and complete list of those elected to serve as members of the Senate of the First Regular Session of the Sixty-third Legislature, as shown by official records on file in my office:

DISTRICT	NAME
1	Shawn Keough (R)
2	Steve Vick (R)
3	Bob Nonini (R)
4	Mary Souza (R)
5	Dan J. Schmidt (D)
6	Dan G. Johnson (R)
7	Sheryl L. Nuxoll (R)
8	Steven P. Thayn (R)
9	Abby Lee (R)
10	Jim Rice (R)
11	Patti Anne Lodge (R)
12	Todd M. Lakey (R)
13	Curt McKenzie (R)
14	Marv Hagedorn (R)
15	Fred S. Martin (R)
16	Grant Burgoyne (D)
17	Elliot Werk (D)
18	Janie Ward-Engelking (D)
19	Cherie Buckner-Webb (D)
20	Chuck Winder (R)
21	Clifford R. Bayer (R)
22	Lori Den Hartog (R)
23	Bert Brackett (R)
24	Lee Heider (R)
25	Jim Patrick (R)
26	Michelle Stennett (D)
27	Dean L. Cameron (R)
28	Jim Guthrie (R)
29	Roy Lacey (D)
30	Dean M. Mortimer (R)
31	Steve Bair (R)
32	John H. Tippets (R)
33	Bart M. Davis (R)
34	Brent Hill (R)
35	Jeff C. Siddoway (R)

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

/s/ BEN T. YSURSA
Secretary of State

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

Roll call showed all members present.

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

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

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

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

Motions and Resolutions

Senator Hill called Senator Cameron to the Chair.

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

The question being, "Shall the motion prevail?"

Roll call resulted as follows:

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

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

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

President Pro Tempore Hill assumed the Chair.

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

The question being, "Shall the motion prevail?"

Roll call resulted as follows:

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

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

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

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

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

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

RECESS
AFTERNOON SESSION

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

Roll call showed all members present.

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

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

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

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

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

AGRICULTURAL AFFAIRS (9)
Rice, Chairman
Bayer, Vice Chairman

Brackett	Ward-Engelking
Patrick	Burgoyne
Souza	
Lee	
Den Hartog	

COMMERCE AND HUMAN RESOURCES (9)
Tippets, Chairman
Patrick, Vice Chairman

Cameron	Schmidt
Martin	Ward-Engelking
Lakey	
Heider	
Lee	

EDUCATION (9)
Mortimer, Chairman
Thayn, Vice Chairman

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

FINANCE (10)
Cameron, Chairman
Keough, Vice Chairman

Mortimer	Schmidt
Bair	Lacey
Nuxoll	
Johnson	
Thayn	
Guthrie	

HEALTH AND WELFARE (9)
Heider, Chairman
Martin, Vice Chairman

Lodge	Buckner-Webb
Nuxoll	Schmidt
Hagedorn	
Tippets	
Lee	

JUDICIARY AND RULES (9)
Lodge, Chairman
Hagedorn, Vice Chairman

Davis	Werk
Tippets	Burgoyne
Johnson	
Bayer	
Souza	

LOCAL GOVERNMENT AND TAXATION (9)
Siddoway, Chairman
Johnson, Vice Chairman

McKenzie	Werk
Rice	Burgoyne
Vick	
Bayer	
Guthrie	

RESOURCES AND ENVIRONMENT (9)
Bair, Chairman
Vick, Vice Chairman

Cameron	Stennett
Siddoway	Lacey
Brackett	
Heider	
Nuxoll	

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

Davis	Stennett
Hill	Werk
Winder	
Siddoway	
Lakey	

TRANSPORTATION (9)
Brackett, Chairman
Nonini, Vice Chairman

Keough	Buckner-Webb
Winder	Lacey
Hagedorn	
Vick	
Den Hartog	

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

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

The committee was excused.

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

The committee was excused.

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

The committee was discharged.

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

The committee was discharged.

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

Miscellaneous Business

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

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIRST LEGISLATIVE DAY
MONDAY, JANUARY 12, 2015

Senate Chamber

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

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

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

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

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

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

Motions and Resolutions

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

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

The Senate committee was discharged.

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

Messages from the House

January 12, 2015

Dear Mr. President:

I transmit herewith **HCR 1**, which has passed the House.

ALEXANDER, Chief Clerk

HCR 1 was filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

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

The committee was excused.

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

The committee was excused.

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

The committee was discharged.

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

The committee was discharged.

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

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

The Senate advanced to the Eleventh Order of Business.

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

HCR 1, by Moyle and Rusche, was introduced and read at length.

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

Roll call resulted as follows:

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

NAYS–None.

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

Total - 35.

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

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

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

Second Reading of Bills

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

JOINT SESSION

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

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

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

Prayer was offered by House Chaplain Tom Dougherty.

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

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

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

The Speaker excused the committee.

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

The Speaker excused the committee.

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

The Speaker excused the committee.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Idaho Learns.

And those lessons run deep.

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

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

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

That list begins with education.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Education must not be allowed to end with high school.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

One of the most crucial parts of making Idaho a better place to do business and create jobs is improving our infrastructure. My budget recommendation includes an additional $3 million infusion for the Idaho Opportunity Fund at the Department of Commerce. That money is used for strategic grants to help Idaho communities provide the water, power, wastewater treatment, roads and other infrastructure necessary for new or expanding businesses.

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

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

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

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

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

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

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

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

That's one benchmark to consider.

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

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

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

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

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

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

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

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

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

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

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

That raises the question of taxation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thank you.

The Speaker thanked Governor Otter for his message.

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

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

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

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

The members of the Senate returned to the Senate Chamber.

The Senate reconvened at 2 p.m.

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

Miscellaneous Business

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

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SECOND LEGISLATIVE DAY
TUESDAY, JANUARY 13, 2015

Senate Chamber

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

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

Prayer was offered by Chaplain Brent Adamson.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journals of the proceedings of December 4, 2014 and January 12, 2015, 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 12, 2015

Jennifer Novak
Secretary of the Senate
Idaho State Legislature

Dear Madam Secretary:

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

Balance as of July 1, 2013 $83,744.48

No activity in fiscal year 2014

Balance as of June 30, 2014 $83,744.48

No activity year-to-date in fiscal year 2015

Balance as of December 31, 2014 $83,744.48

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

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

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

Miscellaneous Business

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

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

THIRD LEGISLATIVE DAY
WEDNESDAY, JANUARY 14, 2015

Senate Chamber

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

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

Prayer was offered by Chaplain Brent Adamson.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

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

LODGE, Chairman

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

Senator Cameron was recorded present at this order of business.

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

Motions and Resolutions

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

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

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

Pages:

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

The question being, Shall the motion prevail?

Roll call resulted as follows:

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

NAYS–None.

Absent and excused–Lodge. Total - 1.

Total - 35.

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

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

Miscellaneous Business

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

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FOURTH LEGISLATIVE DAY
THURSDAY, JANUARY 15, 2015

Senate Chamber

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

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

Prayer was offered by Chaplain Brent Adamson.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

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

LODGE, Chairman

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

The Senate advanced to the Fourth Order of Business.

Reading of Communications

January 15, 2015

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President,

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

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

Sincerely,
/s/ Lawerence Denney
Secretary of State

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

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

Messages from the Governor

January 14, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

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

January 14, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 14, 2015

Dear Mr. President:

I transmit herewith Enrolled **HCR 1** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **HCR 1** and ordered it returned to the House.

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

Miscellaneous Business

Senator Bair was recorded present at this order of business.

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

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIFTH LEGISLATIVE DAY
FRIDAY, JANUARY 16, 2015

Senate Chamber

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

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

Prayer was offered by Chaplain Brent Adamson.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

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

LODGE, Chairman

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

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

Messages from the Governor

January 15, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

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

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

Miscellaneous Business

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

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

EIGHTH LEGISLATIVE DAY
MONDAY, JANUARY 19, 2015

Senate Chamber

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

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

Prayer was offered by Chaplain Brent Adamson.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

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

LODGE, Chairman

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

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

Messages from the Governor

January 15, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

The Gubernatorial reappointment was referred to the Agricultural Affairs Committee.

January 16, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

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

January 15, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Cassandra Jones of Boise, Idaho, was appointed Executive Director of the Commission on Pardons and Parole to serve a term commencing January 5, 2015, 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 Judiciary and Rules Committee.

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

Miscellaneous Business

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

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

NINTH LEGISLATIVE DAY
TUESDAY, JANUARY 20, 2015

Senate Chamber

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

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

Prayer was offered by Chaplain Brent Adamson.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

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

LODGE, Chairman

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

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

Messages from the Governor

January 19, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents, that pursuant to the provisions of Section 59-917, *Idaho Code*, Patti Anne Lodge, State Senator, District 11, Canyon, State of Idaho, has nominated Melinda Smyser of Parma, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 11, Canyon.

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

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

Done at Boise, the Capital of Idaho, this Nineteenth day of January, in the year of our Lord two thousand and fifteen and of the Independence of the United States of America, the two hundred and thirty-ninth year.

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

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

Senator Cameron was recorded present at this order of business.

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

Miscellaneous Business

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

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

TENTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 21, 2015

Senate Chamber

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

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

Prayer was offered by Chaplain Brent Adamson.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

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

HAGEDORN, Vice-Chairman

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

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

Messages from the House

January 20, 2015

Dear Mr. President:

I transmit herewith H 3, which has passed the House.

ALEXANDER, Chief Clerk

H 3 was filed for first reading.

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

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

S 1001
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO WORKPLACE SAFETY; AMENDING SECTION 67-2312, IDAHO CODE, TO PROVIDE THAT THE DIVISION OF BUILDING SAFETY IS SOLELY VESTED WITH THE RIGHT OF ENTRY AND INSPECTION OF PUBLIC BUILDINGS; AMENDING SECTION 67-2317, IDAHO CODE, TO PROVIDE THAT THE ADMINISTRATOR OF THE DIVISION OF BUILDING SAFETY MAY CONDUCT HEARINGS; AMENDING SECTION 67-2318, IDAHO CODE, TO PROVIDE THAT THE GOVERNOR MAY ORDER THE USE OF EMERGENCY EXPENDITURES FOR COMPLIANCE WITH THE ADMINISTRATOR'S DECISIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-2601A, IDAHO CODE, TO PROVIDE THAT THE ADMINISTRATOR SHALL CONDUCT SAFETY INSPECTIONS AND SAFETY TRAINING PROGRAMS FOR LOGGING OPERATIONS, TO PROVIDE THAT THE ADMINISTRATOR MAY CONDUCT SAFETY INSPECTIONS OF PUBLIC BUILDINGS UPON REQUEST AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 72-519, IDAHO CODE, TO PROVIDE THAT THE DIVISION OF BUILDING SAFETY MAY USE MONEY FROM THE INDUSTRIAL ADMINISTRATION FUND TO CONDUCT SAFETY INSPECTIONS AND TRAINING; REPEALING SECTION 72-720, IDAHO CODE, RELATING TO SAFETY POWERS OF THE INDUSTRIAL COMMISSION; REPEALING SECTION 72-721, IDAHO CODE, RELATING TO SAFETY RULES OF THE INDUSTRIAL COMMISSION; REPEALING SECTION 72-722, IDAHO CODE, RELATING TO UNSAFE CONDITIONS; REPEALING SECTION 72-723, IDAHO CODE, RELATING TO SAFETY ORDER VIOLATIONS; AND AMENDING SECTION 39-4113, IDAHO CODE, TO REMOVE A CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS.

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

H 3, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

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

Miscellaneous Business

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

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

ELEVENTH LEGISLATIVE DAY
THURSDAY, JANUARY 22, 2015

Senate Chamber

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

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

Prayer was offered by Chaplain Brent Adamson.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

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

HAGEDORN, Vice-Chairman

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

The Senate advanced to the Fourth Order of Business.

Reading of Communications

January 21, 2015

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

Dear President Pro Tempore Hill,

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

Sincerely,
/s/ Melinda Smyser

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

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

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

Reports of Standing Committees

January 22, 2015

The JUDICIARY AND RULES Committee reports that S 1001 has been correctly printed.

HAGEDORN, Vice-Chairman

S 1001 was referred to the Commerce and Human Resources Committee.

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

Messages from the Governor

January 20, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

January 15, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 19, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

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

January 19, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

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

January 19, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

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

January 19, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

The Gubernatorial reappointment was referred to the State Affairs Committee.

January 19, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

The Gubernatorial reappointment was referred to the State Affairs Committee.

January 19, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

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

January 20, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

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

January 20, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

The Gubernatorial reappointment was referred to the State Affairs Committee.

January 20, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

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

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

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

S 1002
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO IDAHO PUBLIC TELEVISION FOR FISCAL YEAR 2015; AND DECLARING AN EMERGENCY.

S 1003
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2015; AND DECLARING AN EMERGENCY.

S 1004
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO THE STATE BOARD OF CORRECTION; AMENDING SECTION 20-242A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO INMATE INCENTIVE PAY AND TO PROVIDE LIMITATIONS ON INMATE INCENTIVE PAY.

S 1005
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO EXECUTIONS; AMENDING SECTION 19-2716, IDAHO CODE, TO PROVIDE THAT THE IDENTITIES OF CERTAIN INDIVIDUALS PARTICIPATING OR ASSISTING IN AN EXECUTION AND CERTAIN INFORMATION SHALL BE CONFIDENTIAL.

S 1002, **S 1003**, **S 1004**, and **S 1005** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Miscellaneous Business

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

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

TWELFTH LEGISLATIVE DAY
FRIDAY, JANUARY 23, 2015

Senate Chamber

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

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

Prayer was offered by Chaplain Brent Adamson.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

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

HAGEDORN, Vice-Chairman

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

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

Reports of Standing Committees

January 23, 2015

The JUDICIARY AND RULES Committee reports that **S 1002**, **S 1003**, **S 1004**, and **S 1005** have been correctly printed.

HAGEDORN, Vice-Chairman

S 1002 and **S 1003** were referred to the Finance Committee.

S 1004 and **S 1005** were referred to the Judiciary and Rules Committee.

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

Messages from the Governor

January 22, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents, that pursuant to the provisions of Section 59-917, *Idaho Code*, Patti Anne Lodge, State Senator, District 11, Canyon, State of Idaho, has nominated Kimberly Johnson of Caldwell, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 11, Canyon.

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

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

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

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

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

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

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

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

Senator Bayer was recorded present at this order of business.

S 1006
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO IDAHO REAL ESTATE LICENSE LAW; AMENDING SECTION 54-2002, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2004, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2018, IDAHO CODE, TO REMOVE REFERENCES TO A CHALLENGE EXAM AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-2027, IDAHO CODE, TO REVISE REQUIREMENTS OF IDAHO CERTIFIED COURSE PROVIDERS RELATING TO COURSE COMPLETION LISTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2030, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE EXPIRATION OR WITHDRAWAL

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

S 1007
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO IDAHO REAL ESTATE LICENSE LAW; AMENDING SECTION 54-2019, IDAHO CODE, TO PROVIDE AN ADDITIONAL BASIS UPON WHICH THE IDAHO REAL ESTATE COMMISSION MAY DENY ANY LICENSE APPLICATION AND TO MAKE A TECHNICAL CORRECTION.

S 1008
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO REAL ESTATE; AMENDING SECTION 54-2013, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE RELATING TO A FEE.

S 1009
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO IDAHO REAL ESTATE LICENSE LAW; AMENDING SECTION 54-2028, IDAHO CODE, TO REVISE THE TERM OF A COURSE PROVIDER'S CERTIFICATION AND TO PROVIDE AN EXPIRATION DATE; AND AMENDING SECTION 54-2035, IDAHO CODE, TO REVISE THE TERM OF AN INSTRUCTOR CERTIFICATION AND TO PROVIDE AN EXPIRATION DATE.

S 1010
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO IDAHO REAL ESTATE LICENSE LAW; AMENDING SECTION 54-2054, IDAHO CODE, TO REVISE PROVISIONS RELATING TO FEE-SPLITTING WITH UNLICENSED PERSONS AND TO REVISE THE REQUIREMENT THAT ALL FEES MUST BE PAID THROUGH A BROKER.

S 1011
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO HORSE RACING; REPEALING SECTION 54-2512A, IDAHO CODE, RELATING TO PARI-MUTUEL BETTING ON HISTORICAL HORSE RACES, DISTRIBUTIONS OF DEPOSITS AND HISTORICAL HORSE RACE PURSE MONEYS FUND.

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

Senator Cameron was recorded present at this order of business.

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

Miscellaneous Business

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

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIFTEENTH LEGISLATIVE DAY
MONDAY, JANUARY 26, 2015

Senate Chamber

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

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

Prayer was offered by Chaplain Brent Adamson.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

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

HAGEDORN, Vice-Chairman

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

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

Reports of Standing Committees

January 26, 2015

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

HAGEDORN, Vice-Chairman

S 1006, S 1007, S 1008, S 1009, and S 1010 were referred to the Commerce and Human Resources Committee.

S 1011 was referred to the State Affairs Committee.

January 23, 2015

The FINANCE Committee reports out S 1002 and S 1003 with the recommendation that they do pass.

CAMERON, Chairman

S 1002 and S 1003 were filed for second reading.

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

Messages from the Governor

January 22, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

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

January 22, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

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

January 22, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

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

January 22, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

The Gubernatorial reappointment was referred to the Transportation Committee.

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

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

S 1012
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE DIVISION OF VOCATIONAL REHABILITATION FOR FISCAL YEAR 2015; AND DECLARING AN EMERGENCY.

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

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

Miscellaneous Business

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

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SIXTEENTH LEGISLATIVE DAY
TUESDAY, JANUARY 27, 2015

Senate Chamber

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

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

Prayer was offered by Chaplain Brent Adamson.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

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

HAGEDORN, Vice-Chairman

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

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

Reports of Standing Committees

January 27, 2015

The JUDICIARY AND RULES Committee reports that S 1012 has been correctly printed.

HAGEDORN, Vice-Chairman

S 1012 was referred to the Finance Committee.

January 26, 2015

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

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

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

BAIR, Chairman

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

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

Messages from the Governor

January 23, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 23, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 23, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 23, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 23, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 23, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

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

January 23, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

The Gubernatorial appointment was referred to the Education Committee.

January 23, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

The Gubernatorial appointment was referred to the Education Committee.

January 23, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

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

Senator Cameron was recorded present at this order of business.

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

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

S 1013
BY FINANCE COMMITTEE
AN ACT
REDUCING THE APPROPRIATION TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2015; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2015; AND DECLARING AN EMERGENCY.

S 1014
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO EXEMPTION OF PROPERTY FROM ATTACHMENT OR LEVY; AMENDING SECTION 11-605, IDAHO CODE, TO REVISE AND CLARIFY WHICH PROCEEDS OF A CERTAIN LIFE INSURANCE CONTRACT ARE ENTITLED TO AN EXEMPTION FROM ATTACHMENT OR LEVY.

S 1013 and **S 1014** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1002 and **S 1003**, by Finance Committee, were read the second time at length and filed for third reading.

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

Miscellaneous Business

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

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SEVENTEENTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 28, 2015

Senate Chamber

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

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

Prayer was offered by Chaplain Brent Adamson.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

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

HAGEDORN, Vice-Chairman

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

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

Reports of Standing Committees

January 28, 2015

The JUDICIARY AND RULES Committee reports that S 1013 and S 1014 have been correctly printed.

HAGEDORN, Vice-Chairman

S 1013 was referred to the Finance Committee.

S 1014 was referred to the Judiciary and Rules Committee.

January 27, 2015

The FINANCE Committee reports out S 1012 with the recommendation that it do pass.

CAMERON, Chairman

S 1012 was filed for second reading.

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

Messages from the Governor

January 26, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

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

January 26, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

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

January 26, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

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

January 26, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 27, 2015

Dear Mr. President:

I transmit herewith **H 26**, which has passed the House.

ALEXANDER, Chief Clerk

H 26 was filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

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

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

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

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

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

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

The Senate advanced to the Eleventh Order of Business.

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

S 1015
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO MOTOR VEHICLE DEALERS; AMENDING SECTION 49-1608, IDAHO CODE, TO REVISE CERTAIN BOND REQUIREMENT PROVISIONS, TO REQUIRE THE PROCUREMENT AND FILING OF A SPECIFIED BOND BY WHOLESALE DEALERS AND TO PROVIDE AN EXEMPTION FROM PARTICIPATION IN THE IDAHO CONSUMER ASSET RECOVERY FUND BY CERTAIN WHOLESALE DEALER LICENSEES.

S 1016
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO DRIVER'S LICENSES AND PERMITS; AMENDING SECTION 49-104, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 49-110, IDAHO CODE, TO REVISE DEFINITIONS, TO DEFINE TERMS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-115, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 49-305, IDAHO CODE, TO PROVIDE FOR COMMERCIAL LEARNER'S PERMITS, TO PROVIDE FOR THE VALIDITY OF COMMERCIAL LEARNER'S PERMITS AND CLASS D INSTRUCTION PERMITS, TO PROVIDE FOR THE RENEWAL OF THOSE PERMITS WITHOUT RETAKING A TEST UNDER CERTAIN CONDITIONS AND TO PROVIDE FOR THE RENEWAL OF MOTORCYCLE ENDORSEMENT INSTRUCTION PERMITS WITHOUT RETAKING A TEST UNDER CERTAIN CONDITIONS; AMENDING SECTION 49-306, IDAHO CODE, TO PROVIDE AN APPLICATION FEE FOR COMMERCIAL LEARNER'S PERMITS, TO PROVIDE AN EXCEPTION ASSOCIATED WITH CERTAIN APPLICATION REQUIREMENTS FOR PROVIDING PROOF OF IDAHO RESIDENCY AND AN IDAHO MAILING ADDRESS, TO PROVIDE FOR COMMERCIAL LEARNER'S PERMITS, TO PROVIDE FOR PROOF OF UNITED STATES CITIZENSHIP OR LAWFUL PERMANENT RESIDENCY IN ASSOCIATION WITH CERTAIN APPLICATIONS, TO PROVIDE AN EXCEPTION, TO REQUIRE THAT CERTAIN APPLICANTS PROVIDE SPECIFIED UNEXPIRED EMPLOYMENT AUTHORIZATION DOCUMENTS OR UNEXPIRED FOREIGN PASSPORT ACCOMPANIED BY AN APPROVED I-94 FORM AND TO REVISE PROVISIONS RELATING TO THE DISTRIBUTION OF MONEYS RECEIVED FROM CERTAIN FEES; AND AMENDING SECTION 49-306, AS AMENDED BY SECTION 2, CHAPTER 354, LAWS OF 2013, TO PROVIDE AN APPLICATION FEE FOR COMMERCIAL LEARNER'S PERMITS, TO PROVIDE AN EXCEPTION ASSOCIATED WITH CERTAIN APPLICATION

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

S 1017
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO PROVIDERS OF TELECOMMUNICATIONS SERVICE; AMENDING SECTION 40-210, IDAHO CODE, TO PROVIDE THAT THE IDAHO TRANSPORTATION DEPARTMENT AND URBAN RENEWAL AGENCIES SHALL PARTIALLY REIMBURSE TELECOMMUNICATIONS SERVICE PROVIDERS FOR THE COST OF RELOCATION OF FACILITIES TO ACCOMMODATE CERTAIN PROJECTS, TO PROVIDE FOR APPLICABILITY AND TO DEFINE TERMS.

S 1018
BY EDUCATION COMMITTEE
AN ACT
RELATING TO TEACHERS; AMENDING SECTION 33-1205, IDAHO CODE, TO REMOVE CERTAIN FEE AMOUNTS AND CERTAIN EFFECTIVE DATES AND TO REVISE PROVISIONS RELATING TO HOW CERTAIN FEES ARE USED.

S 1019
BY EDUCATION COMMITTEE
AN ACT
RELATING TO THE STATE BOARD OF EDUCATION; AMENDING SECTION 33-130, IDAHO CODE, TO REVISE PROVISIONS RELATING TO FEES FOR UNDERGOING A CRIMINAL HISTORY CHECK AND TO MAKE TECHNICAL CORRECTIONS.

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

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

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

Third Reading of Bills

Senator Tippets was recorded present at this order of business.

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

Roll call resulted as follows:

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

NAYS–Vick. Total - 1.

Absent and excused–McKenzie. Total - 1.

Total - 35.

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

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

Roll call resulted as follows:

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

NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

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

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

Miscellaneous Business

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

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

EIGHTEENTH LEGISLATIVE DAY
THURSDAY, JANUARY 29, 2015

Senate Chamber

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

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

Prayer was offered by Chaplain Brent Adamson.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

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

HAGEDORN, Vice-Chairman

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

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

Petitions, Resolutions, and Memorials

SCR 101
BY AGRICULTURAL AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND RECOGNIZING AND HONORING GARY STEVENS, A NATIVE IDAHOAN, FOR HIS LONG AND OUTSTANDING CAREER AND ACCOMPLISHMENTS IN HORSE RACING.

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

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

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

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

WHEREAS, Gary Stevens was bestowed the honor of receiving the George Woolf Memorial Jockey Award in 1996, an award voted on by peers and given to the rider whose personal character, leadership and career achievement bring affirmative attention to the sport of horse racing. Gary Stevens later went on to portray George Woolf in the 2003 Oscar nominated movie "Seabiscuit";

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

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

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

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

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

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

SCR 101 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 28, 2015

The FINANCE Committee reports out **H 26** and **S 1013** with the recommendation that they do pass.

CAMERON, Chairman

H 26 and **S 1013** were filed for second reading.

January 29, 2015

The JUDICIARY AND RULES Committee reports that **S 1015**, **S 1016**, **S 1017**, **S 1018**, and **S 1019** have been correctly printed.

HAGEDORN, Vice-Chairman

S 1015, **S 1016**, and **S 1017** were referred to the Transportation Committee.

S 1018 and **S 1019** were referred to the Education Committee.

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

Messages from the Governor

January 27, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

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

January 27, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 28, 2015

Dear Mr. President:

I transmit herewith **H 40** and **H 27**, which have passed the House.

ALEXANDER, Chief Clerk

H 40 and **H 27** were filed for first reading.

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

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

Senator Cameron was recorded present at this order of business.

S 1020
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO FISH AND GAME; AMENDING SECTION 36-111, IDAHO CODE, TO PROVIDE CERTAIN EXEMPTIONS RELATING TO THE PAYMENT OF MONEYS INTO THE FISH AND GAME SET-ASIDE ACCOUNT, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS.

S 1021
BY EDUCATION COMMITTEE
AN ACT
RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING SECTION 33-5208, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE AUTHORIZER FEE FORMULA AND TO REVISE THE PAYMENT DEADLINE FOR THE AUTHORIZER FEE.

S 1020 and **S 1021** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 40, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

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

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1012, by Finance Committee, was read the second time at length and filed for third reading.

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

Miscellaneous Business

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

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

NINETEENTH LEGISLATIVE DAY
FRIDAY, JANUARY 30, 2015

Senate Chamber

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

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

Prayer was offered by Chaplain Brent Adamson.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

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

HAGEDORN, Vice-Chairman

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

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

Reports of Standing Committees

January 30, 2015

The JUDICIARY AND RULES Committee reports that **SCR 101**, **S 1020**, and **S 1021** have been correctly printed.

HAGEDORN, Vice-Chairman

S 1020 was referred to the Resources and Environment Committee.

S 1021 was referred to the Education Committee.

On request by Senator Rice, granted by unanimous consent, **SCR 101** was referred to the Agricultural Affairs Committee.

January 28, 2015

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

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

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

HAGEDORN, Vice-Chairman

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

January 29, 2015

The FINANCE Committee reports out **H 40** with the recommendation that it do pass.

CAMERON, Chairman

H 40 was filed for second reading.

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

Messages from the House

January 29, 2015

Dear Mr. President:

I transmit herewith **H 28** and **H 29**, which have passed the House.

ALEXANDER, Chief Clerk

H 28 and **H 29** were filed for first reading.

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

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

S 1022
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO LICENSE PLATES; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE A CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-420N, IDAHO CODE, TO PROVIDE FOR AMERICA THE BEAUTIFUL PLATES.

S 1023
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO INSURANCE; AMENDING TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 30, TITLE 41, IDAHO CODE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR INSURER CONDUCT AND TO PROVIDE FOR UNFAIR TRADE PRACTICE; AND PROVIDING AN EFFECTIVE DATE.

S 1024
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO IDAHO ENERGY RESOURCES AUTHORITY; AMENDING SECTION 67-8908, IDAHO CODE, TO REVISE THE AUTHORITY'S POWERS, TO PROVIDE ADDITIONAL POWERS REGARDING CONSERVATION MEASURES AND TO CLARIFY THAT THE AUTHORITY IS NOT A TAXING DISTRICT;

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

S 1022, **S 1023**, and **S 1024** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 28 and **H 29**, by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 26, by Appropriations Committee, was read the second time at length and filed for third reading.

S 1013, by Finance Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

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

Roll call resulted as follows:

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

NAYS–None.

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

Total - 35.

Whereupon the President declared **S 1012** passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

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

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

TWENTY-SECOND LEGISLATIVE DAY
MONDAY, FEBRUARY 2, 2015

Senate Chamber

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

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

Prayer was offered by Chaplain Brent Adamson.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

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

HAGEDORN, Vice-Chairman

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

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

Motions and Resolutions

Senator Lee was recorded present at this order of business.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I am very proud of the progress of our Guardianship Committee. In the last two years they have surveyed existing rules and statutes, reviewed national standards and made needed statutory and rule changes. The committee continues to work on future legislative initiatives to give guardians, conservators, and the protected persons as well as interested parties further guidance and clarification of rights, obligations and procedures. We hope to present you with future legislation to make sure all interests have been considered.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

GOD BLESS.

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

Senator Thayn was recorded present at this order of business.

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

Reports of Standing Committees

February 2, 2015

The JUDICIARY AND RULES Committee reports that **S 1022**, **S 1023**, and **S 1024** have been correctly printed.

HAGEDORN, Vice-Chairman

S 1022 was referred to the Transportation Committee.

S 1023 was referred to the Commerce and Human Resources Committee.

S 1024 was referred to the State Affairs Committee.

February 2, 2015

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

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

MCKENZIE, Chairman

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

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

Messages from the Governor

January 26, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

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

January 26, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

The Gubernatorial reappointment was referred to the Transportation Committee.

January 26, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

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

January 30, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

The Gubernatorial reappointment was referred to the Agricultural Affairs Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 30, 2015

Dear Mr. President:

I transmit herewith **H 15**, **H 10**, **H 11**, **H 12**, **H 13**, **H 34**, **H 41**, **H 36**, and **H 37**, which have passed the House.

ALEXANDER, Chief Clerk

H 15, **H 10**, **H 11**, **H 12**, **H 13**, **H 34**, **H 41**, **H 36**, and **H 37** were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

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

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

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

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

On motion by Senator Hagedorn, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Sara B. Thomas as the State Appellate Public Defender was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1025
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO THE IDAHO UNIFORM BUSINESS ORGANIZATIONS CODE; REPEALING CHAPTER 1, TITLE 30, IDAHO CODE, RELATING TO GENERAL BUSINESS CORPORATIONS; REPEALING CHAPTER 6, TITLE 30, IDAHO CODE, RELATING TO THE IDAHO UNIFORM LIMITED LIABILITY COMPANY ACT; REPEALING CHAPTER 18, TITLE 30, IDAHO CODE, RELATING TO THE IDAHO ENTITY TRANSACTIONS ACT; REPEALING CHAPTER 2, TITLE 53, IDAHO CODE, RELATING TO THE UNIFORM LIMITED PARTNERSHIP ACT; REPEALING CHAPTER 3, TITLE 53, IDAHO CODE, RELATING TO UNIFORM PARTNERSHIP LAW; AMENDING TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 21, TITLE 30, IDAHO CODE, RELATING TO THE UNIFORM BUSINESS ORGANIZATIONS CODE, TO PROVIDE SHORT TITLE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR APPLICATION OF LAW, TO PROVIDE FOR DELIVERY OF RECORD, TO PROVIDE FOR RULES AND PROCEDURES, TO PROVIDE FOR ENTITY FILING REQUIREMENTS, TO PROVIDE FOR FORMS, TO PROVIDE FOR EFFECTIVE DATES AND TIMES, TO PROVIDE FOR WITHDRAWAL OF FILED RECORD BEFORE EFFECTIVENESS, TO PROVIDE FOR CORRECTING FILED RECORD, TO PROVIDE FOR DUTY OF SECRETARY OF STATE TO FILE AND REVIEW

OF REFUSAL TO FILE, TO PROVIDE FOR EVIDENTIARY EFFECT OF COPY OF FILED RECORD, TO PROVIDE FOR CERTIFICATE OF GOOD STANDING OR REGISTRATION, TO PROVIDE FOR SIGNING OF ENTITY FILING, TO PROVIDE FOR SIGNING AND FILING PURSUANT TO JUDICIAL ORDER, TO PROVIDE FOR LIABILITY FOR INACCURATE INFORMATION IN FILED RECORD, TO PROVIDE FOR DELIVERY BY SECRETARY OF STATE, TO PROVIDE FOR ANNUAL REPORT FOR SECRETARY OF STATE, TO PROVIDE FOR FEES, TO PROVIDE FOR PERMITTED NAMES, TO PROVIDE FOR NAME REQUIREMENTS FOR CERTAIN TYPES OF ENTITIES, TO PROVIDE FOR RESERVATION OF NAME, TO PROVIDE FOR REGISTRATION OF NAME, TO PROVIDE DEFINITIONS, TO PROVIDE FOR ENTITIES REQUIRED TO DESIGNATE AND MAINTAIN REGISTERED AGENT, TO PROVIDE FOR ADDRESSES IN FILING, TO PROVIDE FOR DESIGNATION OF REGISTERED AGENT, TO PROVIDE FOR LISTING OF COMMERCIAL REGISTERED AGENT, TO PROVIDE FOR TERMINATION OF LISTING OF COMMERCIAL REGISTERED AGENT, TO PROVIDE FOR CHANGE OF REGISTERED AGENT BY ENTITY, TO PROVIDE FOR CHANGE OF NAME OR ADDRESS BY NONCOMMERCIAL REGISTERED AGENT, TO PROVIDE FOR CHANGE OF NAME, ADDRESS, TYPE OF ENTITY OR JURISDICTION OF FORMATION BY COMMERCIAL REGISTERED AGENT, TO PROVIDE FOR RESIGNATION OF REGISTERED AGENT, TO PROVIDE FOR DESIGNATION OF REGISTERED AGENT BY NONREGISTERED FOREIGN ENTITY OR NONFILING DOMESTIC ENTITY, TO PROVIDE FOR SERVICE OF PROCESS, NOTICE, OR DEMAND ON ENTITY, TO PROVIDE FOR DUTIES OF REGISTERED AGENT, TO PROVIDE FOR JURISDICTION AND VENUE, TO PROVIDE FOR GOVERNING LAW, TO PROVIDE FOR REGISTRATION TO DO BUSINESS IN THIS STATE, TO PROVIDE FOR FOREIGN REGISTRATION STATEMENT, TO PROVIDE FOR AMENDMENT OF FOREIGN REGISTRATION STATEMENT, TO PROVIDE FOR ACTIVITIES NOT CONSTITUTING DOING BUSINESS, TO PROVIDE FOR NONCOMPLYING NAME OF FOREIGN ENTITY, TO PROVIDE FOR WITHDRAWAL OF REGISTRATION OF REGISTERED FOREIGN ENTITY, TO PROVIDE FOR WITHDRAWAL DEEMED ON CONVERSION OR DOMESTICATION TO DOMESTIC FILING ENTITY OR DOMESTIC LIMITED LIABILITY PARTNERSHIP, TO PROVIDE FOR WITHDRAWAL ON DISSOLUTION OR CONVERSION TO NONFILING ENTITY OTHER THAN LIMITED LIABILITY PARTNERSHIP, TO PROVIDE FOR TRANSFER OF REGISTRATION, TO PROVIDE FOR TERMINATION OF REGISTRATION, TO PROVIDE FOR ACTION BY THE ATTORNEY GENERAL, TO PROVIDE FOR GROUNDS FOR ADMINISTRATIVE DISSOLUTION, TO PROVIDE FOR PROCEDURE AND EFFECT, TO PROVIDE FOR REINSTATEMENT, TO PROVIDE FOR JUDICIAL REVIEW OF DENIAL OF REINSTATEMENT, TO PROVIDE FOR RESERVATION OF POWER TO AMEND OR REPEAL, TO PROVIDE FOR SUPPLEMENTAL PRINCIPLES OF LAW, TO PROVIDE FOR UNIFORMITY OR CONSISTENCY OF APPLICATION AND CONSTRUCTION, TO PROVIDE FOR RELATION TO ELECTRONIC SIGNATURES IN THE GLOBAL AND NATIONAL COMMERCE ACT, TO PROVIDE FOR SAVINGS CLAUSE, TO PROVIDE FOR SEVERABILITY, TO PROVIDE AN EFFECTIVE DATE, TO PROVIDE A SHORT TITLE, TO PROVIDE A PURPOSE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR A NAME USED AS AN ASSUMED BUSINESS NAME, TO PROVIDE FOR THE FILING OF A CERTIFICATE, TO PROVIDE CONTENTS OF CERTIFICATE, TO PROVIDE EFFECT OF FILING, DURATION AND CONTINUATION, TO PROVIDE AMENDMENT OF CERTIFICATE, TO PROVIDE CANCELLATION OF CERTIFICATE, TO PROVIDE CONSEQUENCES OF NONCOMPLIANCE AND TO PROVIDE FOR PROFESSIONAL ENTITIES; AMENDING TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 22, TITLE 30, IDAHO CODE, RELATING TO ENTITY TRANSACTIONS, TO PROVIDE A SHORT TITLE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR RELATIONSHIP OF THE CHAPTER TO OTHER LAWS, TO PROVIDE FOR REQUIRED NOTICE OR APPROVAL, TO PROVIDE FOR STATUS OF FILINGS, TO PROVIDE FOR NONEXCLUSIVITY, TO PROVIDE FOR REFERENCE TO EXTERNAL FACTS, TO PROVIDE FOR ALTERNATIVE MEANS OF APPROVAL OF TRANSACTIONS, TO PROVIDE FOR APPRAISAL RIGHTS, TO PROVIDE FOR CONFLICT OF LAWS AND EXCLUDED TRANSACTIONS, TO PROVIDE FOR AUTHORIZATION OF MERGER, TO PROVIDE FOR PLAN OF MERGER, TO PROVIDE FOR APPROVAL OF MERGER, TO PROVIDE FOR AMENDMENT OR ABANDONMENT OF PLAN OF MERGER, TO PROVIDE FOR STATEMENT OF MERGER AND EFFECTIVE DATE, TO PROVIDE FOR EFFECT OF MERGER, TO PROVIDE FOR INTEREST EXCHANGE AUTHORIZED, TO PROVIDE FOR PLAN OF INTEREST EXCHANGE, TO PROVIDE FOR APPROVAL OF INTEREST EXCHANGE, TO PROVIDE FOR AMENDMENT OR ABANDONMENT OF PLAN OF INTEREST EXCHANGE, TO PROVIDE FOR STATEMENT OF INTEREST EXCHANGE AND EFFECTIVE DATE OF INTEREST EXCHANGE, TO PROVIDE FOR EFFECT OF INTEREST EXCHANGE, TO PROVIDE FOR CONVERSION AUTHORIZED, TO PROVIDE FOR PLAN OF CONVERSION, TO PROVIDE FOR APPROVAL OF CONVERSION, TO PROVIDE FOR AMENDMENT OR ABANDONMENT OF PLAN OF CONVERSION, TO PROVIDE FOR STATEMENT OF CONVERSION AND EFFECTIVE DATE OF CONVERSION, TO PROVIDE FOR EFFECT OF CONVERSION, TO PROVIDE FOR DOMESTICATION AUTHORIZED, TO PROVIDE FOR PLAN OF DOMESTICATION, TO PROVIDE FOR APPROVAL OF DOMESTICATION, TO PROVIDE FOR AMENDMENT OR ABANDONMENT OF PLAN OF DOMESTICATION, TO PROVIDE FOR STATEMENT OF DOMESTICATION AND EFFECTIVE DATE OF DOMESTICATION AND TO PROVIDE FOR EFFECT OF DOMESTICATION; AMENDING TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 23, TITLE 30, IDAHO CODE, RELATING TO GENERAL PARTNERSHIPS, TO PROVIDE A SHORT TITLE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR KNOWLEDGE AND NOTICE, TO PROVIDE FOR GOVERNING LAW, TO PROVIDE FOR PARTNERSHIP AGREEMENT, SCOPE, FUNCTION AND LIMITATIONS, TO PROVIDE FOR PARTNERSHIP AGREEMENT, EFFECT ON PARTNERSHIP AND PERSON BECOMING PARTNER AND PREFORMATION AGREEMENT, TO PROVIDE FOR PARTNERSHIP AGREEMENT, EFFECT ON THIRD PARTIES AND RELATIONSHIP TO RECORDS EFFECTIVE ON BEHALF OF PARTNERSHIP, TO PROVIDE FOR SIGNING OF RECORDS TO BE DELIVERED FOR FILING TO SECRETARY OF STATE, TO PROVIDE FOR LIABILITY FOR INACCURATE INFORMATION

IN FILED RECORD, TO PROVIDE FOR APPLICATION TO EXISTING RELATIONSHIPS, TO PROVIDE FOR SUBJECTS COVERED OUTSIDE CHAPTER, TO PROVIDE FOR PARTNERSHIP AS ENTITY, TO PROVIDE FOR FORMATION OF PARTNERSHIP, TO PROVIDE FOR PARTNERSHIP PROPERTY, TO PROVIDE FOR WHEN PROPERTY IS PARTNERSHIP PROPERTY, TO PROVIDE FOR PARTNER AGENT OF PARTNERSHIP, TO PROVIDE FOR TRANSFER OF PARTNERSHIP PROPERTY, TO PROVIDE FOR STATEMENT OF PARTNERSHIP AUTHORITY, TO PROVIDE FOR STATEMENT OF DENIAL, TO PROVIDE FOR PARTNERSHIP LIABLE FOR PARTNER'S ACTIONABLE CONDUCT, TO PROVIDE FOR PARTNER'S LIABILITY, TO PROVIDE FOR ACTIONS BY AND AGAINST PARTNERSHIP AND PARTNERS, TO PROVIDE FOR LIABILITY OF PURPORTED PARTNER, TO PROVIDE FOR PARTNER'S RIGHTS AND DUTIES, TO PROVIDE FOR BECOMING PARTNER, TO PROVIDE FOR FORM OF CONTRIBUTION, TO PROVIDE FOR LIABILITY FOR CONTRIBUTION, TO PROVIDE FOR SHARING OF AND RIGHT TO DISTRIBUTIONS BEFORE DISSOLUTION, TO PROVIDE FOR LIMITATIONS ON DISTRIBUTIONS BY LIMITED LIABILITY PARTNERSHIP, TO PROVIDE FOR LIABILITY OF IMPROPER DISTRIBUTIONS BY LIMITED LIABILITY PARTNERSHIP, TO PROVIDE FOR RIGHTS OF PARTNERS AND PERSONS DISSOCIATED AS PARTNER TO INFORMATION, TO PROVIDE FOR STANDARDS OF CONDUCT FOR PARTNERS, TO PROVIDE FOR ACTIONS BY PARTNERSHIP AND PARTNERS, TO PROVIDE FOR CONTINUATION OF PARTNERSHIP BEYOND DEFINITE TERM OR PARTICULAR UNDERTAKING, TO PROVIDE FOR PARTNER NOT CO-OWNER OF PARTNERSHIP PROPERTY, TO PROVIDE FOR NATURE OF TRANSFERABLE INTEREST, TO PROVIDE FOR TRANSFER OF TRANSFERABLE INTEREST, TO PROVIDE FOR CHARGING ORDER, TO PROVIDE FOR POWER OF LEGAL REPRESENTATIVE OF DECEASED PARTNER, TO PROVIDE FOR EVENTS CAUSING DISSOCIATION, TO PROVIDE FOR POWER TO DISSOCIATE AS PARTNER AND WRONGFUL DISSOCIATION, TO PROVIDE FOR EFFECT OF DISSOCIATION, TO PROVIDE FOR PERSONS DISSOCIATED AS A PARTNER WITHOUT DISSOLUTION OF PARTNERSHIP, TO PROVIDE FOR POWER TO BIND AND LIABILITY OF PERSON DISSOCIATED AS PARTNER, TO PROVIDE FOR LIABILITY OF PERSON DISSOCIATED AS PARTNER TO OTHER PERSONS, TO PROVIDE FOR STATEMENT OF DISSOCIATION, TO PROVIDE FOR CONTINUED USE OF PARTNERSHIP NAME, TO PROVIDE FOR EVENTS CAUSING DISSOLUTION, TO PROVIDE FOR WINDING UP, TO PROVIDE FOR RESCINDING DISSOLUTION, TO PROVIDE FOR POWER TO BIND PARTNERSHIP AFTER DISSOLUTION, TO PROVIDE FOR LIABILITY AFTER DISSOLUTION OF PARTNER AND PERSON DISSOCIATED AS GENERAL PARTNER, TO PROVIDE FOR DISPOSITION OF ASSETS IN WINDING UP AND WHEN CONTRIBUTIONS REQUIRED, TO PROVIDE FOR KNOWN CLAIMS AGAINST DISSOLVED LIMITED LIABILITY PARTNERSHIP, TO PROVIDE FOR OTHER CLAIMS AGAINST DISSOLVED LIMITED LIABILITY PARTNERSHIP, TO PROVIDE FOR COURT PROCEEDINGS, TO PROVIDE FOR LIABILITY OF PARTNER AND PERSON DISSOCIATED AS PARTNER WHEN CLAIM AGAINST PARTNERSHIP BARRED, TO PROVIDE FOR STATEMENT OF QUALIFICATION, TO PROVIDE FOR PERMITTED NAMES, TO PROVIDE FOR ADMINISTRATIVE REVOCATION OF STATEMENT OF QUALIFICATION, TO PROVIDE FOR REINSTATEMENT, TO PROVIDE FOR JUDICIAL REVIEW OF DENIAL OF REINSTATEMENT AND TO PROVIDE FOR SUBJECTS COVERED OUTSIDE CHAPTER; AMENDING TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 24, TITLE 30, IDAHO CODE, RELATING TO LIMITED PARTNERSHIPS, TO PROVIDE A SHORT TITLE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR KNOWLEDGE AND NOTICE, TO PROVIDE FOR GOVERNING LAW, TO PROVIDE FOR PARTNERSHIP AGREEMENT, SCOPE, FUNCTION AND LIMITATIONS, TO PROVIDE FOR PARTNERSHIP AGREEMENT, EFFECT ON LIMITED PARTNERSHIP AND PERSON BECOMING PARTNER AND PREFORMATION AGREEMENT, TO PROVIDE FOR PARTNERSHIP AGREEMENT, EFFECT ON THIRD PARTIES AND RELATIONSHIP TO RECORDS EFFECTIVE ON BEHALF OF LIMITED PARTNERSHIP, TO PROVIDE FOR REQUIRED INFORMATION, TO PROVIDE FOR DUAL CAPACITY, TO PROVIDE FOR NATURE, PURPOSE AND DURATION OF LIMITED PARTNERSHIP, TO PROVIDE FOR POWERS, TO PROVIDE FOR APPLICATION TO EXISTING RELATIONSHIPS, TO PROVIDE FOR SUBJECTS COVERED OUTSIDE CHAPTER, TO PROVIDE FOR FORMATION OF LIMITED PARTNERSHIP AND CERTIFICATE OF LIMITED PARTNERSHIP, TO PROVIDE FOR AMENDMENT OR RESTATEMENT OF CERTIFICATE OF LIMITED PARTNERSHIP, TO PROVIDE FOR SIGNING OF RECORDS TO BE DELIVERED FOR FILING TO SECRETARY OF STATE, TO PROVIDE FOR SUBJECTS COVERED OUTSIDE CHAPTER, TO PROVIDE FOR BECOMING LIMITED PARTNER, TO PROVIDE FOR NO AGENCY POWER OF LIMITED PARTNER AS LIMITED PARTNER, TO PROVIDE FOR NO LIABILITY AS LIMITED PARTNER FOR LIMITED PARTNERSHIP OBLIGATIONS, TO PROVIDE FOR RIGHTS TO INFORMATION OF LIMITED PARTNER AND PERSON DISSOCIATED AS LIMITED PARTNER, TO PROVIDE FOR LIMITED DUTIES OF LIMITED PARTNER, TO PROVIDE FOR LIABILITY FOR INACCURATE INFORMATION IN FILED RECORD, TO PROVIDE FOR BECOMING GENERAL PARTNER, TO PROVIDE FOR NO AGENCY POWER OF GENERAL PARTNER AS LIMITED PARTNER, TO PROVIDE FOR LIMITED PARTNERSHIP LIABLE FOR GENERAL PARTNER'S ACTIONABLE CONDUCT, TO PROVIDE FOR RIGHTS TO INFORMATION OF GENERAL PARTNER AND PERSON DISSOCIATED AS LIMITED PARTNER, TO PROVIDE FOR ACTIONS BY AND AGAINST PARTNERSHIP AND PARTNERS, TO PROVIDE FOR MANAGEMENT RIGHTS OF GENERAL PARTNER, TO PROVIDE FOR RIGHTS TO INFORMATION OF GENERAL PARTNER AND PERSON DISSOCIATED AS GENERAL PARTNER, TO PROVIDE FOR REIMBURSEMENT, INDEMNIFICATION, ADVANCEMENT AND INSURANCE, TO PROVIDE FOR STANDARDS OF CONDUCT FOR GENERAL PARTNERS, TO PROVIDE FOR FORM OF CONTRIBUTION, TO PROVIDE FOR LIABILITY FOR CONTRIBUTION, TO PROVIDE FOR SHARING OF AND RIGHT TO DISTRIBUTIONS BEFORE DISSOLUTION, TO PROVIDE FOR LIMITATIONS ON DISTRIBUTIONS, TO PROVIDE FOR LIABILITY FOR IMPROPER DISTRIBUTIONS, TO PROVIDE FOR DISSOCIATION AS LIMITED PARTNER, TO PROVIDE FOR EFFECT OF DISSOCIATION AS LIMITED PARTNER, TO PROVIDE FOR DISSOCIATION AS GENERAL PARTNER, TO PROVIDE FOR POWER TO DISSOCIATE AS GENERAL PARTNER AND WRONGFUL DISSOCIATION, TO PROVIDE FOR

EFFECT OF DISSOCIATION AS GENERAL PARTNER, TO PROVIDE FOR POWER TO BIND AND LIABILITY OF PERSON DISSOCIATED AS GENERAL PARTNER, TO PROVIDE FOR LIABILITY OF PERSON DISSOCIATED AS GENERAL PARTNER TO OTHER PERSONS, TO PROVIDE FOR NATURE OF TRANSFERABLE INTEREST, TO PROVIDE FOR TRANSFER OF TRANSFERABLE INTEREST, TO PROVIDE FOR CHARGING ORDER, TO PROVIDE FOR POWER OF LEGAL REPRESENTATIVE OF DECEASED PARTNER, TO PROVIDE FOR EVENTS CAUSING DISSOLUTION, TO PROVIDE FOR WINDING UP, TO PROVIDE FOR RESCINDING DISSOLUTION, TO PROVIDE FOR POWER TO BIND PARTNERSHIP AFTER DISSOLUTION, TO PROVIDE FOR LIABILITY AFTER DISSOLUTION OF GENERAL PARTNER AND PERSON DISSOCIATED AS GENERAL PARTNER, TO PROVIDE FOR KNOWN CLAIMS AGAINST DISSOLVED LIMITED PARTNERSHIP, TO PROVIDE FOR OTHER CLAIMS AGAINST DISSOLVED LIMITED PARTNERSHIP, TO PROVIDE FOR COURT PROCEEDINGS, TO PROVIDE FOR LIABILITY OF GENERAL PARTNER AND PERSON DISSOCIATED AS GENERAL PARTNER WHEN CLAIM AGAINST LIMITED PARTNERSHIP BARRED, TO PROVIDE FOR DISPOSITION OF ASSETS IN WINDING UP AND WHEN CONTRIBUTIONS REQUIRED, TO PROVIDE FOR SUBJECTS COVERED OUTSIDE CHAPTER, TO PROVIDE FOR DIRECT ACTION BY A PARTNER, TO PROVIDE FOR DERIVATIVE ACTION, TO PROVIDE FOR PROPER PLAINTIFF, TO PROVIDE FOR PLEADING, TO PROVIDE FOR SPECIAL LITIGATION COMMITTEE AND TO PROVIDE FOR PROCEEDS AND EXPENSES; AMENDING TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 25, TITLE 30, IDAHO CODE, RELATING TO LIMITED LIABILITY COMPANIES, TO PROVIDE SHORT TITLE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR KNOWLEDGE AND NOTICE, TO PROVIDE FOR GOVERNING LAW, TO PROVIDE FOR OPERATING AGREEMENT, SCOPE, FUNCTION AND LIMITATIONS, TO PROVIDE FOR OPERATING AGREEMENT, EFFECT ON LIMITED LIABILITY COMPANY AND PERSON BECOMING MEMBER AND PREFORMATION AGREEMENT, TO PROVIDE FOR OPERATING AGREEMENT, EFFECT ON THIRD PARTIES AND RELATIONSHIP TO RECORDS EFFECTIVE ON BEHALF OF LIMITED LIABILITY COMPANY, TO PROVIDE FOR THE NATURE, PURPOSE AND DURATION OF LIMITED LIABILITY COMPANY, TO PROVIDE POWERS, TO PROVIDE FOR APPLICATION TO EXISTING RELATIONSHIPS, TO PROVIDE FOR SUBJECTS COVERED OUTSIDE CHAPTER, TO PROVIDE FOR FORMATION OF LIMITED LIABILITY COMPANY AND CERTIFICATE OF ORGANIZATION, TO PROVIDE FOR AMENDMENT OR RESTATEMENT OF CERTIFICATE OF ORGANIZATION, TO PROVIDE FOR SIGNING OF RECORDS TO BE DELIVERED FOR FILING TO SECRETARY OF STATE, TO PROVIDE FOR LIABILITY FOR INACCURATE INFORMATION IN FILED RECORDS, TO PROVIDE FOR SUBJECTS COVERED OUTSIDE CHAPTER, TO PROVIDE FOR NO AGENCY POWER OF MEMBER AS MEMBER, TO PROVIDE FOR STATEMENT OF AUTHORITY, TO PROVIDE FOR STATEMENT OF DENIAL, TO PROVIDE FOR LIABILITY OF MEMBERS AND MANAGERS, TO PROVIDE FOR BECOMING A MEMBER, TO PROVIDE FOR FORM OF CONTRIBUTION, TO PROVIDE FOR LIABILITY FOR CONTRIBUTIONS, TO PROVIDE FOR SHARING OF AND RIGHT TO DISTRIBUTIONS BEFORE DISSOLUTION, TO PROVIDE FOR LIMITATIONS ON DISTRIBUTIONS, TO PROVIDE FOR LIABILITY FOR IMPROPER DISTRIBUTIONS, TO PROVIDE FOR MANAGEMENT OF A LIMITED LIABILITY COMPANY, TO PROVIDE FOR REIMBURSEMENT, INDEMNIFICATION, ADVANCEMENT AND INSURANCE, TO PROVIDE FOR STANDARDS OF CONDUCT FOR MEMBERS AND MANAGERS, TO PROVIDE FOR RIGHTS TO INFORMATION OF MEMBER, MANAGER AND PERSON DISSOCIATED AS MEMBER, TO PROVIDE FOR NATURE OF TRANSFERABLE INTEREST, TO PROVIDE FOR TRANSFER OF TRANSFERABLE INTEREST, TO PROVIDE FOR CHARGING ORDER, TO PROVIDE FOR POWER OF LEGAL REPRESENTATIVE OF DECEASED MEMBER, TO PROVIDE FOR POWER TO DISSOCIATE AS MEMBER AND WRONGFUL DISSOCIATION, TO PROVIDE FOR EVENTS CAUSING DISSOCIATION, TO PROVIDE FOR EFFECT OF DISSOCIATION, TO PROVIDE FOR EVENTS CAUSING DISSOLUTION, TO PROVIDE FOR WINDING UP, TO PROVIDE FOR RESCINDING DISSOLUTION, TO PROVIDE FOR KNOWN CLAIMS AGAINST DISSOLVED LIMITED LIABILITY COMPANY, TO PROVIDE FOR OTHER CLAIMS AGAINST DISSOLVED LIMITED LIABILITY COMPANY, TO PROVIDE FOR COURT PROCEEDINGS, TO PROVIDE FOR DISPOSITION OF ASSETS IN WINDING UP, TO PROVIDE FOR SUBJECTS COVERED OUTSIDE CHAPTER, TO PROVIDE FOR DIRECT ACTION BY MEMBER, TO PROVIDE FOR DERIVATIVE ACTION, TO PROVIDE FOR PROPER PLAINTIFF, TO PROVIDE FOR PLEADING, TO PROVIDE FOR SPECIAL LITIGATION COMMITTEE AND TO PROVIDE FOR PROCEEDS AND EXPENSES; AMENDING TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 27, TITLE 30, IDAHO CODE, RELATING TO UNINCORPORATED NONPROFIT ASSOCIATIONS; TO PROVIDE A SHORT TITLE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR RELATION TO OTHER LAWS, TO PROVIDE FOR GOVERNING LAW, TO PROVIDE FOR ENTITY, PERPETUAL EXISTENCE AND POWERS, TO PROVIDE FOR OWNERSHIP AND TRANSFER OF PROPERTY, TO PROVIDE FOR STATEMENT OF AUTHORITY AS TO REAL PROPERTY, TO PROVIDE FOR LIABILITY, TO PROVIDE FOR ASSERTION AND DEFENSE OF CLAIMS, TO PROVIDE FOR EFFECT OF JUDGMENT OR ORDER, TO PROVIDE FOR SERVICE OF PROCESS, TO PROVIDE FOR ACTION OR PROCEEDING NOT ABATED BY CHANGE, TO PROVIDE FOR VENUE, TO PROVIDE FOR MEMBER NOT AGENT, TO PROVIDE FOR DISTRIBUTIONS PROHIBITED, COMPENSATION AND OTHER PERMITTED PAYMENTS, TO PROVIDE FOR DISSOLUTION, TO PROVIDE FOR WINDING UP AND TERMINATION, TO PROVIDE FOR APPOINTMENT OF REGISTERED AGENT AND TO PROVIDE FOR TRANSITION CONCERNING REAL AND PERSONAL PROPERTY; AMENDING TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 29, TITLE 30, IDAHO CODE, RELATING TO GENERAL BUSINESS CORPORATIONS, TO PROVIDE A SHORT TITLE, TO PROVIDE FOR REQUIREMENTS FOR DOCUMENTS AND EXTRINSIC FACTS, TO PROVIDE FOR CHAPTER DEFINITIONS, TO PROVIDE FOR NOTICE, TO PROVIDE FOR INCORPORATORS, TO PROVIDE FOR ARTICLES OF INCORPORATION, TO PROVIDE FOR INCORPORATION, TO PROVIDE FOR LIABILITY FOR PREINCORPORATION TRANSACTIONS, TO PROVIDE FOR ORGANIZATION OF CORPORATION, TO PROVIDE FOR BYLAWS, TO

PROVIDE FOR EMERGENCY BYLAWS, TO PROVIDE FOR PURPOSES, TO PROVIDE FOR GENERAL POWERS, TO PROVIDE FOR EMERGENCY POWERS, TO PROVIDE FOR ULTRA VIRES, TO PROVIDE FOR AUTHORIZED SHARES, TO PROVIDE FOR TERMS OF CLASS OR SERIES DETERMINED BY BOARD OF DIRECTORS, TO PROVIDE FOR ISSUED AND OUTSTANDING SHARES, TO PROVIDE FOR FRACTIONAL SHARES, TO PROVIDE FOR SUBSCRIPTION FOR SHARES BEFORE INCORPORATION, TO PROVIDE FOR ISSUANCE OF SHARES, TO PROVIDE FOR LIABILITY OF SHAREHOLDERS, TO PROVIDE FOR SHARE DIVIDENDS, TO PROVIDE FOR SHARE OPTIONS, TO PROVIDE FOR FORM AND CONTENT OF CERTIFICATES, TO PROVIDE FOR SHARES WITHOUT CERTIFICATES, TO PROVIDE FOR RESTRICTION ON TRANSFER OF SHARES AND OTHER SECURITIES, TO PROVIDE FOR EXPENSE OF ISSUE, TO PROVIDE FOR SHAREHOLDERS' PREEMPTIVE RIGHTS, TO PROVIDE FOR CORPORATION'S ACQUISITION OF ITS OWN SHARES, TO PROVIDE FOR DISTRIBUTIONS TO SHAREHOLDERS, TO PROVIDE FOR AN ANNUAL MEETING, TO PROVIDE FOR A SPECIAL MEETING, TO PROVIDE FOR A COURT-ORDERED MEETING, TO PROVIDE FOR ACTION WITHOUT MEETING, TO PROVIDE FOR NOTICE OF MEETING, TO PROVIDE FOR WAIVER OF NOTICE, TO PROVIDE FOR RECORD DATE, TO PROVIDE FOR CONDUCT OF THE MEETING, TO PROVIDE FOR SHAREHOLDERS' LIST FOR MEETING, TO PROVIDE FOR VOTING ENTITLEMENT OF SHARES, TO PROVIDE FOR PROXIES, TO PROVIDE FOR SHARES HELD BY NOMINEES, TO PROVIDE FOR CORPORATION'S ACCEPTANCE OF VOTES, TO PROVIDE FOR QUORUM AND VOTING REQUIREMENTS FOR VOTING GROUPS, TO PROVIDE FOR ACTION BY SINGLE AND MULTIPLE VOTING GROUPS, TO PROVIDE FOR GREATER QUORUM OR VOTING REQUIREMENTS, TO PROVIDE FOR VOTING FOR DIRECTORS AND CUMULATIVE VOTING, TO PROVIDE FOR INSPECTORS OF ELECTION, TO PROVIDE FOR VOTING TRUSTS, TO PROVIDE FOR VOTING AGREEMENTS, TO PROVIDE FOR SHAREHOLDER AGREEMENTS, TO PROVIDE FOR DEFINITIONS, TO PROVIDE FOR STANDING, TO PROVIDE FOR A DEMAND, TO PROVIDE FOR A STAY OF PROCEEDINGS, TO PROVIDE FOR DISMISSAL, TO PROVIDE FOR DISCONTINUANCE OR SETTLEMENT, TO PROVIDE FOR PAYMENT OF EXPENSES, TO PROVIDE FOR APPLICABILITY TO FOREIGN CORPORATIONS, TO PROVIDE FOR REQUIREMENT FOR AND DUTIES OF BOARD OF DIRECTORS, TO PROVIDE FOR QUALIFICATIONS OF DIRECTORS, TO PROVIDE FOR NUMBER AND ELECTION OF DIRECTORS, TO PROVIDE FOR ELECTION OF DIRECTORS BY CERTAIN CLASSES OF SHAREHOLDERS, TO PROVIDE FOR TERMS OF DIRECTORS GENERALLY, TO PROVIDE FOR STAGGERED TERMS FOR DIRECTORS, TO PROVIDE FOR RESIGNATION OF DIRECTORS, TO PROVIDE FOR REMOVAL OF DIRECTORS BY SHAREHOLDERS, TO PROVIDE FOR REMOVAL OF DIRECTORS BY JUDICIAL PROCEEDING, TO PROVIDE FOR VACANCY ON BOARD, TO PROVIDE FOR COMPENSATION OF DIRECTORS, TO PROVIDE FOR MEETINGS, TO PROVIDE FOR ACTION WITHOUT MEETING, TO PROVIDE FOR NOTICE OF MEETING, TO PROVIDE FOR WAIVER OF NOTICE, TO PROVIDE FOR QUORUM AND VOTING, TO PROVIDE FOR COMMITTEES, TO PROVIDE FOR STANDARDS FOR DIRECTORS, TO PROVIDE FOR STANDARDS OF LIABILITY FOR DIRECTORS, TO PROVIDE FOR DIRECTORS' LIABILITY FOR UNLAWFUL DISTRIBUTIONS, TO PROVIDE FOR REQUIRED OFFICERS, TO PROVIDE FOR DUTIES OF OFFICERS, TO PROVIDE FOR STANDARDS OF CONDUCT FOR OFFICERS, TO PROVIDE FOR RESIGNATION AND REMOVAL OF OFFICERS, TO PROVIDE FOR CONTRACT RIGHTS OF OFFICERS, TO PROVIDE DEFINITIONS, TO PROVIDE FOR PERMISSIBLE INDEMNIFICATION, TO PROVIDE FOR MANDATORY INDEMNIFICATION, TO PROVIDE FOR ADVANCE FOR EXPENSES, TO PROVIDE FOR COURT-ORDERED INDEMNIFICATION AND ADVANCE FOR EXPENSES, TO PROVIDE FOR DETERMINATION AND AUTHORIZATION OF INDEMNIFICATION, TO PROVIDE FOR OFFICERS, TO PROVIDE FOR INSURANCE, TO PROVIDE FOR VARIATION BY CORPORATE ACTION AND APPLICATION OF INDEMNIFICATION PROVISIONS, TO PROVIDE FOR EXCLUSIVITY, TO PROVIDE DEFINITIONS, TO PROVIDE FOR JUDICIAL ACTION, TO PROVIDE FOR DIRECTORS' ACTION, TO PROVIDE FOR SHAREHOLDERS' ACTION, TO PROVIDE FOR AUTHORITY TO AMEND ARTICLES OF INCORPORATION, TO PROVIDE FOR AMENDMENT BEFORE ISSUANCE OF SHARES, TO PROVIDE FOR AMENDMENT BY BOARD OF DIRECTORS AND SHAREHOLDERS, TO PROVIDE FOR VOTING ON AMENDMENTS BY VOTING GROUPS, TO PROVIDE FOR AMENDMENT BY BOARD OF DIRECTORS, TO PROVIDE FOR ARTICLES OF AMENDMENT, TO PROVIDE FOR RESTATED ARTICLES OF INCORPORATION, TO PROVIDE FOR AMENDMENT PURSUANT TO REORGANIZATION, TO PROVIDE FOR EFFECT OF AMENDMENT, TO PROVIDE FOR AMENDMENT BY BOARD OF DIRECTORS OR SHAREHOLDERS, TO PROVIDE FOR A BYLAW INCREASING QUORUM OR VOTING REQUIREMENT FOR DIRECTORS, TO PROVIDE FOR ACTION ON A PLAN OF MERGER OR SHARE EXCHANGE, TO PROVIDE FOR MERGER BETWEEN PARENT AND SUBSIDIARY OR BETWEEN SUBSIDIARIES, TO PROVIDE FOR DISPOSITION OF ASSETS NOT REQUIRING SHAREHOLDER APPROVAL, TO PROVIDE FOR SHAREHOLDER APPROVAL OF CERTAIN DISPOSITIONS, TO PROVIDE DEFINITIONS, TO PROVIDE FOR RIGHT TO APPRAISAL, TO PROVIDE FOR ASSERTION OF RIGHTS BY NOMINEES AND BENEFICIAL OWNERS, TO PROVIDE FOR NOTICE OF APPRAISAL RIGHTS, TO PROVIDE FOR NOTICE OF INTENT TO DEMAND PAYMENT, TO PROVIDE FOR APPRAISAL NOTICE AND FORM, TO PROVIDE FOR PERFECTION OF RIGHTS AND RIGHT TO WITHDRAW, TO PROVIDE FOR PAYMENT, TO PROVIDE FOR AFTER ACQUIRED SHARES, TO PROVIDE FOR PROCEDURE IF SHAREHOLDER DISSATISFIED WITH PAYMENT OR OFFER, TO PROVIDE FOR COURT ACTION, TO PROVIDE FOR COURT COSTS AND COUNSEL FEES, TO PROVIDE FOR DISSOLUTION BY INCORPORATORS OR INITIAL DIRECTORS, TO PROVIDE FOR DISSOLUTION BY BOARD OF DIRECTORS AND SHAREHOLDERS, TO PROVIDE FOR ARTICLES OF DISSOLUTION, TO PROVIDE FOR REVOCATION OF DISSOLUTION, TO PROVIDE FOR EFFECT OF DISSOLUTION, TO PROVIDE FOR KNOWN CLAIMS AGAINST DISSOLVED CORPORATION, TO PROVIDE FOR OTHER CLAIMS AGAINST DISSOLVED CORPORATION, TO PROVIDE FOR COURT PROCEEDING, TO PROVIDE FOR DIRECTOR DUTIES, TO PROVIDE FOR GROUNDS FOR JUDICIAL DISSOLUTION, TO PROVIDE

FOR PROCEDURE FOR JUDICIAL DISSOLUTION, TO PROVIDE FOR RECEIVERSHIP OR CUSTODIANSHIP, TO PROVIDE FOR DECREE OF DISSOLUTION, TO PROVIDE FOR ELECTION TO PURCHASE IN LIEU OF DISSOLUTION, TO PROVIDE FOR DEPOSIT WITH THE STATE TREASURER, TO PROVIDE FOR CORPORATE RECORDS, TO PROVIDE FOR INSPECTION OF RECORDS BY SHAREHOLDERS, TO PROVIDE FOR SCOPE OF INSPECTION RIGHT, TO PROVIDE FOR COURT-ORDERED INSPECTION, TO PROVIDE FOR INSPECTION OF RECORDS BY DIRECTORS, TO PROVIDE FOR EXCEPTION TO NOTICE REQUIREMENT, TO PROVIDE FOR FINANCIAL STATEMENTS FOR SHAREHOLDERS, TO PROVIDE FOR OTHER REPORTS TO SHAREHOLDERS, TO PROVIDE FOR APPLICATION OF CHAPTER TO EXISTING DOMESTIC CORPORATIONS, TO PROVIDE FOR APPLICATION TO QUALIFIED FOREIGN CORPORATIONS, TO PROVIDE FOR SAVING PROVISIONS AND TO PROVIDE FOR SEVERABILITY; AMENDING TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 30, TITLE 30, IDAHO CODE, RELATING TO THE IDAHO NONPROFIT CORPORATION ACT, TO PROVIDE A SHORT TITLE, TO PROVIDE FOR FILING REQUIREMENTS, TO PROVIDE DEFINITIONS, TO PROVIDE FOR NOTICE, TO PROVIDE FOR A PRIVATE FOUNDATION, TO PROVIDE FOR JUDICIAL RELIEF, TO PROVIDE FOR RELIGIOUS CORPORATIONS AND CONSTITUTIONAL PROTECTIONS, TO PROVIDE FOR INCORPORATORS, TO PROVIDE FOR ARTICLES OF INCORPORATION, TO PROVIDE FOR INCORPORATION, TO PROVIDE FOR LIABILITY, TO PROVIDE FOR ORGANIZATION OF CORPORATION, TO PROVIDE FOR BYLAWS, TO PROVIDE FOR EMERGENCY BYLAWS AND POWERS, TO PROVIDE FOR PURPOSES, TO PROVIDE FOR GENERAL POWERS, TO PROVIDE FOR EMERGENCY POWERS, TO PROVIDE FOR ULTRA VIRES, TO PROVIDE FOR ADMISSION OF MEMBERS, TO PROVIDE FOR CONSIDERATION, TO PROVIDE FOR NO REQUIREMENT OF MEMBERS, TO PROVIDE FOR DIFFERENCES IN RIGHTS AND OBLIGATIONS OF MEMBERS, TO PROVIDE FOR TRANSFERS, TO PROVIDE FOR MEMBER'S LIABILITY TO THIRD PARTIES, TO PROVIDE FOR MEMBER'S LIABILITY FOR DUES, ASSESSMENTS AND FEES, TO PROVIDE FOR RESIGNATION, TO PROVIDE FOR TERMINATION, EXPULSION AND SUSPENSION, TO PROVIDE FOR PURCHASE OF MEMBERSHIPS, TO PROVIDE FOR DERIVATIVE SUITS, TO PROVIDE FOR DELEGATES, TO PROVIDE FOR ANNUAL AND REGULAR MEETINGS, TO PROVIDE FOR A SPECIAL MEETING, TO PROVIDE FOR COURT-ORDERED MEETINGS, TO PROVIDE FOR ACTION BY WRITTEN CONSENT, TO PROVIDE FOR NOTICE OF MEETING, TO PROVIDE FOR WAIVER OF NOTICE, TO PROVIDE FOR RECORD DATE FOR DETERMINING MEMBERS ENTITLED TO NOTICE AND VOTE, TO PROVIDE FOR ACTION BY MAILED WRITTEN BALLOT OR ABSENTEE BALLOT, TO PROVIDE FOR MEMBERS' LIST FOR MEETING, TO PROVIDE FOR VOTING ENTITLEMENT GENERALLY, TO PROVIDE FOR QUORUM REQUIREMENTS, TO PROVIDE FOR VOTING REQUIREMENTS, TO PROVIDE FOR PROXIES, TO PROVIDE FOR CUMULATIVE VOTING FOR DIRECTORS, TO PROVIDE FOR OTHER METHODS OF ELECTING DIRECTORS, TO PROVIDE FOR CORPORATION'S ACCEPTANCE OF VOTES, TO PROVIDE FOR VOTING AGREEMENTS, TO PROVIDE FOR REQUIREMENT FOR AND DUTIES OF BOARD, TO PROVIDE FOR QUALIFICATIONS OF DIRECTORS, TO PROVIDE FOR NUMBER OF DIRECTORS, TO PROVIDE FOR ELECTION, DESIGNATION AND APPOINTMENT OF DIRECTORS, TO PROVIDE FOR TERMS OF DIRECTORS GENERALLY, TO PROVIDE FOR STAGGERED TERMS FOR DIRECTORS, TO PROVIDE FOR RESIGNATION OF DIRECTORS, TO PROVIDE FOR REMOVAL OF DIRECTORS ELECTED BY MEMBERS OR DIRECTORS, TO PROVIDE FOR REMOVAL OF DESIGNATED OR APPOINTED DIRECTORS, TO PROVIDE FOR VACANCY ON BOARD, TO PROVIDE FOR COMPENSATION OF DIRECTORS, TO PROVIDE FOR REGULAR AND SPECIAL MEETINGS, TO PROVIDE FOR ACTION WITHOUT MEETING, TO PROVIDE FOR CALL AND NOTICE OF MEETINGS, TO PROVIDE FOR WAIVER OF NOTICE, TO PROVIDE FOR QUORUM AND VOTING, TO PROVIDE FOR COMMITTEES OF THE BOARD, TO PROVIDE FOR GENERAL STANDARDS FOR DIRECTORS, TO PROVIDE FOR DIRECTOR AND CONFLICT OF INTEREST, TO PROVIDE FOR LOANS TO OR GUARANTEES FOR DIRECTORS AND OFFICERS, TO PROVIDE FOR REQUIRED OFFICERS, TO PROVIDE FOR DUTIES AND AUTHORITY OF OFFICERS, TO PROVIDE FOR STANDARDS OF CONDUCT FOR OFFICERS, TO PROVIDE FOR RESIGNATION AND REMOVAL OF OFFICERS, TO PROVIDE FOR OFFICERS' AUTHORITY TO EXECUTE DOCUMENTS, TO PROVIDE FOR INDEMNIFICATION OF OFFICERS, DIRECTORS, EMPLOYEES AND AGENTS, TO PROVIDE FOR AUTHORITY TO AMEND ARTICLES, TO PROVIDE FOR AMENDMENT OF ARTICLES BY DIRECTORS, TO PROVIDE FOR AMENDMENT OF ARTICLES BY DIRECTORS AND MEMBERS, TO PROVIDE FOR CLASS VOTING BY MEMBERS ON AMENDMENTS TO ARTICLES, TO PROVIDE FOR ARTICLES OF AMENDMENT, TO PROVIDE FOR RESTATED ARTICLES OF INCORPORATION, TO PROVIDE FOR EFFECT OF AMENDMENT AND RESTATEMENT OF ARTICLES, TO PROVIDE FOR AMENDMENT OF BYLAWS BY DIRECTORS, TO PROVIDE FOR AMENDMENT OF BYLAWS BY DIRECTORS AND MEMBERS, TO PROVIDE FOR CLASS VOTING BY MEMBERS ON AMENDMENTS TO BYLAWS, TO PROVIDE FOR APPROVAL BY THIRD PERSONS, TO PROVIDE FOR APPROVAL OF PLAN OF MERGER, TO PROVIDE FOR ACTION ON PLAN BY BOARD, MEMBERS AND THIRD PERSONS, TO PROVIDE FOR BEQUESTS, DEVISES AND GIFTS, TO PROVIDE FOR THE SALE OF ASSETS IN THE REGULAR COURSE OF ACTIVITIES AND THE MORTGAGE OF ASSETS, TO PROVIDE FOR THE SALE OF ASSETS OTHER THAN IN THE REGULAR COURSE OF ACTIVITIES, TO PROVIDE FOR PROHIBITED DISTRIBUTIONS, TO PROVIDE FOR AUTHORIZED DISTRIBUTIONS, TO PROVIDE FOR THE DISSOLUTION BY INCORPORATORS OR DIRECTORS AND THIRD PERSONS, TO PROVIDE FOR THE DISSOLUTION BY DIRECTORS, MEMBERS AND THIRD PERSONS, TO PROVIDE FOR ARTICLES OF DISSOLUTION, TO PROVIDE FOR THE EFFECT OF DISSOLUTION, TO PROVIDE FOR KNOWN CLAIMS AGAINST A DISSOLVED CORPORATION, TO PROVIDE FOR UNKNOWN CLAIMS AGAINST A DISSOLVED CORPORATION, TO PROVIDE FOR CORPORATE RECORDS, TO PROVIDE FOR THE INSPECTION OF RECORDS BY MEMBERS, TO PROVIDE FOR THE SCOPE OF INSPECTION RIGHTS, TO PROVIDE FOR LIMITATIONS ON THE USE OF A MEMBERSHIP LIST, TO PROVIDE FOR FINANCIAL STATEMENTS FOR MEMBERS, TO PROVIDE

FOR A REPORT OF INDEMNIFICATION TO MEMBERS, TO PROVIDE FOR THE APPLICATION OF LAWS TO EXISTING DOMESTIC NONPROFIT CORPORATIONS, TO PROVIDE FOR THE APPLICATION OF LAWS TO A QUALIFIED FOREIGN NONPROFIT CORPORATION, TO PROVIDE FOR THE APPLICATION OF LAWS TO CANAL COMPANIES AND CAREY ACT COMPANIES AND TO PROVIDE FOR SAVING PROVISIONS.

S 1026
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO DRIVING UNDER THE INFLUENCE; AMENDING SECTION 18-8005, IDAHO CODE, TO REVISE A PROVISION RELATING TO THE SUSPENSION OF DRIVING PRIVILEGES FOLLOWING CONVICTION FOR FELONY DUI AND TO MAKE TECHNICAL CORRECTIONS.

S 1027
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO JUDGES; AMENDING SECTION 1-2005, IDAHO CODE, TO REVISE A PROVISION RELATING TO THE ELIGIBILITY OF A SENIOR JUDGE; AND AMENDING SECTION 1-2221, IDAHO CODE, TO REVISE A PROVISION RELATING TO THE ELIGIBILITY OF A SENIOR JUDGE.

S 1028
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO SPEED LIMITS; AMENDING SECTION 49-654, IDAHO CODE, TO PROVIDE FOR CERTAIN SPEED LIMITS ON INTERSTATE HIGHWAYS AND STATE HIGHWAYS UNLESS OTHERWISE POSTED.

S 1029
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO FRAUDULENT TRANSACTIONS; AMENDING SECTION 18-3125, IDAHO CODE, TO PROVIDE FOR INTENT TO USE TO DEFRAUD WHEN ACQUIRING A FINANCIAL TRANSACTION CARD OR FINANCIAL TRANSACTION CARD NUMBER.

S 1030
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO CODIFIER'S CORRECTIONS; AMENDING SECTION 18-3309, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 19-853, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION; REPEALING SECTION 22-4721, IDAHO CODE, RELATING TO TEMPORARY LINES OF CREDIT FOR START-UP COSTS; AMENDING SECTION 23-1002, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 25-232, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 25-3102, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 25-4014, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 26-104, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION; AMENDING SECTION 26-2239, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 26-31-102, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 26-31-105, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 27-121, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 27-503, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 28-8-402, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 28-41-106, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-4206, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-133, IDAHO CODE, AS ENACTED BY SECTION 2, CHAPTER 350, LAWS OF 2014, TO REDESIGNATE THE SECTION; AMENDING SECTION 33-133, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 145, LAWS OF 2014, TO REDESIGNATE THE SECTION; AMENDING SECTION 33-518, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-1629, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 33-2303, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1402, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-4431, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 40-528, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 44-2013, IDAHO CODE, AS AMENDED BY SECTION 2, CHAPTER 32, LAWS OF 2011, TO REDESIGNATE THE SECTION; AMENDING SECTION 45-517, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 45-1604, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 46-1110, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 46-1178, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-420G, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 50-1321, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 51-105, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 51-113, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 51-114, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-5003, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 56-609, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-2443, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-3022S, IDAHO CODE, AS ENACTED BY SECTION 1, CHAPTER 85, LAWS OF 2014, TO REDESIGNATE THE SECTION; AMENDING SECTION 66-324, IDAHO CODE, TO REMOVE A CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-450B, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-808, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION 67-808a, IDAHO CODE, RELATING TO THE PURCHASE OF FURNISHINGS

AND ACCESSORIES FOR THE GOVERNOR'S RESIDENCE; REPEALING SECTION 67-808b, IDAHO CODE, RELATING TO MAINTENANCE AND UPKEEP OF THE GOVERNOR'S RESIDENCE; AMENDING SECTION 67-908, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-1401, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-1405, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-1704, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 67-2325, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 67-2338, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-2601A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 67-2603, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION; AMENDING SECTION 67-2724, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-3002, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 67-3531, IDAHO CODE, TO PROVIDE A CORRECT CITATION REFERENCE; AMENDING SECTION 67-4308, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-4501, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-4504, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-5714, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-6603, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6621, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-7010, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7016, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 72-519, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 72-1461, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION.

S 1025, **S 1026**, **S 1027**, **S 1028**, **S 1029**, and **S 1030** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 15, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 10, **H 11**, **H 12**, **H 13**, **H 34**, **H 36**, and **H 37**, by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 41, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 40, by Appropriations Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

H 26 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS–None.

Absent and excused–McKenzie, Siddoway, Vick. Total - 3.

Total - 35.

Whereupon the President declared **H 26** passed, title was approved, and the bill ordered returned to the House.

S 1013 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS–None.

Absent and excused–McKenzie, Siddoway, Vick. Total - 3.

Total - 35.

Whereupon the President declared **S 1013** passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12 noon until the hour of 11:30 a.m., Tuesday, February 3, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

TWENTY-THIRD LEGISLATIVE DAY
TUESDAY, FEBRUARY 3, 2015

Senate Chamber

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

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

Prayer was offered by Chaplain Brent Adamson.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 2, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

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

Senator Rice was recorded present at this order of business.

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

Reports of Standing Committees

February 3, 2015

The JUDICIARY AND RULES Committee reports that **S 1025**, **S 1026**, **S 1027**, **S 1028**, **S 1029**, and **S 1030** have been correctly printed.

HAGEDORN, Vice-Chairman

S 1025, **S 1026**, **S 1027**, and **S 1029** were referred to the Judiciary and Rules Committee.

S 1028 was referred to the Transportation Committee.

S 1030 was referred to the State Affairs Committee.

February 2, 2015

The FINANCE Committee reports out **H 41** with the recommendation that it do pass.

CAMERON, Chairman

H 41 was filed for second reading.

February 2, 2015

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

Deborah Critchfield to the State Board of Education, term to expire July 1, 2018.

MORTIMER, Chairman

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

February 3, 2015

The AGRICULTURAL AFFAIRS Committee reports out **SCR 101** with the recommendation that it do pass.

RICE, Chairman

SCR 101 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

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

Messages from the Governor

February 2, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jim Yost of Meridian, Idaho, was reappointed as a member of the Northwest Power and Conservation Council to serve a term commencing January 15, 2015, and expiring January 15, 2018.

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

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

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 2, 2015

Dear Mr. President:

I transmit herewith **H 14**, **H 20**, **H 21**, **H 22**, and **H 16**, which have passed the House.

ALEXANDER, Chief Clerk

H 14, **H 20**, **H 21**, **H 22**, and **H 16** were filed for first reading.

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

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

S 1031
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO FISH AND GAME; AMENDING SECTION 36-202, IDAHO CODE, TO REVISE A DEFINITION; AND AMENDING SECTION 36-404, IDAHO CODE, TO REVISE RESIDENCY REQUIREMENTS RELATING TO SENIOR RESIDENT COMBINATION LICENSES.

S 1032
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO MOTOR VEHICLE FINANCIAL RESPONSIBILITY; AMENDING SECTION 49-1229, IDAHO CODE, TO INCREASE A FINE AMOUNT.

S 1033
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO CRIMINAL HISTORY RECORDS; AMENDING SECTION 67-3001, IDAHO CODE, TO DEFINE A TERM; AND AMENDING SECTION 67-3008, IDAHO CODE, TO PROVIDE FOR THE RETENTION AND EXPUNGEMENT OF FINGERPRINT RECORDS IN CERTAIN INSTANCES.

S 1034
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO ESCAPE OF PRISONERS; AMENDING SECTION 18-2505, IDAHO CODE, TO PROVIDE FOR PERSONS WHO HAVE REACHED EIGHTEEN YEARS OF AGE AND ESCAPE OR ATTEMPT TO ESCAPE FROM A JUVENILE FACILITY; AND AMENDING SECTION 18-2506, IDAHO CODE, TO PROVIDE FOR PERSONS WHO HAVE REACHED EIGHTEEN YEARS OF AGE AND ESCAPE OR ATTEMPT TO ESCAPE FROM A JUVENILE FACILITY.

S 1035
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO JUVENILE CORRECTIONS; REPEALING SECTION 18-216, IDAHO CODE, RELATING TO CRIMINAL TRIAL OF JUVENILES BARRED, EXCEPTIONS, JURISDICTIONAL HEARING AND TRANSFER OF DEFENDANT TO DISTRICT COURT; AMENDING SECTION 19-2601, IDAHO CODE, TO REMOVE REFERENCE TO JUVENILE PRISONERS, TO PROVIDE CODE REFERENCES, TO PROVIDE THAT THE STATE BOARD OF CORRECTION MAY MAKE RECOMMENDATIONS TO THE COURT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 26, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-2601A, IDAHO CODE, TO AUTHORIZE A BLENDED SENTENCE FOR A CONVICTED JUVENILE; AMENDING SECTION 19-2604, IDAHO CODE, TO PROVIDE A CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 20-219, IDAHO CODE, TO PROVIDE FOR THE BLENDED SENTENCE OF A CONVICTED JUVENILE; AMENDING SECTION 20-508, IDAHO CODE, TO PROVIDE FOR THE BLENDED SENTENCE AND DUAL CUSTODY OF A CONVICTED JUVENILE AND TO PROVIDE A CODE REFERENCE; AMENDING SECTION 20-509, IDAHO CODE, TO PROVIDE FOR THE BLENDED SENTENCE AND DUAL CUSTODY OF A CONVICTED JUVENILE AND TO PROVIDE A CODE REFERENCE; AND AMENDING SECTION 20-520, IDAHO CODE, TO PROVIDE THAT CONVICTED JUVENILES WITH A BLENDED SENTENCE ARE NOT WITHIN THE PURVIEW OF THE CUSTODY REVIEW BOARD AND TO MAKE TECHNICAL CORRECTIONS.

S 1036
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO DENTISTRY; AMENDING SECTION 54-923, IDAHO CODE, TO REQUIRE LICENSEES TO PROVIDE NOTICE OF FELONY CONVICTIONS.

S 1037
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO DENTISTRY; AMENDING SECTION 54-920, IDAHO CODE, TO REMOVE LANGUAGE AND CLARIFY LICENSE STATUS AFTER A FAILURE TO RENEW AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 54-921, IDAHO CODE, TO CLARIFY THE LICENSE REINSTATEMENT PROCESS.

S 1038
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO PUBLIC ASSISTANCE; AMENDING SECTION 56-203B, IDAHO CODE, TO PROHIBIT PUBLIC ASSISTANCE RECIPIENTS FROM ACCEPTING DIRECT PAYMENT OF CHILD SUPPORT OR FORGIVING UNPAID CHILD SUPPORT AND TO MAKE TECHNICAL CORRECTIONS.

S 1031, **S 1032**, **S 1033**, **S 1034**, **S 1035**, **S 1036**, **S 1037**, and **S 1038** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 14, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 20, **H 21**, and **H 22**, by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

H 16, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

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

Third Reading of Bills

H 40 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bayer, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 30.

NAYS–None.

Absent and excused–Bair, Brackett, Den Hartog, McKenzie, Thayn. Total - 5.

Total - 35.

Whereupon the President declared **H 40** passed, title was approved, and the bill ordered returned to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:55 a.m. until the hour of 11:30 a.m., Wednesday, February 4, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

TWENTY-FOURTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 4, 2015

Senate Chamber

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

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

Prayer was offered by Chaplain Brent Adamson.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 3, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

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

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

Reports of Standing Committees

February 4, 2015

The JUDICIARY AND RULES Committee reports that **S 1031**, **S 1032**, **S 1033**, **S 1034**, **S 1035**, **S 1036**, **S 1037**, and **S 1038** have been correctly printed.

HAGEDORN, Vice-Chairman

Senator Schmidt was recorded present at this order of business.

S 1031 was referred to the Resources and Environment Committee.

S 1032, **S 1033**, **S 1034**, and **S 1035** were referred to the Judiciary and Rules Committee.

S 1036, **S 1037**, and **S 1038** were referred to the Health and Welfare Committee.

February 3, 2015

The TRANSPORTATION Committee reports out **S 1015** and **S 1016** with the recommendation that they do pass.

BRACKETT, Chairman

S 1015 and **S 1016** were filed for second reading.

February 3, 2015

The EDUCATION Committee reports out **S 1018**, **S 1019**, and **S 1021** with the recommendation that they do pass.

MORTIMER, Chairman

S 1018, **S 1019**, and **S 1021** were filed for second reading.

February 4, 2015

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

Ruthie Johnson to the Idaho Commission on Human Rights, term to expire July 1, 2017.

Sheila Olsen to the Idaho Commission on Human Rights, term to expire July 1, 2017.

MCKENZIE, Chairman

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

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

Messages from the House

February 3, 2015

Dear Mr. President:

I transmit herewith **H 31**, which has passed the House.

ALEXANDER, Chief Clerk

H 31 was filed for first reading.

February 3, 2015

Dear Mr. President:

I return herewith **S 1002** and **S 1003**, which have passed the House.

ALEXANDER, Chief Clerk

S 1002 and **S 1003** were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of John Chatburn retained its place on the calendar for Thursday, February 5, 2015.

On request by Senator Davis, granted by unanimous consent, **SCR 101** retained its place on the calendar for Monday, February 9, 2015.

The President announced that the Education Committee report relative to the Gubernatorial appointment of Deborah Critchfield was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Cameron, seconded by Senator Werk, the Gubernatorial appointment of Deborah Critchfield as a member of the State Board of Education was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1039
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO EMINENT DOMAIN; AMENDING SECTION 7-711, IDAHO CODE, TO PROVIDE THAT PROPERTY VALUE SHOULD BE ASSESSED BY THE TRIER OF FACT, TO CLARIFY CRITERIA FOR ASSESSMENT OF PROPERTY VALUE AND TO MAKE TECHNICAL CORRECTIONS.

S 1039 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 31, by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 41, by Appropriations Committee, was read the second time at length and filed for third reading.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:55 a.m. until the hour of 11:30 a.m., Thursday, February 5, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

TWENTY-FIFTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 5, 2015

Senate Chamber

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

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

Prayer was offered by Chaplain Brent Adamson.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 4, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

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

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

Reports of Standing Committees

February 5, 2015

The JUDICIARY AND RULES Committee reports that S 1039 has been correctly printed.

HAGDEDORN, Vice-Chairman

S 1039 was referred to the Transportation Committee.

February 4, 2015

The JUDICIARY AND RULES Committee reports that S 1002 and S 1003 have been correctly enrolled.

HAGEDORN, Vice-Chairman

The President signed Enrolled S 1002 and S 1003 and ordered them transmitted to the House for the signature of the Speaker.

February 4, 2015

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

Cassandra Jones as the Executive Director of the Commission on Pardons and Parole, term to expire January 7, 2019.

HAGEDORN, Vice-Chairman

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

February 5, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 27 and H 28 with the recommendation that they do pass.

SIDDOWAY, Chairman

H 27 and H 28 were filed for second reading.

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

Messages from the House

February 4, 2015

Dear Mr. President:

I return herewith S 1012, which has passed the House.

ALEXANDER, Chief Clerk

S 1012 was referred to the Judiciary and Rules Committee for enrolling.

February 4, 2015

Dear Mr. President:

I transmit herewith Enrolled H 26 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 26 and ordered it returned to the House.

Senator Cameron was recorded present at this order of business.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of John Chatburn was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator McKenzie, seconded by Senator Werk, the Gubernatorial reappointment of John Chatburn as the Administrator of the Office of Energy Resources was confirmed by voice vote.

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

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmations of Ruthie Johnson and Sheila Olsen retained its place on the calendar for Friday, February 6, 2015.

The Senate advanced to the Eleventh Order of Business.

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

S 1040
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO CRIMINAL PROCEDURE; AMENDING SECTION 19-2719, IDAHO CODE, TO CLARIFY LANGUAGE REGARDING FILING REQUIREMENTS OF CERTAIN APPEALS WHEN PUNISHMENT OF DEATH HAS BEEN IMPOSED.

S 1041
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO THE SEXUAL OFFENDER REGISTRATION AND NOTIFICATION ACT; AMENDING SECTION 18-8312, IDAHO CODE, TO PROVIDE AN ADDITIONAL MEMBER TO THE SEXUAL OFFENDER MANAGEMENT BOARD WHO HAS EXPERTISE IN SEXUAL OFFENDER POLYGRAPH EXAMINATION.

S 1042
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO RESIDENTIAL CARE; AMENDING SECTION 39-3340, IDAHO CODE, TO PROVIDE THAT A CHANGE OF LEASE DOES NOT REQUIRE FACILITY RELICENSING AND TO MAKE TECHNICAL CORRECTIONS.

S 1043
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO CERTIFIED FAMILY HOMES; AMENDING SECTION 39-3502, IDAHO CODE, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 39-3512, IDAHO CODE, TO PROVIDE THAT MEDICAL FOSTER HOMES ARE EXEMPT FROM CERTIFICATION REQUIREMENTS UNDER CERTAIN CIRCUMSTANCES AND TO MAKE TECHNICAL CORRECTIONS.

S 1044
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT
RELATING TO EMINENT DOMAIN; AMENDING SECTION 7-701A, IDAHO CODE, TO PROVIDE ADDITIONAL RESTRICTIONS ON THE USE OF EMINENT DOMAIN AND TO MAKE TECHNICAL CORRECTIONS.

S 1045
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT
RELATING TO PORT DISTRICTS; AMENDING SECTION 70-1715, IDAHO CODE, TO REVISE REQUIREMENTS FOR AUDITS OF PORT DISTRICTS AND TO MAKE A TECHNICAL CORRECTION.

S 1040, **S 1041**, **S 1042**, **S 1043**, **S 1044**, and **S 1045** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1015 and **S 1016**, by Transportation Committee, were read the second time at length and filed for third reading.

S 1018, **S 1019**, and **S 1021**, by Education Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

H 41 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 31.

NAYS–None.

Absent and excused–Bair, Davis, Nonini, Thayn. Total - 4.

Total - 35.

Whereupon the President declared **H 41** passed, title was approved, and the bill ordered returned to the House.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12 noon until the hour of 11 a.m., Friday, February 6, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

TWENTY-SIXTH LEGISLATIVE DAY
FRIDAY, FEBRUARY 6, 2015

Senate Chamber

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

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

Prayer was offered by Chaplain Brent Adamson.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 5, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

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

The Senate advanced to the Fourth Order of Business.

Reading of Communications

January 21, 2015

The Honorable Brad Little
Lieutenant Governor

Dear Lieutenant Governor Little:

This is to advise you that the Idaho Fish and Game Commission, at its meeting in Lewiston on May 15, 2014 appointed Bob Barowksy to serve as its representative to the Idaho Outfitters and Guides Licensing Board (IOGLB), subject to Senate approval. The term of appointment is May 31, 2014 to May 31, 2017.

Bob is from Fruitland and was the Commissioner representing the Southwest Region. He was appointed July 17, 2006 and served two terms on the Commission ending June 30, 2014.

Bob's experience on the Idaho Fish and Game Commission will serve him well in this assignment. I am confident that Bob's service on the Board will promote an excellent relationship and communications among IOGLB, the Idaho Fish and Game Commission and the Department of Fish and Game.

Sincerely,

/s/ Fred Trevey
Chairman, Idaho Fish and Game Commission

/s/ Virgil Moore
Secretary, Idaho Fish and Game Commission

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

The Idaho Outfitters and Guides Licensing Board appointment was referred to the Resources and Environment Committee.

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

Reports of Standing Committees

February 6, 2015

The JUDICIARY AND RULES Committee reports that **S 1040**, **S 1041**, **S 1042**, **S 1043**, **S 1044**, and **S 1045** have been correctly printed.

HAGEDORN, Vice-Chairman

S 1040 and **S 1041** were referred to the Judiciary and Rules Committee.

S 1042 and **S 1043** were referred to the Health and Welfare Committee.

S 1044 and **S 1045** were referred to the Local Government and Taxation Committee.

February 5, 2015

The JUDICIARY AND RULES Committee reports that **S 1012** has been correctly enrolled.

HAGEDORN, Vice-Chairman

The President signed Enrolled **S 1012** and ordered it transmitted to the House for the signature of the Speaker.

February 5, 2015

The TRANSPORTATION Committee reports out **H 16** and **S 1028** with the recommendation that they do pass.

BRACKETT, Chairman

H 16 and **S 1028** were filed for second reading.

February 5, 2015

The TRANSPORTATION Committee reports out **H 15** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, **H 15** was referred to the Fourteenth Order of Business, General Calendar.

February 6, 2015

The STATE AFFAIRS Committee reports out S 1024 with the recommendation that it do pass.

MCKENZIE, Chairman

S 1024 was filed for second reading.

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

Messages from the House

February 5, 2015

Dear Mr. President:

I transmit herewith HCR 2, H 66, H 43, and H 44, which have passed the House.

ALEXANDER, Chief Clerk

HCR 2, H 66, H 43, and H 44 were filed for first reading.

February 5, 2015

Dear Mr. President:

I transmit herewith Enrolled H 40 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 40 and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Ruthie Johnson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Nonini, seconded by Senator Werk, the Gubernatorial reappointment of Ruthie Johnson as a member of the Idaho Commission on Human Rights was confirmed by voice vote.

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

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Sheila Olsen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by President Pro Tempore Hill, seconded by Senator Stennett, the Gubernatorial reappointment of Sheila Olsen as a member of the Idaho Commission on Human Rights was confirmed by voice vote.

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

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Cassandra Jones retained its place on the calendar for Monday, February 9, 2015.

The Senate advanced to the Eleventh Order of Business.

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

S 1046
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO ENGINEERS AND LAND SURVEYORS; AMENDING SECTION 54-1203, IDAHO CODE, TO REVISE THE NUMBER OF MEMBERS OF THE BOARD, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-1204, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-1207, IDAHO CODE, TO REVISE THE NUMBER OF MEMBERS NECESSARY FOR A QUORUM; AMENDING SECTION 54-1216, IDAHO CODE, TO REVISE PROVISIONS RELATING TO RENEWAL OF LICENSES, TO REVISE THE PENALTY FOR FAILURE TO RENEW A LICENSE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 54-1220, IDAHO CODE, TO PROVIDE A PENALTY FOR FAILURE TO COMPLETE CERTAIN PROFESSIONAL REQUIREMENTS AND TO MAKE A TECHNICAL CORRECTION.

S 1047
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO STATE PURCHASING; AMENDING SECTION 67-5716, IDAHO CODE, TO ALPHABETIZE DEFINITIONS.

S 1048
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO HORSE RACING; AMENDING SECTION 54-2512A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO WAGERING ON AN HISTORICAL HORSE RACE; AND DECLARING AN EMERGENCY.

S 1049
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO PRIMARY ELECTIONS; AMENDING SECTION 34-102, IDAHO CODE, TO REVISE LANGUAGE RELATING TO PRIMARY ELECTIONS AND TO DEFINE A TERM; AMENDING SECTION 34-106, IDAHO CODE, TO PROVIDE THAT PRESIDENTIAL PRIMARIES SHALL BE HELD ON THE SECOND TUESDAY IN MARCH IN PRESIDENTIAL ELECTION YEARS, TO PROVIDE THAT PRESIDENTIAL PRIMARIES SHALL BE HELD SEPARATELY FROM OTHER PRIMARIES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-204, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AMENDING SECTION 34-601, IDAHO CODE, TO PROVIDE THAT PRESIDENTIAL PRIMARIES SHALL BE HELD ON THE SECOND TUESDAY IN MARCH IN PRESIDENTIAL ELECTION YEARS; AMENDING SECTION 34-713, IDAHO

CODE, TO REVISE LANGUAGE RELATING TO PRIMARY BALLOTS; AMENDING CHAPTER 7, TITLE 34, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 34-731 THROUGH 34-738, IDAHO CODE, TO PROVIDE THAT A PRESIDENTIAL PRIMARY SHALL BE HELD ON THE SECOND TUESDAY IN MARCH IN PRESIDENTIAL ELECTION YEARS, TO PROVIDE THAT THE NAME OF A CANDIDATE SHALL APPEAR ON A PRESIDENTIAL PRIMARY BALLOT ONLY IF THE CANDIDATE FILES A DECLARATION OF CANDIDACY AND PAYS A FEE, TO PROVIDE THAT CANDIDATES MAY BE REMOVED FROM THE PRESIDENTIAL PRIMARY BALLOT IN CASES OF DEATH, INCAPACITY OR WITHDRAWAL, TO PROVIDE THAT ELECTORS AT A PRESIDENTIAL PRIMARY MAY VOTE FROM AMONG THE CANDIDATES OF ONE PARTY ONLY, TO PROVIDE THAT THE SECRETARY OF STATE SHALL CERTIFY PRIMARY RESULTS TO STATE PARTY CHAIRS AND TO PROVIDE THAT THE PRIMARY WINNER SHALL BE DECLARED ACCORDING TO PARTY RULES, TO PROVIDE THAT DELEGATES AND ALTERNATES TO THE NATIONAL CONVENTION SHALL BE SELECTED ACCORDING TO PARTY RULES, TO PROVIDE THAT PRESIDENTIAL PRIMARIES SHALL BE CONDUCTED LIKE OTHER PRIMARIES WHERE PRACTICABLE AND TO PROVIDE THAT THE STATE SHALL BEAR THE COSTS OF THE PRESIDENTIAL PRIMARY; AMENDING SECTION 34-740, IDAHO CODE, TO REVISE LANGUAGE RELATING TO RULES; AND AMENDING SECTION 34-1205, IDAHO CODE, TO REVISE LANGUAGE RELATING TO THE COUNTY BOARD OF CANVASSERS.

S 1050
BY EDUCATION COMMITTEE
AN ACT

RELATING TO ADVANCED OPPORTUNITIES; REPEALING SECTION 33-1620, IDAHO CODE, RELATING TO THE MASTERY ADVANCEMENT PROGRAM; REPEALING SECTION 33-1621, IDAHO CODE, RELATING TO APPLICATION TO PARTICIPATE IN PROGRAM; REPEALING SECTION 33-1622, IDAHO CODE, RELATING TO PROGRAM ASSESSMENT AND STUDENT ASSESSMENT; REPEALING SECTION 33-1623, IDAHO CODE, RELATING TO STUDENT ADVANCEMENT, DUAL CREDIT, EARLY GRADUATION, MASTERY ADVANCEMENT SCHOLARSHIP AND RESIDUAL SAVINGS; REPEALING SECTION 33-1626, IDAHO CODE, RELATING TO ADVANCED OPPORTUNITIES; REPEALING SECTION 33-1628, IDAHO CODE, RELATING TO THE "8 IN 6 PROGRAM"; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 46, TITLE 33, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR ADVANCED OPPORTUNITIES, TO PROVIDE FOR THE "8 IN 6 PROGRAM," TO PROVIDE FOR THE MASTERY ADVANCEMENT PROGRAM AND TO PROVIDE RULEMAKING AUTHORITY; AND AMENDING SECTION 33-1002, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS.

S 1046, **S 1047**, **S 1048**, **S 1049**, and **S 1050** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

HCR 2, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

H 66, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 43 and **H 44**, by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 27 and **H 28**, by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Winder, granted by unanimous consent, **S 1015** retained its place on the Third Reading Calendar for Monday, February 9, 2015.

S 1016 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS–None.

Absent and excused–Davis, Hill. Total - 2.

Total - 35.

Whereupon the President declared **S 1016** passed, title was approved, and the bill ordered transmitted to the House.

S 1018 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the President declared **S 1018** passed, title was approved, and the bill ordered transmitted to the House.

S 1019 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Heider, Hill, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 32.

NAYS–Hagedorn, Johnson. Total - 2.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the President declared **S 1019** passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:40 a.m. until the hour of 11 a.m., Monday, February 9, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

TWENTY-NINTH LEGISLATIVE DAY
MONDAY, FEBRUARY 9, 2015

Senate Chamber

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

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

Prayer was offered by Chaplain Brent Adamson.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 6, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

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

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

Reports of Standing Committees

February 9, 2015

The JUDICIARY AND RULES Committee reports that **S 1046**, **S 1047**, **S 1048**, **S 1049**, and **S 1050** have been correctly printed.

HAGEDORN, Vice-Chairman

S 1046 and **S 1047** were referred to the Commerce and Human Resources Committee.

S 1048 and **S 1049** were referred to the State Affairs Committee.

S 1050 was referred to the Education Committee.

February 6, 2015

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

Sharon Harrigfeld as the Director of the Department of Juvenile Corrections, term to expire January 7, 2019.

HAGEDORN, Vice-Chairman

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

February 6, 2015

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

Michael Gibson to the Commission for the Blind and Visually Impaired, term to expire July 1, 2017.

Travis Beck to the Commission for the Blind and Visually Impaired, term to expire July 1, 2016.

HEIDER, Chairman

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

February 6, 2015

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

Charles Cuddy to the Idaho Water Resource Board, term to expire January 1, 2019.

Dale Van Stone to the Idaho Water Resource Board, term to expire January 1, 2019.

Jeffery Raybould to the Idaho Water Resource Board, term to expire January 1, 2019.

Peter Van Der Meulen to the Idaho Water Resource Board, term to expire January 1, 2019.

BAIR, Chairman

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

Senator Cameron was recorded present at this order of business.

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

Messages from the Governor

February 5, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Curt Fransen of Garden City, Idaho, was reappointed Director of the Department of Environmental Quality to serve a term commencing January 5, 2015, and expiring January 7, 2019.

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

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

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

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

February 5, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

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

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

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

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

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

February 5, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jeffery Sayer of Eagle, Idaho, was reappointed Director of the Department of Commerce to serve a term commencing January 5, 2015, and expiring January 7, 2019.

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

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

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

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

February 5, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Shane Gehring of Nampa, Idaho, was appointed as a member of the Bingo-Raffle Advisory Board to serve a term commencing January 21, 2015, and expiring January 7, 2018.

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

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

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

The Gubernatorial appointment was referred to the State Affairs Committee.

February 5, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Janet Gallimore of Boise, Idaho, was reappointed State Historic Preservation Officer to serve a term commencing January 5, 2015, and expiring January 7, 2019.

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

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

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

The Gubernatorial reappointment was referred to the State Affairs Committee.

February 5, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Joy Fisher of Moscow, Idaho, was reappointed as a member of the Public Employee Retirement System of Idaho Board to serve a term commencing July 1, 2014, and expiring July 1, 2019.

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

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

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 6, 2015

Dear Mr. President:

I transmit herewith **H 55**, **H 42**, and **H 47**, which have passed the House.

ALEXANDER, Chief Clerk

H 55, **H 42**, and **H 47** were filed for first reading.

February 6, 2015

Dear Mr. President:

I return herewith **S 1013**, which has passed the House.

ALEXANDER, Chief Clerk

S 1013 was referred to the Judiciary and Rules Committee for enrolling.

February 6, 2015

Dear Mr. President:

I return herewith Enrolled **S 1002** and **S 1003**, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1002** and **S 1003** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

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

On motion by Senator Martin, seconded by Senator Buckner-Webb, the Gubernatorial appointment of Cassandra Jones as the Executive Director of the Commission on Pardons and Parole was confirmed by voice vote.

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

The President announced that **SCR 101** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Rice, seconded by Senator Ward-Engelking, **SCR 101** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

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

S 1051

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO INFORMAL PROBATE AND APPOINTMENT PROCEEDINGS; AMENDING SECTION 15-3-304, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE UNAVAILABILITY OF INFORMAL PROBATE IN CERTAIN CASES AND TO MAKE A TECHNICAL CORRECTION.

S 1052

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO SPENDTHRIFT TRUSTS; AMENDING SECTION 15-7-502, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION.

S 1053

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE PROTECTION OF PERSONS UNDER DISABILITY AND THEIR PROPERTY; AMENDING SECTION 15-5-316, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE RIGHTS AND POWERS OF GUARDIANS AD LITEM; AND AMENDING SECTION 15-5-435, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE RIGHTS AND POWERS OF GUARDIANS AD LITEM.

S 1054

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE UNIFORM RECOGNITION OF SUBSTITUTE DECISION-MAKING DOCUMENTS ACT; AMENDING TITLE 15, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 15, TITLE 15, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE FOR THE VALIDITY OF A SUBSTITUTE DECISION-MAKING DOCUMENT, TO PROVIDE MEANING AND EFFECT OF A SUBSTITUTE DECISION-MAKING DOCUMENT, TO AUTHORIZE RELIANCE UPON A SUBSTITUTE DECISION-MAKING DOCUMENT UNDER CERTAIN CONDITIONS, TO PROVIDE FOR AN OBLIGATION TO ACCEPT A SUBSTITUTE DECISION-MAKING DOCUMENT UNDER CERTAIN CONDITIONS, TO PROVIDE FOR REMEDIES UNDER OTHER LAW, TO PROVIDE FOR UNIFORMITY OF APPLICATION AND CONSTRUCTION, TO PROVIDE FOR RELATION TO THE ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT AND TO PROVIDE APPLICABILITY.

S 1055

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE UNIFORM FIDUCIARY ACCESS TO DIGITAL ASSETS ACT; AMENDING TITLE 15, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 14, TITLE 15, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE APPLICABILITY, TO AUTHORIZE ACCESS BY A PERSONAL REPRESENTATIVE TO A DIGITAL ASSET OF A DECEDENT, TO AUTHORIZE ACCESS BY A CONSERVATOR TO A DIGITAL ASSET OF A PROTECTED PERSON, TO AUTHORIZE ACCESS BY AN AGENT TO A DIGITAL ASSET OF A PRINCIPAL, TO AUTHORIZE ACCESS BY A TRUSTEE TO A DIGITAL ASSET, TO

PROVIDE AUTHORITY FOR A FIDUCIARY UNDER CERTAIN CONDITIONS, TO PROVIDE FOR COMPLIANCE WITH THE UNIFORM FIDUCIARY ACCESS TO DIGITAL ASSETS ACT FOR CERTAIN PERSONS, TO PROVIDE IMMUNITY FOR A CUSTODIAN, TO PROVIDE FOR UNIFORMITY OF APPLICATION AND CONSTRUCTION, TO PROVIDE FOR RELATION TO THE ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT AND TO PROVIDE SEVERABILITY.

S 1056
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO NONPROBATE TRANSFERS; AMENDING CHAPTER 6, TITLE 15, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 15-6-403, IDAHO CODE, TO PROVIDE FOR A RIGHT OF SURVIVORSHIP FOR PERSONAL PROPERTY HELD AS COMMUNITY PROPERTY; AND AMENDING CHAPTER 6, TITLE 15, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 15-6-404, IDAHO CODE, TO PROVIDE THAT THE RIGHT OF SURVIVORSHIP IS EXTINGUISHED IN CERTAIN INSTANCES.

S 1057
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO IRRIGATION DISTRICTS; AMENDING SECTION 43-303, IDAHO CODE, TO PROVIDE FOR ALTERNATIVE MEETING LOCATIONS.

S 1058
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO IRRIGATION DISTRICTS; AMENDING SECTION 43-707A, IDAHO CODE, TO REMOVE CERTAIN REFERENCES TO BANK DRAFTS AND CHECKS, TO PROVIDE FOR ACCEPTANCE OF ADDITIONAL METHODS OF PERSONAL OR OTHER NONGUARANTEED FORMS OF PAYMENT RELATING TO ASSESSMENTS, TO PROVIDE FOR ENTRY OF THE ASSESSMENT NUMBER ON THE TRANSACTION RECEIPT, TO PROVIDE FOR CERTAIN RECEIPTS UPON REQUEST, TO PROVIDE FOR INVALIDITY OF A RECEIPT IF PAYMENT IS REFUSED BY A FINANCIAL INSTITUTION, TO REVISE PROVISIONS RELATING TO THE REDEMPTION OF FAILED PAYMENTS, TO PROVIDE FOR ADDITIONAL TRANSACTION, PROCESSING AND CONVENIENCE FEES AND TO MAKE TECHNICAL CORRECTIONS.

S 1059
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT

RELATING TO IRRIGATION DISTRICTS; AMENDING CHAPTER 7, TITLE 43, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 43-733, IDAHO CODE, TO PROVIDE FOR SPECIAL ASSESSMENTS TO PAY FOR PHYSICAL STRUCTURES OR OTHER WORK NECESSARY TO PROTECT IRRIGATION DISTRICT FACILITIES FROM HARM CAUSED BY CERTAIN RUNOFF OR DRAINAGE, TO PROVIDE A CONDITION OF ISSUANCE OF SUCH SPECIAL ASSESSMENT, TO PROVIDE FOR THE ASSESSMENT OF INDIVIDUAL LANDS THAT ARE THE SOURCE OF RUNOFF OR DRAINAGE, TO PROVIDE THAT ASSESSMENTS SHALL BE FOR CERTAIN COSTS, TO PROVIDE THAT ASSESSMENTS SHALL BE IN ADDITION TO ASSESSMENTS FOR THE DELIVERY OF WATER, TO PROVIDE FOR THE APPLICABILITY OF CERTAIN PROVISIONS RELATING TO DELINQUENT ASSESSMENTS AND TO PROVIDE THAT SPECIAL ASSESSMENTS SHALL BE SUBJECT TO REVIEW PURSUANT TO SPECIFIED LAW.

S 1051, **S 1052**, **S 1053**, **S 1054**, **S 1055**, **S 1056**, **S 1057**, **S 1058**, and **S 1059** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 55, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 42, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 47, by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 16, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

S 1028, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1024, by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Winder, granted by unanimous consent, **S 1015** retained its place on the Third Reading Calendar for one legislative day.

S 1021 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

NAYS–Bair, Cameron. Total - 2.

Total - 35.

Whereupon the President declared **S 1021** passed, title was approved, and the bill ordered transmitted to the House.

H 27 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Werk arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider,

Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 35.

Whereupon the President declared **H 27** passed, title was approved, and the bill ordered returned to the House.

H 28 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

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

Whereupon the President declared **H 28** passed, title was approved, and the bill ordered returned to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12 noon until the hour of 11 a.m., Tuesday, February 10, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

THIRTIETH LEGISLATIVE DAY
TUESDAY, FEBRUARY 10, 2015

Senate Chamber

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

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

Prayer was offered by Chaplain Brent Adamson.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 9, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

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

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

Reports of Standing Committees

February 10, 2015

The JUDICIARY AND RULES Committee reports that **S 1051**, **S 1052**, **S 1053**, **S 1054**, **S 1055**, **S 1056**, **S 1057**, **S 1058**, and **S 1059** have been correctly printed.

HAGEDORN, Vice-Chairman

S 1051, **S 1052**, **S 1053**, **S 1054**, **S 1055**, and **S 1056** were referred to the Judiciary and Rules Committee.

S 1057, **S 1058**, and **S 1059** were referred to the Resources and Environment Committee.

February 9, 2015

The JUDICIARY AND RULES Committee reports that **S 1013** has been correctly enrolled.

HAGEDORN, Vice-Chairman

The President signed Enrolled **S 1013** and ordered it transmitted to the House for the signature of the Speaker.

February 9, 2015

The JUDICIARY AND RULES Committee reports that Enrolled **S 1002** and **S 1003** were delivered to the Office of the Governor at 11:40 a.m., February 9, 2015.

HAGEDORN, Vice-Chairman

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

February 9, 2015

The EDUCATION Committee reports out **H 20**, **H 21**, and **H 22** with the recommendation that they do pass.

MORTIMER, Chairman

H 20, **H 21**, and **H 22** were filed for second reading.

Senator Lee was recorded present at this order of business.

February 10, 2015

The HEALTH AND WELFARE Committee reports out **S 1036** and **S 1037** with the recommendation that they do pass.

HEIDER, Chairman

S 1036 and **S 1037** were filed for second reading.

February 10, 2015

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

Celia Gould as the Director of the Department of Agriculture, term to expire January 7, 2019.

RICE, Chairman

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

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

Messages from the Governor

February 5, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Gary Sayler of Kuna, Idaho, was reappointed Adjutant General of the Idaho Military Division to serve a term commencing January 17, 2015, and continuing at the pleasure of the Governor.

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

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

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

The Gubernatorial reappointment was referred to the State Affairs Committee.

February 5, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Wendy Lively of Ammon, Idaho, was reappointed as a member of the Bingo-Raffle Advisory Board to serve a term commencing January 7, 2015, and expiring January 7, 2018.

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

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

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

The Gubernatorial reappointment was referred to the State Affairs Committee.

February 6, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Debra Field of Meridian, Idaho, was appointed as a member of the State Board of Correction to serve a term commencing January 15, 2015, and expiring January 1, 2017.

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

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

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 9, 2015

Dear Mr. President:

I transmit herewith **H 5**, **H 7**, **H 9**, **H 48**, and **H 49**, which have passed the House.

ALEXANDER, Chief Clerk

H 5, **H 7**, **H 9**, **H 48**, and **H 49** were filed for first reading.

February 9, 2015

Dear Mr. President:

I transmit herewith Enrolled **H 41** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 41** and ordered it returned to the House.

February 9, 2015

Dear Mr. President:

I return herewith Enrolled **S 1012**, which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1012** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

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

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

On motion by Senator Buckner-Webb, seconded by Senator Hagedorn, the Gubernatorial reappointment of Sharon Harrigfeld as the Director of the Department of Juvenile Corrections was confirmed by voice vote.

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

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

On motion by Senator Nuxoll, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Charles Cuddy as a member of the Idaho Water Resource Board was confirmed by voice vote.

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

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

On motion by Senator Keough, seconded by Senator Buckner-Webb, the Gubernatorial appointment of Dale Van Stone as a member of the Idaho Water Resource Board was confirmed by voice vote.

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

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

On motion by Senator Siddoway, seconded by Senator Werk, the Gubernatorial reappointment of Jeffery Raybould as a member of the Idaho Water Resource Board was confirmed by voice vote.

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

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of Peter Van Der Meulen retained its place on the calendar for Wednesday, February 11, 2015.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Michael Gibson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lakey, seconded by Senator Burgoyne, the Gubernatorial reappointment of Michael Gibson as a member of the Commission for the Blind and Visually Impaired was confirmed by voice vote.

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

The President announced that the Health and Welfare Committee report relative to the Gubernatorial appointment of Travis Beck was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Martin, seconded by Senator Werk, the Gubernatorial appointment of Travis Beck as a member of the Commission for the Blind and Visually Impaired was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1060
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO PSYCHOLOGISTS; AMENDING SECTION 54-2302, IDAHO CODE, TO DEFINE A TERM; AMENDING SECTION 54-2305, IDAHO CODE, TO GRANT SPECIFIC RULEMAKING AUTHORITY TO THE BOARD OF PSYCHOLOGIST EXAMINERS; AMENDING CHAPTER 23, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2316, IDAHO CODE, TO PROVIDE THAT SOME PSYCHOLOGISTS MAY ISSUE CERTAIN PRESCRIPTIONS, TO PROVIDE THAT PRESCRIBING PSYCHOLOGISTS SHALL CONSULT WITH PATIENTS' MEDICAL PROVIDERS AND TO PROVIDE THAT PSYCHOLOGICAL PRESCRIPTIONS COMPLY WITH APPLICABLE LAWS AND REGULATIONS; AND AMENDING CHAPTER 23, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2317, IDAHO CODE, TO PROVIDE THAT PSYCHOLOGISTS MUST HAVE CERTAIN QUALIFICATIONS TO OBTAIN A CERTIFICATE OF PRESCRIPTIVE AUTHORITY, TO PROVIDE THAT THE BOARD SHALL DEVELOP RULES RELATING TO CERTIFICATES OF PRESCRIPTIVE AUTHORITY AND TO PROVIDE THAT THE BOARD SHALL ESTABLISH AN ADVISORY PANEL.

S 1060 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 5, **H 7**, and **H 9**, by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 48 and **H 49**, by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

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

Third Reading of Bills

On request by Senator Hagedorn, granted by unanimous consent, **S 1015** was referred to the Fourteenth Order of Business, General Calendar.

H 16 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bayer, Brackett, Cameron, Davis, Guthrie, Hagedorn, Heider, Keough, Lakey, Johnson (Lodge), Nonini, Nuxoll, Patrick, Rice, Souza, Tippets, Vick, Winder. Total - 18.

NAYS–Bair, Buckner-Webb, Burgoyne, Den Hartog, Hill, Johnson, Lee, Martin, McKenzie, Mortimer, Schmidt, Siddoway, Thayn, Ward-Engelking, Werk. Total - 15.

Absent and excused–Lacey, Stennett. Total - 2.

Total - 35.

Whereupon the President declared **H 16** passed, title was approved, and the bill ordered returned to the House.

S 1028 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Thayn, Tippets, Ward-Engelking, Werk, Winder. Total - 31.

NAYS–Siddoway, Vick. Total - 2.

Absent and excused–Lacey, Stennett. Total - 2.

Total - 35.

Whereupon the President declared **S 1028** passed, title was approved, and the bill ordered transmitted to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Werk, by voice vote, the Senate adjourned at 12:10 p.m. until the hour of 11 a.m., Wednesday, February 11, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

THIRTY-FIRST LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 11, 2015

Senate Chamber

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

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

Prayer was offered by Chaplain Brent Adamson.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 10, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

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

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

Petitions, Resolutions, and Memorials

SCR 102
BY TRANSPORTATION COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REQUESTING THAT THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE DIRECT THE OFFICE OF PERFORMANCE EVALUATIONS TO MANAGE AN INDEPENDENT EVALUATION OF THE LOCAL HIGHWAY TECHNICAL ASSISTANCE COUNCIL BY A QUALIFIED, OUT-OF-STATE CONSULTANT OR CONSULTANTS.

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

WHEREAS, the Local Highway Technical Assistance Council (LHTAC) was established under Chapter 24, Title 40, Idaho Code, by the Idaho Legislature in 1994; and

WHEREAS, twenty years have passed since the creation of LHTAC and many of the factors that lead to its establishment may have evolved; and

WHEREAS, the mission of LHTAC is to assist Idaho's local highway jurisdictions, including the cities, counties and highway districts across the state, with utilizing the available resources for maintenance and construction of Idaho's local highway system in the most efficient and effective manner possible; and

WHEREAS, LHTAC is entrusted to cooperate with, and receive and expend aid and donations from, the federal government and the state government; and

WHEREAS, LHTAC has been granted the authority to act for local jurisdictions, including the execution of contracts and the expenditure of funds; and

WHEREAS, LHTAC is bound by state contracting and purchasing statutes, procedures and rules; and

WHEREAS, LHTAC is required by Idaho law to have conducted annual fiscal audits, albeit such audits are limited in scope; and

WHEREAS, the Legislature has the responsibility to ensure that all resources expended by agencies to which it has granted authority are spent appropriately.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Joint Legislative Oversight Committee is requested to direct the Office of Performance Evaluations to manage an independent evaluation of LHTAC by a qualified, out-of-state consultant or consultants without current contractual relationships with LHTAC, any of the local highway jurisdictions served by LHTAC, the Idaho Transportation Department (ITD) or any consultant or contractor that works for or with LHTAC, any of the local highway jurisdictions served by LHTAC or ITD and without any other conflict of interest. The evaluation shall, at a minimum, address the following:

(1) Whether the manner in which LHTAC awards contracts complies with all applicable state statutes, procedures and policies.

(2) Under what circumstances, if any, has LHTAC awarded no-bid contracts and, if so, whether LHTAC violated any state statute, procedure or policy.

(3) Whether LHTAC, in its normal course of operation, meets industry standards with respect to its review of contractor work, certification of completed projects, resolution of disputes and prompt payment of contractors.

(4) Determine the portion of LHTAC funds that are consumed by administrative overhead, staff salaries and other non-construction and maintenance activities.

(5) Whether the size of the LHTAC staff meets industry standards for the volume and type of work it conducts.

(6) Whether all resources including, but not limited to, federal and state funds, have been properly accounted for, and over the last two state fiscal years, have been expended in compliance with all state and federal requirements.

BE IT FURTHER RESOLVED that the independent evaluation shall address the advantages, disadvantages, practicality and costs of possible alternatives to delivering services currently being provided by LHTAC including:

(1) Having local highway jurisdictions complete the work themselves or through the use of contractors;

(2) Having ITD assume responsibility for the work; or

(3) Other alternatives.

BE IT FURTHER RESOLVED that the independent evaluation shall address how similar services are provided in other states with similarly sized local highway jurisdiction arrangements and budgets.

BE IT FURTHER RESOLVED that the Joint Legislative Oversight Committee is requested to direct the Office of Performance Evaluations to develop a scope of study to address the issues set forth herein. As part of this study, the Office of Performance Evaluations shall develop and submit a report to the Legislature not later than the First Regular Session of

the Sixty-fourth Idaho Legislature, on findings concerning best practices and appropriate performance measures. At the conclusion of each phase of the consultant's work, the Joint Legislative Oversight Committee is requested to submit a report of the completed results of the independent evaluation to the Legislature. The results so reported are to include action-item recommendations upon which the Legislature can act to improve the operation of LHTAC.

SCR 102 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

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

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 11, 2015

The JUDICIARY AND RULES Committee reports that S 1060 has been correctly printed.

HAGEDORN, Vice-Chairman

S 1060 was referred to the Health and Welfare Committee.

February 10, 2015

The JUDICIARY AND RULES Committee reports that Enrolled S 1012 was delivered to the Office of the Governor at 2 p.m., February 10, 2015.

HAGEDORN, Vice-Chairman

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

February 10, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out H 14 with the recommendation that it be referred to a different committee.

TIPPETS, Chairman

There being no objection, H 14 was referred to the Transportation Committee.

February 10, 2015

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

Julie DeLorenzo to the Idaho Transportation 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 10, 2015

The RESOURCES AND ENVIRONMENT Committee reports out S 1020 and S 1031 with the recommendation that they do pass.

BAIR, Chairman

S 1020 and S 1031 were filed for second reading.

February 10, 2015

The HEALTH AND WELFARE Committee reports out S 1042 and S 1043 with the recommendation that they do pass.

HEIDER, Chairman

S 1042 and S 1043 were filed for second reading.

February 10, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 10, H 11, H 12, H 13, H 34, H 36, and H 37 with the recommendation that they do pass.

SIDDOWAY, Chairman

H 10, H 11, H 12, H 13, H 34, H 36, and H 37 were filed for second reading.

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

Messages from the Governor

February 9, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Ken Edmunds of Twin Falls, Idaho, was reappointed Director of the Department of Labor to serve a term commencing January 5, 2015, and expiring January 7, 2019.

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

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

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Commerce and Human Resources Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 10, 2015

Dear Mr. President:

I transmit herewith H 50, H 24, H 25, H 4, H 6, H 8, HCR 4, and H 77, which have passed the House.

ALEXANDER, Chief Clerk

H 50, H 24, H 25, H 4, H 6, H 8, HCR 4, and H 77 were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Peter Van Der Meulen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Stennett, seconded by Senator Hagedorn, the Gubernatorial reappointment of Peter Van Der Meulen as a member of the Idaho Water Resource Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Agricultural Affairs Committee report relative to the Gubernatorial reappointment of Celia Gould was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Brackett, seconded by Senator Burgoyne, the Gubernatorial reappointment of Celia Gould as the Director of the Department of Agriculture was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1061
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO HIGHWAY DISTRICTS; AMENDING SECTION 40-1305, IDAHO CODE, TO REVISE PROVISIONS RELATING TO TERMS OF OFFICE AND ELECTIONS OF HIGHWAY COMMISSIONERS; AND DECLARING AN EMERGENCY.

S 1062
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO HEALTH CARE; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 92, TITLE 39, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DECLARE PUBLIC POLICY AND TO PROVIDE THAT DIRECT CARE AGREEMENTS DO NOT CONSTITUTE INSURANCE, TO DEFINE TERMS, TO SPECIFY THAT DIRECT CARE AGREEMENTS INCLUDE CERTAIN PROVISIONS, TO PROHIBIT MEDICAL PROVIDERS FROM BILLING INSURERS FOR DIRECT MEDICAL SERVICES, TO PROVIDE THAT DIRECT CARE AGREEMENTS SHALL NOT BE REGULATED AS INSURANCE, TO PROVIDE THAT DIRECT CARE AGREEMENTS INCLUDE A DISCLAIMER AND TO RESTRICT SALES OR TRANSFERS OF DIRECT CARE AGREEMENTS.

S 1063
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO LAND SURVEYING; AMENDING SECTION 54-1202, IDAHO CODE, TO REVISE DEFINITIONS; AND AMENDING SECTION 54-1227, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE A CODE REFERENCE.

S 1064
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO COSMETICIANS; AMENDING SECTION 54-805, IDAHO CODE, TO REVISE REQUIREMENTS FOR LICENSURE AS A REGISTERED COSMETOLOGIST.

S 1065
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT
RELATING TO ANNEXATION; AMENDING CHAPTER 2, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-221A, IDAHO CODE, TO PROVIDE A NOTICE OF INTENT TO ANNEX AND TO PROVIDE PROCEDURES FOR AN ELECTION FOR CERTAIN PARCELS; AMENDING SECTION 50-222, IDAHO CODE, TO PROVIDE WHEN ELECTION PROVISIONS APPLY FOR CERTAIN PARCELS AND TO MAKE TECHNICAL CORRECTIONS; AND PROVIDING AN EFFECTIVE DATE.

S 1061, S 1062, S 1063, S 1064, and S 1065 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 50, by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 24, H 25, H 4, H 6, and H 8, by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

HCR 4, by Revenue and Taxation Committee, was introduced, read at length, and referred to the Local Government and Taxation Committee.

H 77, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 20, H 21, and H 22, by Education Committee, were read the second time at length and filed for third reading.

S 1036 and S 1037, by Health and Welfare Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1024 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 31.

NAYS–None.

Absent and excused–Buckner-Webb, Lacey, Patrick, Ward-Engelking. Total - 4.

Total - 35.

Whereupon the President declared **S 1024** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12 noon until the hour of 11 a.m., Thursday, February 12, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

THIRTY-SECOND LEGISLATIVE DAY
THURSDAY, FEBRUARY 12, 2015

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senators Burgoyne and Lacey, absent and formally excused by the Chair.

Prayer was offered by Senator Winder.

The Pledge of Allegiance was led by Paul Kennedy, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 11, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 103
BY JUDICIARY AND RULES COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF POTENTIAL APPROACHES TO PUBLIC DEFENSE REFORM.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Public Defense Reform Interim Committee was authorized by the Legislative Council at the recommendation of the members of the Second Regular Session of the Sixty-second Idaho Legislature for the purpose of undertaking and completing a study of potential approaches to the public defense system; and

WHEREAS, the Public Defense Reform Interim Committee committed itself to the task of identifying potential necessary improvements in Idaho's public defense system and developing recommendations for public defense reform; and

WHEREAS, the Public Defense Reform Interim Committee identified areas that need to be addressed in Idaho's public defense system. Such areas include, but are not limited to: public defense contracting practices and data reporting; caseloads and workloads; training and resources for public defense attorneys; and qualifications and experience standards for public defense attorneys; and

WHEREAS, the Public Defense Reform Interim Committee has sought to address such areas through legislation that include a public defense model where, although public defense delivery at the trial level would remain primarily funded and administered at the county level, certain oversight and administration authority would be statutorily delegated to the State Public Defense Commission authorized to promulgate certain rules with which counties are required to comply, including statewide training and continuing legal education requirements for public defense attorneys and uniform data reporting requirements. In addition, the State Public Defense Commission was statutorily required to make recommendations to the First Regular Session of the Sixty-third Idaho Legislature, and may make recommendations during the regular sessions of the Legislature thereafter as deemed necessary, for legislation relating to certain requirements for public defense contracts; standards for the qualification and experience of public defense attorneys; enforcement mechanisms; funding issues; and reclassifying certain misdemeanors as infractions; and

WHEREAS, the legislation recommended by the Public Defense Reform Interim Committee also provided for a public defense model where the counties' statutory duty to provide for counsel at public expense is accomplished by one of the following: (1) establish an office of public defender; (2) establish a joint office of public defender with one or more other counties; (3) contract with an existing office of public defender; or (4) contract with a defending attorney provided that no such contract shall include a flat fee pricing structure; and

WHEREAS, during the course of its study, the Public Defense Reform Interim Committee identified additional issues in need of further study. Such issues include: reclassifying certain misdemeanors as infractions; funding issues; and effective mechanisms to ensure compliance with public defense system standards and requirements.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislative Council is authorized to appoint a committee to continue the efforts to undertake and complete a study of potential approaches to public defense reform including, but not limited to: funding issues; public defense contracting practices; data reporting; standards for training and experience of public defense attorneys; and effective enforcement mechanisms to ensure compliance with public defense system standards and requirements. The committee shall consist of ten legislators, with five from the Senate and five from the House of Representatives. The Legislative Council shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that the cochairmen of the committee are authorized to appoint advisors with technical expertise in the area of public defense and are expected to receive input from stakeholders in the criminal justice system of Idaho.

BE IT FURTHER RESOLVED that any advisors to the committee who are not legislative members shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges.

BE IT FURTHER RESOLVED that the commission shall report its findings, recommendations and proposed legislation, if any, to the Second Regular Session of the Sixty-third Idaho Legislature.

SCR 103 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 12, 2015

The JUDICIARY AND RULES Committee reports that SCR 102, S 1061, S 1062, S 1063, S 1064, and S 1065 have been correctly printed.

HAGEDORN, Vice-Chairman

S 1061 was referred to the Transportation Committee.

S 1062, S 1063, and S 1064 were referred to the Commerce and Human Resources Committee.

S 1065 was referred to the Local Government and Taxation Committee.

On request by Senator Brackett, granted by unanimous consent, SCR 102 was referred to the Transportation Committee.

February 11, 2015

The RESOURCES AND ENVIRONMENT Committee reports it has had under consideration the Gubernatorial reappointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Gary Spackman as the Director of the Idaho Department of Water Resources, term to continue at the pleasure of the Governor.

BAIR, Chairman

The Gubernatorial reappointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 10, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Sid Cellan of Soda Springs, Idaho, was reappointed as a member of the Oil and Gas Commission to serve a term commencing July 1, 2014, and expiring July 1, 2018.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Resources and Environment Committee.

February 11, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that William Wellman of Nampa, Idaho, was appointed as a member of the State Public Defense Commission to serve a term commencing July 1, 2014, and expiring July 1, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

February 11, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kermit Kiebert of Hope, Idaho, was reappointed as a member of the Board of Environmental Quality to serve a term commencing July 1, 2014, and expiring July 1, 2018.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Health and Welfare Committee.

February 11, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1002, S 1003, and S 1012

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 11, 2015

Dear Mr. President:

I transmit herewith **H 23**, which has passed the House.

ALEXANDER, Chief Clerk

H 23 was filed for first reading.

February 11, 2015

Dear Mr. President:

I transmit herewith Enrolled **H 27** and **H 28** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 27** and **H 28** and ordered them returned to the House.

February 11, 2015

Dear Mr. President:

I return herewith Enrolled **S 1013**, which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1013** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Transportation Committee report relative to the Gubernatorial reappointment of Julie DeLorenzo was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Brackett, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Julie DeLorenzo as a member of the Idaho Transportation Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1066
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO PRIMARY ELECTIONS; AMENDING SECTION 34-102, IDAHO CODE, TO REVISE LANGUAGE RELATING TO PRIMARY ELECTIONS AND TO DEFINE A TERM; AMENDING SECTION 34-106, IDAHO CODE, TO PROVIDE THAT PRESIDENTIAL PRIMARIES SHALL BE HELD ON THE SECOND TUESDAY IN MARCH IN PRESIDENTIAL ELECTION YEARS, TO PROVIDE THAT PRESIDENTIAL PRIMARIES SHALL BE HELD SEPARATELY FROM OTHER PRIMARIES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-204, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AMENDING SECTION 34-601, IDAHO CODE, TO PROVIDE THAT PRESIDENTIAL PRIMARIES SHALL BE HELD ON THE SECOND TUESDAY IN MARCH IN PRESIDENTIAL ELECTION YEARS; AMENDING SECTION 34-713, IDAHO CODE, TO REVISE LANGUAGE RELATING TO PRIMARY BALLOTS; AMENDING CHAPTER 7, TITLE 34, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 34-731 THROUGH 34-738, IDAHO CODE, TO ESTABLISH A PRESIDENTIAL PRIMARY, TO PROVIDE THAT THE NAME OF A CANDIDATE SHALL APPEAR ON A PRESIDENTIAL PRIMARY BALLOT ONLY IF THE CANDIDATE FILES A DECLARATION OF CANDIDACY AND PAYS A FEE, TO PROVIDE THAT CANDIDATES MAY BE REMOVED FROM THE PRESIDENTIAL PRIMARY BALLOT IN CASES OF DEATH, INCAPACITY OR WITHDRAWAL, TO PROVIDE THAT ELECTORS AT A PRESIDENTIAL PRIMARY MAY VOTE FROM AMONG THE CANDIDATES OF ONE PARTY ONLY, TO PROVIDE THAT THE SECRETARY OF STATE SHALL CERTIFY PRIMARY RESULTS TO STATE PARTY CHAIRS AND TO PROVIDE THAT THE PRIMARY WINNER SHALL BE DECLARED ACCORDING TO PARTY RULES, TO PROVIDE THAT DELEGATES AND ALTERNATES TO THE NATIONAL CONVENTION SHALL BE SELECTED ACCORDING TO PARTY RULES, TO PROVIDE THAT PRESIDENTIAL PRIMARIES SHALL BE CONDUCTED LIKE OTHER PRIMARIES WHERE PRACTICABLE AND TO PROVIDE THAT THE STATE SHALL BEAR THE COSTS OF THE PRESIDENTIAL PRIMARY; AMENDING SECTION 34-740, IDAHO CODE, TO REVISE LANGUAGE RELATING TO RULES; AMENDING SECTION 34-904A, IDAHO CODE, TO REVISE LANGUAGE RELATING TO ELIGIBILITY TO VOTE IN PRIMARY ELECTIONS; AND AMENDING SECTION 34-1205, IDAHO CODE, TO REVISE LANGUAGE RELATING TO THE COUNTY BOARD OF CANVASSERS.

S 1067
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO THE UNIFORM INTERSTATE FAMILY SUPPORT ACT; AMENDING SECTION 7-1002, IDAHO CODE, TO REVISE DEFINITIONS, TO DEFINE TERMS AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1003, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND WELFARE IS THE SUPPORT ENFORCEMENT AGENCY; AMENDING SECTION 7-1004, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1004A, IDAHO CODE, TO PROVIDE FOR THE APPLICATION OF THE CHAPTER TO RESIDENT OF FOREIGN COUNTRY AND FOREIGN SUPPORT PROCEEDINGS; AMENDING SECTION 7-1005, IDAHO CODE, TO REVISE TERMINOLOGY, TO REVISE A CODE REFERENCE AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1007, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE REFERENCE TO A FOREIGN COUNTRY; AMENDING SECTION 7-1008, IDAHO CODE, TO PROVIDE REFERENCE TO A FOREIGN COUNTRY; AMENDING SECTION 7-1010, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1011, IDAHO CODE, TO REVISE TERMINOLOGY, TO PROVIDE REFERENCE TO A FOREIGN COUNTRY, TO

REVISE A PROVISION RELATING TO RECOGNITION OF A CHILD-SUPPORT ORDER, TO REVISE A CODE REFERENCE AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1012, IDAHO CODE, TO PROVIDE REFERENCE TO A FOREIGN COUNTRY AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1013, IDAHO CODE, TO REVISE TERMINOLOGY, TO PROVIDE REFERENCE TO A FOREIGN COUNTRY AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1014, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 7-1015, IDAHO CODE, TO PROVIDE REFERENCE TO A FOREIGN COUNTRY; AMENDING SECTION 7-1016, IDAHO CODE, TO PROVIDE REFERENCE TO A FOREIGN COUNTRY; AMENDING SECTION 7-1019, IDAHO CODE, TO REVISE TERMINOLOGY AND TO REMOVE REFERENCE TO A POLITICAL SUBDIVISION; AMENDING SECTION 7-1020, IDAHO CODE, TO REVISE TERMINOLOGY, TO PROVIDE REFERENCE TO ELECTRONIC MAIL AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1021, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 7-1022, IDAHO CODE, TO REVISE TERMINOLOGY, TO PROVIDE REFERENCE TO A FOREIGN COUNTRY AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1023, IDAHO CODE, TO REMOVE REFERENCE TO A POLITICAL SUBDIVISION; AMENDING SECTION 7-1025, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE REFERENCE TO A FOREIGN COUNTRY; AMENDING SECTION 7-1026, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE REFERENCE TO A FOREIGN COUNTRY; AMENDING SECTION 7-1028, IDAHO CODE, TO REVISE TERMINOLOGY, TO PROVIDE REFERENCE TO A FOREIGN COUNTRY AND TO REVISE A CODE REFERENCE; AMENDING SECTION 7-1031, IDAHO CODE, TO REVISE TERMINOLOGY, TO PROVIDE REFERENCE TO ELECTRONIC COMMUNICATION AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1032, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE REFERENCE TO ELECTRONIC COMMUNICATION; AMENDING SECTION 7-1033, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 7-1034, IDAHO CODE, TO PROVIDE REFERENCE TO A FOREIGN COUNTRY; AMENDING SECTION 7-1035, IDAHO CODE, TO PROVIDE FOR PERSONAL JURISDICTION OVER THE PARTIES WHEN A TRIBUNAL ESTABLISHES A SUPPORT ORDER IN THIS STATE, TO PROVIDE A CODE REFERENCE, TO REVISE TERMINOLOGY AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1035A, IDAHO CODE, TO PROVIDE FOR A PROCEEDING TO DETERMINE PARENTAGE; AMENDING SECTION 7-1039, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 7-1040, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 7-1042, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE REFERENCE TO A FOREIGN SUPPORT ORDER; AMENDING SECTION 7-1043, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE REFERENCE TO A FOREIGN SUPPORT ORDER; AMENDING SECTION 7-1044, IDAHO CODE, TO PROVIDE A CODE REFERENCE, TO PROVIDE REFERENCE TO A FOREIGN SUPPORT ORDER, TO REVISE TERMINOLOGY AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1045, IDAHO CODE, TO PROVIDE REFERENCE TO A FOREIGN SUPPORT ORDER AND A FOREIGN COUNTRY, TO REVISE TERMINOLOGY AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 7-1046, IDAHO CODE, TO PROVIDE REFERENCE TO A FOREIGN COUNTRY; AMENDING SECTION 7-1047, IDAHO CODE, TO PROVIDE REFERENCE TO A FOREIGN SUPPORT ORDER, TO REVISE TERMINOLOGY, TO PROVIDE A CODE REFERENCE, TO PROVIDE THAT THE SUPPORT ENFORCEMENT AGENCY SHALL NOTIFY AN OBLIGOR'S EMPLOYER UPON REGISTRATION OF AN INCOME-WITHHOLDING ORDER AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1048, IDAHO CODE, TO REVISE TERMINOLOGY, TO REMOVE REFERENCE TO A DEADLINE AND TO PROVIDE A CODE REFERENCE; AMENDING SECTION 7-1049, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1050, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 7-1051, IDAHO CODE, TO REVISE A CODE REFERENCE AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1052, IDAHO CODE, TO REVISE TERMINOLOGY, TO REVISE A CODE REFERENCE AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1053, IDAHO CODE, TO REMOVE CODE REFERENCES, TO REVISE TERMINOLOGY, TO PROVIDE THAT A TRIBUNAL OF THIS STATE RETAINS JURISDICTION TO MODIFY AN ORDER UNDER CERTAIN CONDITIONS AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1055, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1057, IDAHO CODE, TO REMOVE REFERENCE TO POLITICAL SUBDIVISIONS, TO PROVIDE A CODE REFERENCE, TO REVISE LANGUAGE REGARDING A FOREIGN COUNTRY THAT DOES NOT MODIFY ITS CHILD-SUPPORT ORDER, TO CLARIFY LANGUAGE REGARDING AN ORDER ISSUED AND TO PROVIDE CONSISTENT LANGUAGE; REPEALING SECTION 7-1058, IDAHO CODE, RELATING TO PROCEEDING TO DETERMINE PARENTAGE; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1058, IDAHO CODE, TO PROVIDE A PROCEDURE TO REGISTER A CHILD-SUPPORT ORDER OF A FOREIGN COUNTRY FOR MODIFICATION; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1059, IDAHO CODE, TO DEFINE TERMS; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1060, IDAHO CODE, TO PROVIDE FOR APPLICABILITY; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1061, IDAHO CODE, TO PROVIDE FOR THE RELATIONSHIP OF THE DEPARTMENT OF HEALTH AND WELFARE TO THE UNITED STATES CENTRAL AUTHORITY; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1062, IDAHO CODE, TO PROVIDE FOR AN INITIATION OF A SUPPORT PROCEEDING BY THE DEPARTMENT OF HEALTH AND WELFARE UNDER THE CONVENTION; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1063, IDAHO CODE, TO PROVIDE FOR A DIRECT REQUEST REGARDING SUPPORT ORDERS, SUPPORT AGREEMENTS OR DETERMINATION OF PARENTAGE; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1064, IDAHO

CODE, TO PROVIDE FOR THE REGISTRATION OF A CONVENTION SUPPORT ORDER; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1065, IDAHO CODE, TO PROVIDE FOR THE CONTEST OF A REGISTERED CONVENTION SUPPORT ORDER; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1066, IDAHO CODE, TO PROVIDE FOR THE RECOGNITION AND ENFORCEMENT OF A REGISTERED CONVENTION SUPPORT ORDER; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1067, IDAHO CODE, TO PROVIDE FOR PARTIAL ENFORCEMENT OF A CONVENTION SUPPORT ORDER; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1068, IDAHO CODE, TO PROVIDE FOR FOREIGN SUPPORT AGREEMENTS; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1069, IDAHO CODE, TO PROVIDE FOR THE MODIFICATION OF A CONVENTION CHILD-SUPPORT ORDER; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1070, IDAHO CODE, TO PROVIDE A LIMITATION ON THE USE OF PERSONAL INFORMATION; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1071, IDAHO CODE, TO PROVIDE FOR THE ORIGINAL LANGUAGE AND ENGLISH TRANSLATION FOR CERTAIN RECORDS; AMENDING SECTION 7-1059, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 7-1060, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE CONSISTENT LANGUAGE; AMENDING SECTION 7-1061, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE TERMINOLOGY; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1075, IDAHO CODE, TO PROVIDE A TRANSITIONAL PROVISION; AND AMENDING SECTION 7-1062, IDAHO CODE, TO REDESIGNATE THE SECTION.

S 1068
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO RENEWAL OF JUDGMENTS; AMENDING SECTION 11-105, IDAHO CODE, TO INCREASE THE PERIOD OF TIME THAT A CERTAIN JUDGMENT MAY BE ENFORCED; PROVIDING AN EFFECTIVE DATE AND PROVIDING APPLICATION.

S 1069
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO RENEWAL OF JUDGMENTS; AMENDING SECTION 11-105, IDAHO CODE, TO INCREASE THE PERIOD OF TIME THAT A CERTAIN JUDGMENT MAY BE ENFORCED; PROVIDING AN EFFECTIVE DATE AND PROVIDING APPLICATION.

S 1070
BY EDUCATION COMMITTEE
AN ACT
RELATING TO GRADUATION REQUIREMENTS; AMENDING SECTION 33-119, IDAHO CODE, TO PROVIDE FOR AN ALTERNATE ROUTE TO QUALIFY FOR GRADUATION FROM AN ACCREDITED SECONDARY SCHOOL; AND DECLARING AN EMERGENCY.

S 1071
BY EDUCATION COMMITTEE
AN ACT
RELATING TO COURSES OF INSTRUCTION; AMENDING SECTION 33-1602, IDAHO CODE, TO PROVIDE THAT CERTAIN PUPILS MUST PASS A CERTAIN CIVICS TEST IN ORDER TO QUALIFY FOR GRADUATION FROM A SECONDARY SCHOOL AND TO PROVIDE RELATED PROVISIONS.

S 1072
BY EDUCATION COMMITTEE
AN ACT
RELATING TO ELECTIONS OF SCHOOL DISTRICT TRUSTEES; AMENDING SECTION 33-503, IDAHO CODE, TO PROVIDE THAT CERTAIN CODE SECTIONS SHALL APPLY TO ALL ELECTIONS OF SCHOOL DISTRICT TRUSTEES AND TO PROVIDE RELATED PROVISIONS; AND DECLARING AN EMERGENCY.

S 1066, **S 1067**, **S 1068**, **S 1069**, **S 1070**, **S 1071**, and **S 1072** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 23, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1020 and **S 1031**, by Resources and Environment Committee, were read the second time at length and filed for third reading.

S 1042 and **S 1043**, by Health and Welfare Committee, were read the second time at length and filed for third reading.

H 10, **H 11**, **H 12**, **H 13**, **H 34**, **H 36**, and **H 37**, by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, **H 20** retained its place on the Third Reading Calendar for one legislative day.

H 21 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Burgoyne, Lacey. Total - 2.

Total - 35.

Whereupon the President declared **H 21** passed, title was approved, and the bill ordered returned to the House.

H 22 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Burgoyne, Lacey. Total - 2.

Total - 35.

Whereupon the President declared H 22 passed, title was approved, and the bill ordered returned to the House.

S 1036 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Burgoyne, Lacey. Total - 2.

Total - 35.

Whereupon the President declared S 1036 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Martin, granted by unanimous consent, S 1037 retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the Senate went at ease and resolved itself into the Committee for the Lincoln Day Service.

The Lincoln Day Program was presented to the members of the Senate with Co-chairman Senator Souza providing opening remarks. The Prayer was offered by Senator Winder.

"America the Beautiful" was performed by Ashley Smith, accompanied by Whitney Payne on piano. The Senate pages offered their favorite Lincoln quotes.

Closing remarks were provided by Co-chairman Senator Lee. She extended gratitude to all who helped with the program and the Lincoln Day Service was dissolved.

On request by Senator Davis, granted by unanimous consent, the names of the Senate pages, their hometowns and favorite Lincoln quotes was ordered spread upon the pages of the Senate Journal.

Brook Chick, Plummer: "Always bear in mind that your own resolution to succeed is more important than any other."

Cameron Floyd, Boise: "Nearly all men can stand adversity, but if you want to test a man's character, give him power."

Haley Fronk, Boise: "You cannot escape the responsibility of tomorrow by evading it today."

Laura Hahn, Meridian: "Intelligence, patriotism, Christianity, and a firm reliance on Him who has never yet forsaken this favored land, are still competent to adjust, in the best way, all our present difficulty."

Paul Kennedy, Boise: "Those who deny freedom to others deserve it not for themselves."

Brenton Kloepfer, Rupert: "We can complain because rose bushes have thorns, or rejoice because thorn bushes have roses."

Jameson Lake, Eagle: "Stand with anybody that stands right. Stand with him while he is right and part with him when he goes wrong."

Karessa Love, Malad: "I will prepare and someday my chance will come."

Miles Madden, Kuna: "Beavers build houses; but they build them in nowise differently, or better now, than they did, five thousand years ago. Ants, and honeybees provide food for winter; but just in the same way they did, when Solomon referred the sluggard to them as patterns of prudence. Man is not the only animal who labors; but he is the only one who improves his workmanship."

Mariem Mastouri, Manouba, Tunisia: "I am a slow walker, but I never walk back."

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:50 a.m. until the hour of 11 a.m., Friday, February 13, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

THIRTY-THIRD LEGISLATIVE DAY
FRIDAY, FEBRUARY 13, 2015

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senator Lacey, absent and formally excused by the Chair; and Senators Cameron, and Keough, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Jameson Lake, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 12, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 104
BY HEALTH AND WELFARE COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE HEALTH QUALITY PLANNING COMMISSION TO PREPARE A PLAN FOR A COMPREHENSIVE SUICIDE PREVENTION PROGRAM IN IDAHO.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, suicide is a leading cause of death among Idahoans; and

WHEREAS, Idaho has one of the highest suicide rates in the nation; and

WHEREAS, the difference between Idaho deaths by suicide and the national average continues to increase; and

WHEREAS, certain suicide risk factors have been identified by the Centers for Disease Control and Prevention; and

WHEREAS, the members of certain population groups in Idaho are at high risk of suicide; and

WHEREAS, the Health Quality Planning Commission is tasked with promoting the health and safety of Idahoans; and

WHEREAS, the Health Quality Planning Commission is tasked with making recommendations to the Legislature.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Health Quality Planning Commission prepare an implementation plan for a comprehensive suicide prevention program such as the Idaho Suicide Prevention Plan published by the Idaho Council on Suicide Prevention.

BE IT FURTHER RESOLVED that the plan include the involvement of the Idaho Council on Suicide Prevention and other stakeholders, and that it give special consideration to the institutional changes necessary to better prevent suicide, to training for state, educational, health care and public safety personnel and others likely to be able to prevent suicide through their interaction with persons at risk, and to programs and policies designed to serve those most at risk of suicide.

BE IT FURTHER RESOLVED that the commission report its findings and recommendations, including proposals for policy or statutory changes, to the Second Regular Session of the Sixty-third Idaho Legislature.

SCR 104 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 13, 2015

The JUDICIARY AND RULES Committee reports that **SCR 103**, **S 1066**, **S 1067**, **S 1068**, **S 1069**, **S 1070**, **S 1071**, and **S 1072** have been correctly printed.

HAGEDORN, Vice-Chairman

SCR 103 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1066 was referred to the State Affairs Committee.

S 1067, **S 1068**, and **S 1069** were referred to the Judiciary and Rules Committee.

S 1070, **S 1071**, and **S 1072** were referred to the Education Committee.

February 12, 2015

The JUDICIARY AND RULES Committee reports that Enrolled **S 1013** was delivered to the Office of the Governor at 2:03 p.m., February 12, 2015.

HAGEDORN, Vice-Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 12, 2015

The STATE AFFAIRS Committee reports out **S 1011** with the recommendation that it do pass.

MCKENZIE, Chairman

S 1011 was filed for second reading.

February 12, 2015

The TRANSPORTATION Committee reports out **H 44** with the recommendation that it do pass.

BRACKETT, Chairman

H 44 was filed for second reading.

February 13, 2015

The STATE AFFAIRS Committee reports out **HCR 2** with the recommendation that it do pass.

MCKENZIE, Chairman

HCR 2 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 13, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 42**, **H 77**, and **S 1045** with the recommendation that they do pass.

SIDDOWAY, Chairman

H 42, **H 77**, and **S 1045** were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 12, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Darrell Kerby of Bonners Ferry, Idaho, was reappointed as a member of the State Board of Health and Welfare to serve a term commencing January 7, 2015, and expiring January 7, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Health and Welfare Committee.

February 12, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jim V. Giuffre of Boise, Idaho, was reappointed as a member of the State Board of Health and Welfare to serve a term commencing January 7, 2015, and expiring January 7, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Health and Welfare Committee.

February 12, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Richard Roberge of Caldwell, Idaho, was reappointed as a member of the State Board of Health and Welfare to serve a term commencing January 7, 2015, and expiring January 7, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Health and Welfare Committee.

February 12, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Stephen Weeg of Pocatello, Idaho, was reappointed as a member of the State Board of Health and Welfare to serve a term commencing January 7, 2015, and expiring January 7, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Health and Welfare Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 12, 2015

Dear Mr. President:

I transmit herewith **H 46**, **HJM 1**, **HJM 2**, and **H 59**, which have passed the House.

ALEXANDER, Chief Clerk

H 46, **HJM 1**, **HJM 2**, and **H 59** were filed for first reading.

Senator Keough was recorded present at this order of business.

February 12, 2015

Dear Mr. President:

I transmit herewith Enrolled **H 16** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 16** and ordered it returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1073
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT
RELATING TO NOXIOUS WEEDS; AMENDING SECTION 22-2402, IDAHO CODE, TO DEFINE TERMS AND TO REVISE A DEFINITION; AND AMENDING SECTION 22-2404, IDAHO CODE, TO AUTHORIZE THE DIRECTOR OF THE IDAHO STATE DEPARTMENT OF AGRICULTURE TO ALLOW THE COLLECTION, REMOVAL AND MOVEMENT OF NOXIOUS WEEDS FROM AN INFESTED AREA TO A FACILITY WITHIN THE STATE FOR PURPOSES OF BIOLOGICAL CONTROL RESEARCH AND TO PROVIDE CONDITIONS.

S 1074
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT
RELATING TO THE IDAHO HONEY COMMISSION; AMENDING SECTION 22-2803, IDAHO CODE, TO REVISE THE NAME OF THE COMMISSION; REPEALING SECTION 22-2804, IDAHO CODE, RELATING TO MEMBERS OF THE IDAHO HONEY ADVERTISING COMMISSION; AMENDING CHAPTER 28, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-2804, IDAHO CODE, TO PROVIDE FOR THE IDAHO HONEY COMMISSION, TO PROVIDE FOR MEMBERS, TO PROVIDE QUALIFICATIONS, TO PROVIDE THAT THE IDAHO HONEY INDUSTRY ASSOCIATION MAY REQUEST THE REMOVAL OF A MEMBER, TO PROVIDE FOR NOMINATION AND APPOINTMENT OF MEMBERS, TO PROVIDE FOR TERMS, TO PROVIDE FOR THE ELECTION OF A CHAIRMAN AND DELEGATION OF THE FUNCTION OF THE COMMISSION, TO PROVIDE FOR A QUORUM, TO PROVIDE FOR OATHS, TO PROVIDE FOR COMPENSATION AND TO PROVIDE FOR MEETINGS; AMENDING SECTION 22-2806, IDAHO CODE, TO REVISE THE NAME OF THE COMMISSION; AMENDING SECTION 22-2809, IDAHO CODE, TO PROVIDE THAT CERTAIN REGISTERED BEEKEEPERS SHALL NOT VOTE AT REFERENDUMS AND TO REVISE THE NAME OF A FUND; AMENDING SECTIONS 22-2813 AND 22-2814, IDAHO CODE, TO REVISE THE NAME OF A FUND; AND AMENDING SECTIONS 67-450D AND 67-5303, IDAHO CODE, TO REVISE THE NAME OF THE COMMISSION; AND DECLARING AN EMERGENCY.

S 1075
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO CORRECTIONAL INDUSTRIES; AMENDING SECTION 20-412, IDAHO CODE, TO REVISE A PROVISION RELATING TO PRISONERS ENGAGED IN PRODUCTIVE WORK, TO PROVIDE THAT CERTAIN INMATES WHO ARE COMPENSATED SHALL NOT BE CONSIDERED TO BE AN EMPLOYEE OF OR EMPLOYED BY CERTAIN EMPLOYERS AND TO PROVIDE THAT AN INMATE ENGAGED IN PRODUCTIVE WORK SHALL NOT BE ENTITLED TO WORKER'S COMPENSATION OR UNEMPLOYMENT BENEFITS.

S 1076
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO BENEFIT CORPORATIONS; AMENDING TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 20, TITLE 30, IDAHO CODE, TO PROVIDE A SHORT TITLE AND STATE THE APPLICATION AND EFFECT OF THIS CHAPTER, TO DEFINE TERMS, TO ESTABLISH INCORPORATION REQUIREMENTS FOR BENEFIT CORPORATIONS, TO ESTABLISH THE PROCESS UNDER WHICH BENEFIT CORPORATION STATUS IS ADOPTED, TO ESTABLISH THE PROCESS UNDER WHICH BENEFIT CORPORATION STATUS IS TERMINATED, TO DESCRIBE THE PURPOSES OF BENEFIT CORPORATIONS, TO ESTABLISH STANDARDS OF CONDUCT FOR DIRECTORS, TO PROVIDE THAT CERTAIN BENEFIT CORPORATIONS SHALL HAVE AND OTHERS MAY HAVE A BENEFIT DIRECTOR AND TO ESTABLISH RULES RELATING TO THE BENEFIT DIRECTOR, TO ESTABLISH STANDARDS OF CONDUCT FOR OFFICERS, TO PROVIDE THAT BENEFIT CORPORATIONS MAY HAVE A BENEFIT OFFICER WHO PERFORMS CERTAIN DUTIES, TO PROVIDE RULES FOR BRINGING AN ACTION AGAINST A BENEFIT CORPORATION, TO REQUIRE AN ANNUAL BENEFIT REPORT AND TO REQUIRE THE BENEFIT REPORT BE MADE AVAILABLE TO CERTAIN PERSONS AND THE PUBLIC.

S 1077
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO DEATH CERTIFICATES; AMENDING SECTION 54-1142, IDAHO CODE, TO PROVIDE THAT CERTAIN PERSONS HAVE A DIRECT AND TANGIBLE INTEREST IN DEATH CERTIFICATES AND TO MAKE A TECHNICAL CORRECTION.

S 1078
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO MORTGAGE INSURANCE; AMENDING SECTION 41-2653, IDAHO CODE, TO REMOVE LANGUAGE RELATING TO COVERAGE LIMITS AND TO MAKE TECHNICAL CORRECTIONS.

S 1079
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO ENGINEERS AND SURVEYORS; AMENDING SECTION 50-1304, IDAHO CODE, TO REVISE THE REQUIRED FORM OF A PLAT OFFERED FOR RECORD AND TO PROVIDE FOR NEW REQUIREMENTS ON WHAT SHALL BE DISPLAYED ON A PLAT; AMENDING SECTION 50-1310, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO PROVIDE A CODE REFERENCE; AMENDING SECTION 54-1212, IDAHO CODE, TO REVISE TERMINOLOGY RELATING TO CERTIFICATION AS AN INTERN AND ASSIGNMENT TO PROFESSIONAL EXAMINATIONS AND TO REVISE THE QUALIFICATIONS FOR CERTIFICATION AS AN ENGINEER INTERN OR LAND SURVEY INTERN; AMENDING SECTION 54-1214, IDAHO CODE, TO CLARIFY LANGUAGE RELATING TO FAILURE OF ALL OR PART OF AN EXAMINATION; AMENDING SECTION 54-1234, IDAHO CODE, TO CLARIFY LANGUAGE RELATING TO THE DEFACING OF MONUMENTATION; AMENDING SECTION 55-1905, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE, TO PROVIDE A CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 55-1906, IDAHO CODE, TO REVISE LANGUAGE RELATING TO REQUIRED CONTENT FOR A RECORD OF SURVEY.

S 1080
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO GENETIC COUNSELORS; AMENDING TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 56, TITLE 54, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE A SCOPE OF PRACTICE FOR GENETIC COUNSELORS, TO PROVIDE EXEMPTIONS FOR LICENSURE, TO REQUIRE A LICENSE TO PRACTICE GENETIC COUNSELING, TO ESTABLISH THE GENETIC COUNSELORS LICENSING BOARD, TO PROVIDE FOR POWERS OF THE BOARD, TO SPECIFY REQUIREMENTS FOR LICENSURE, TO PROVIDE FOR ENDORSEMENT LICENSURE, TO PROVIDE FOR A PROVISIONAL LICENSE, TO PROVIDE FOR THE LICENSING OF EXISTING GENETIC COUNSELORS, TO PROVIDE FOR LICENSE RENEWAL, TO ESTABLISH FEES FOR LICENSURE, TO PROVIDE FOR DENIAL OF A LICENSE AND DISCIPLINE, TO PROVIDE FOR CONFIDENTIALITY BY LICENSEES AND TO PROHIBIT CERTAIN ACTS.

S 1081
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO SELF-FUNDED HEALTH CARE PLANS; AMENDING SECTION 41-4002, IDAHO CODE, TO DEFINE A TERM AND TO REVISE DEFINITIONS; AMENDING SECTION 41-4010, IDAHO CODE, TO PROVIDE RESERVES AND SURPLUS REQUIREMENTS OF PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTIONS WITH A PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTION PLAN.

S 1082
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO HIGHWAY DISTRICT RECORDS; AMENDING CHAPTER 13, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-1337A, IDAHO CODE, TO PROVIDE FOR THE REPRODUCTION AND RETENTION OF DOCUMENTS IN PHOTOGRAPHIC, DIGITAL AND OTHER NONPAPER MEDIUM, TO PROVIDE CONDITIONS RELATING TO THE MEDIUM CHOSEN FOR REPRODUCTION AND RETENTION, TO PROVIDE THAT DOCUMENTS RETAINED PURSUANT TO SPECIFIED LAW SHALL BE CONSIDERED ORIGINAL PUBLIC RECORDS, TO PROVIDE THAT CERTAIN CERTIFIED COPIES SHALL BE DEEMED TRANSCRIPTS, TO PROVIDE FOR THE DISPOSAL OR RETURN OF ORIGINAL PAPER DOCUMENTS, TO PROVIDE FOR TREATMENT OF REQUISITE DUPLICATE COPIES AND TO PROVIDE THAT HIGHWAY DISTRICTS MAY INCORPORATE ELECTRONIC VERSIONS OF AGREEMENTS BY REFERENCE INTO CONTRACTS IF CERTAIN CONDITIONS ARE MET.

S 1083
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO LICENSE PLATES; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE A CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-420N, IDAHO CODE, TO PROVIDE FOR AMERICA THE BEAUTIFUL® PLATES.

S 1084
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO SUPPORT OUR TROOPS LICENSE PLATES; AMENDING SECTION 49-415D, IDAHO CODE, TO REVISE THE NAME AND LOCATION DESIGNATION OF A CERTAIN ORGANIZATION AND TO PROVIDE FOR SUPPORT AND ASSISTANCE TO SPECIFIED MILITARY SERVICE MEMBERS AND THEIR FAMILIES.

S 1085
BY EDUCATION COMMITTEE
AN ACT
RELATING TO THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-125B, IDAHO CODE, TO PROVIDE DUTIES OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION RELATING TO THE SMARTER BALANCED ASSESSMENT CONSORTIUM; AND DECLARING AN EMERGENCY.

S 1086
BY EDUCATION COMMITTEE
AN ACT
RELATING TO PROFESSIONAL-TECHNICAL EDUCATION; AMENDING SECTION 33-2205, IDAHO CODE, TO CLARIFY PROVISIONS RELATING TO THE DIVISION OF PROFESSIONAL-TECHNICAL EDUCATION, TO PROVIDE DUTIES AND POWERS OF THE DIVISION OF PROFESSIONAL-TECHNICAL EDUCATION AND TO GRANT CERTAIN RULEMAKING AUTHORITY TO THE STATE BOARD OF EDUCATION.

S 1087
BY EDUCATION COMMITTEE
AN ACT
RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING SECTION 33-5205, IDAHO CODE, TO PROVIDE AN ADDITIONAL PREFERENCE IN ADMISSION TO PUBLIC CHARTER SCHOOLS.

S 1088
BY EDUCATION COMMITTEE
AN ACT
RELATING TO EDUCATION; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-522A, IDAHO CODE, TO SPECIFY WHEN A REDUCTION IN FORCE MAY OCCUR AND TO DEFINE REDUCTION IN FORCE; REPEALING SECTION 3, CHAPTER 353, LAWS OF 2013, RELATING TO THE REPEAL OF CERTAIN CODE SECTIONS; REPEALING SECTION 33-514, IDAHO CODE, AS ENACTED BY SECTION 4, CHAPTER 353, LAWS OF 2013, RELATING TO INSURANCE OF ANNUAL CONTRACTS, SUPPORT PROGRAMS, CATEGORIES OF CONTRACTS AND OPTIONAL PLACEMENT; REPEALING SECTION 33-515, IDAHO CODE, AS ENACTED BY SECTION 5, CHAPTER 353, LAWS OF 2013, RELATING TO ISSUANCE OF RENEWABLE CONTRACTS; AMENDING SECTION 2, CHAPTER 144, LAWS OF 2014, TO REMOVE AN EFFECTIVE DATE; AND PROVIDING AN EFFECTIVE DATE.

S 1089
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO BEER AND WINE LICENSES; AMENDING SECTION 23-942, IDAHO CODE, TO REVISE THE DEFINITIONS OF "LICENSEE" AND "PLACE"; AMENDING SECTION 23-1001, IDAHO CODE, TO REVISE THE DEFINITION OF "PREMISES" AND TO ADD A DEFINITION OF "MOBILE OR TEMPORARY FOOD COURT"; AMENDING SECTION 23-1010, IDAHO CODE, TO PROVIDE REFERENCE TO MOBILE OR TEMPORARY FOOD COURT AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 10, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-1011C, IDAHO CODE, TO PROVIDE FOR A LICENSE TO SELL BEER AT A PLACE; AMENDING SECTION 23-1303, IDAHO CODE, TO ADD A DEFINITION OF "MOBILE OR TEMPORARY FOOD COURT," TO REVISE THE DEFINITION OF "WINE BY-THE-DRINK LICENSE" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 13, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-1307B, IDAHO CODE, TO PROVIDE FOR A LICENSE TO SELL WINE BY-THE-DRINK AT A PLACE; AND DECLARING AN EMERGENCY.

S 1090
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO CONCEALED WEAPONS; AMENDING SECTION 18-3302, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO DEFINE TERMS AND TO REVISE PROVISIONS RELATING TO POLICIES AND PROCEDURES IN THE ISSUANCE OF A LICENSE TO CARRY CONCEALED WEAPONS; AMENDING SECTION 18-3302I, IDAHO CODE, TO REMOVE A DEFINITION; AMENDING SECTION 18-3302K, IDAHO CODE, TO REVISE PROVISIONS RELATING TO POLICIES AND PROCEDURES IN THE ISSUANCE OF AN ENHANCED LICENSE TO CARRY CONCEALED WEAPONS; AMENDING SECTION 18-3316, IDAHO CODE, TO REMOVE A DEFINITION; AMENDING SECTION 31-870, IDAHO CODE, TO PROVIDE THAT A BOARD OF COUNTY COMMISSIONERS SHALL NOT IMPOSE OR COLLECT A FEE FOR LICENSES TO CARRY CONCEALED WEAPONS; AND AMENDING SECTION 9-340B, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

S 1091
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO CHALLENGES TO APPORTIONMENT PLANS; AMENDING CHAPTER 15, TITLE 72, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 72-1509, IDAHO CODE, TO PROVIDE THAT WITHIN THE TIME AND IN THE MANNER PRESCRIBED BY RULE OF THE SUPREME COURT, ANY REGISTERED VOTER, INCORPORATED CITY OR COUNTY IN THIS STATE MAY APPEAL TO THE SUPREME COURT A CONGRESSIONAL OR LEGISLATIVE REDISTRICTING PLAN ADOPTED BY THE REAPPORTIONMENT COMMISSION AND TO PROVIDE DUTIES OF THE COMMISSION; AND AMENDING CHAPTER 15, TITLE 72, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 72-1510, IDAHO CODE, TO PROVIDE THAT PRIOR TO OCTOBER 1 OF A YEAR ENDING IN ONE, IN WHICH A NEW FEDERAL CENSUS IS AVAILABLE, ANY REGISTERED VOTER, INCORPORATED CITY OR COUNTY IN THIS STATE MAY CHALLENGE AN EXISTING LEGISLATIVE APPORTIONMENT BASED UPON THE NEW FEDERAL CENSUS BY FILING A PETITION IN THE SUPREME COURT INVOKING ITS ORIGINAL JURISDICTION IN SUCH MANNER AS PRESCRIBED BY RULE OF THE SUPREME COURT.

S 1092
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT
RELATING TO KNIVES; AMENDING CHAPTER 33, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-3326, IDAHO CODE, TO PROVIDE THAT A POLITICAL SUBDIVISION SHALL NOT ENACT CERTAIN RULES, ORDINANCES OR TAXES RELATING TO KNIVES AND TO PROVIDE THAT CERTAIN RULES AND ORDINANCES FROM A POLITICAL SUBDIVISION SHALL BE NULL AND VOID.

S 1093
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT
RELATING TO ANNEXATION; AMENDING CHAPTER 2, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-221A, IDAHO CODE, TO PROVIDE A NOTICE OF INTENT TO ANNEX AND TO PROVIDE PROCEDURES FOR AN ELECTION FOR CERTAIN PARCELS; AMENDING SECTION 50-222, IDAHO CODE, TO PROVIDE WHEN ELECTION PROVISIONS APPLY FOR CERTAIN PARCELS AND TO MAKE TECHNICAL CORRECTIONS; AND PROVIDING AN EFFECTIVE DATE.

S 1094
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO ABORTION; AMENDING SECTION 18-604, IDAHO CODE, TO DEFINE A TERM; AMENDING SECTION 18-608, IDAHO CODE, TO PROVIDE THAT ABORTIONS SHALL ONLY BE LAWFUL WHEN PERFORMED BY A PHYSICIAN WITH ADMITTING PRIVILEGES AT A HOSPITAL WITHIN TWENTY MILES OF WHERE THE PHYSICIAN PERFORMS ABORTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-608A, IDAHO CODE, TO PROVIDE THAT A PHYSICIAN WHO PERFORMS ABORTIONS MUST HAVE ADMITTING PRIVILEGES AT A HOSPITAL WITHIN TWENTY MILES OF WHERE THE PHYSICIAN PERFORMS ABORTIONS; AND PROVIDING SEVERABILITY.

S 1073, **S 1074**, **S 1075**, **S 1076**, **S 1077**, **S 1078**, **S 1079**, **S 1080**, **S 1081**, **S 1082**, **S 1083**, **S 1084**, **S 1085**, **S 1086**, **S 1087**, **S 1088**, **S 1089**, **S 1090**, **S 1091**, **S 1092**, **S 1093**, and **S 1094** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 46, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

HJM 1, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

HJM 2, by Resources and Conservation Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

H 59, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

Senator Cameron was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:25 a.m. until the hour of 10:30 a.m., Monday, February 16, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

THIRTY-SIXTH LEGISLATIVE DAY
MONDAY, FEBRUARY 16, 2015

Senate Chamber

President Little called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Bair and Martin, absent and formally excused by the Chair.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Brenton Kleopfer, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 13, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SJM 101
BY STATE AFFAIRS COMMITTEE
A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES, THE UNITED STATES SECRETARY OF THE INTERIOR, THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Sixty-third Idaho Legislature, do hereby respectfully represent that:

WHEREAS, maintaining a healthy suite of economic, environmental and social ecosystem services in aquatic systems is integral to the quality of life in the State of Idaho; and

WHEREAS, healthy aquatic habitats provide clean drinking water, flood control, transportation, recreation, purification of human and industrial wastes, power generation, habitat for native plants and animals, production of fish and other foods, marketable goods, and cultural benefits; and

WHEREAS, aquatic invasive species, including mussels such as dreissenids, cause irreparable ecological damage to many waters in the United States; and

WHEREAS, dreissenids have not yet been detected in the Pacific NorthWest. The estimated cost to address established populations of dreissenids in the Pacific NorthWest Economic Region is almost $500 million annually; and

WHEREAS, the Water Resources Reform and Development Act was signed in June 2014 and authorizes $20 million for Columbia River Basin dreissenid efforts through the Secretary of the Army.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we respectfully request Congress expedite appropriation of these funds to significantly enhance monitoring and prevention efforts and to implement the intent of the Act.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States Barack Obama, the United States Secretary of the Interior Sally Jewell, the President of the Senate and the Speaker of the House of Representatives of Congress, and to the congressional delegation representing the State of Idaho in the Congress of the United States.

SJM 101 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 16, 2015

The JUDICIARY AND RULES Committee reports that **SCR 104**, **S 1073**, **S 1074**, **S 1075**, **S 1076**, **S 1077**, **S 1078**, **S 1079**, **S 1080**, **S 1081**, **S 1082**, **S 1083**, **S 1084**, **S 1085**, **S 1086**, **S 1087**, **S 1088**, **S 1089**, **S 1090**, **S 1091**, **S 1092**, **S 1093**, and **S 1094** have been correctly printed.

HAGEDORN, Vice-Chairman

SCR 104 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1073 and **S 1074** were referred to the Agricultural Affairs Committee.

S 1075, **S 1076**, **S 1077**, **S 1078**, **S 1079**, **S 1080**, and **S 1081** were referred to the Commerce and Human Resources Committee.

S 1082, **S 1083**, and **S 1084** were referred to the Transportation Committee.

S 1085, **S 1086**, **S 1087**, and **S 1088** were referred to the Education Committee.

S 1089, **S 1090**, **S 1091**, **S 1092**, and **S 1094** were referred to the State Affairs Committee.

S 1093 was referred to the Local Government and Taxation Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 13, 2015

Dear Mr. President:

I transmit herewith H 78, H 82, H 33, H 76, H 85, HCR 3, H 17, and H 52, which have passed the House.

ALEXANDER, Chief Clerk

H 78, H 82, H 33, H 76, H 85, HCR 3, H 17, and H 52 were filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1095
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO SEXUAL OFFENDER REGISTRATION; AMENDING SECTION 9-340B, IDAHO CODE, TO PROVIDE THAT CERTAIN RECORDS SHALL BE EXEMPT FROM DISCLOSURE; AMENDING SECTION 18-8303, IDAHO CODE, TO DEFINE TERMS AND TO REVISE DEFINITIONS; AMENDING CHAPTER 83, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-8306A, IDAHO CODE, TO PROVIDE FOR THE DETERMINATION OF RISK-BASED SEXUAL OFFENDER REGISTRATION LEVELS; AMENDING SECTION 18-8307, IDAHO CODE, TO REVISE THE REGISTRATION FEE, TO REVISE FREQUENCY OF REGISTRATION FOR LEVELS OF REGISTRATION, TO REVISE LENGTH OF REGISTRATION TERMS FOR LEVELS OF REGISTRATION AND TO REVISE TERMINOLOGY; AMENDING SECTION 18-8308, IDAHO CODE, TO REVISE ADDRESS VERIFICATION PROCEDURES, TO REVISE ELECTRONIC MONITORING REQUIREMENTS FOR CERTAIN SEXUAL OFFENDERS AND TO REVISE TERMINOLOGY; AMENDING SECTION 18-8310, IDAHO CODE, TO REVISE THE TERM OF ELIGIBILITY TO PETITION FOR RELEASE FROM REGISTRATION REQUIREMENTS, TO PROVIDE FOR ADDITIONAL DOCUMENTATION TO BE SUBMITTED TO THE COURTS FOR RELEASE FROM REGISTRATION CONSIDERATION, TO PROVIDE NOTIFICATION TO THE SEXUAL OFFENDER MANAGEMENT BOARD AND TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION 18-8310, IDAHO CODE, RELATING TO RELEASE FROM REGISTRATION REQUIREMENTS AND EXPUNGEMENT; AMENDING CHAPTER 83, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-8310, IDAHO CODE, TO PROVIDE THAT CERTAIN OFFENDERS MAY BE RELEASED FROM REGISTRATION REQUIREMENTS, TO PROVIDE FOR THE REQUIREMENTS OF A PETITION FOR RELEASE FROM REGISTRATION AND TO PROVIDE PROCEDURES FOR DETERMINING IF AN OFFENDER SHALL BE RELEASED FROM REGISTRATION AND FOR EXPUNGEMENT; AMENDING SECTION 18-8314, IDAHO CODE, TO AUTHORIZE CERTAIN POWERS AND DUTIES FOR THE SEXUAL OFFENDER MANAGEMENT BOARD AND TO PROVIDE FOR THE TRANSFER OF RECORDS OF THE SEXUAL OFFENDER CLASSIFICATION BOARD TO THE SEXUAL OFFENDER MANAGEMENT BOARD; AMENDING SECTION 18-8318, IDAHO CODE, TO REVISE CODE REFERENCES AND TO PROVIDE THAT AN OFFENDER SHALL PAY CERTAIN COSTS; AMENDING SECTION 18-8323, IDAHO CODE, TO PROVIDE THAT CERTAIN SEXUAL OFFENDER REGISTRY INFORMATION SHALL NOT BE DISCLOSED; AMENDING SECTION 18-8324, IDAHO CODE, TO PROVIDE THAT CERTAIN SEXUAL OFFENDER REGISTRY INFORMATION SHALL BE AVAILABLE TO CERTAIN PARTIES; AMENDING SECTION 18-8328, IDAHO CODE, TO REMOVE REFERENCE TO JUVENILE OFFENDERS; AMENDING CHAPTER 83, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-8332, IDAHO CODE, TO PROVIDE AUTHORIZATION FOR CRIMINAL HISTORY CHECKS BY THE BOARD; AMENDING SECTION 20-219, IDAHO CODE, TO REVISE PROVISIONS RELATING TO ELECTRONIC MONITORING OF CERTAIN SEXUAL OFFENDERS UNDER FELONY SUPERVISION BY THE BOARD OF CORRECTION; AMENDING SECTION 16-1602, IDAHO CODE, TO REMOVE A CODE REFERENCE AND TO REVISE A DEFINITION; AMENDING SECTION 16-2005, IDAHO CODE, TO REMOVE A CODE REFERENCE AND TO PROVIDE THAT TERMINATION OF PARENTAL RIGHTS IS IN THE BEST INTERESTS OF THE CHILD UNDER CERTAIN CIRCUMSTANCES; AND PROVIDING AN EFFECTIVE DATE.

S 1095 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 78, by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 82, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 33, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 76 and H 85, by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

HCR 3, by Education Committee, was introduced, read at length, and referred to the Education Committee.

H 17, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 52, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1011, by State Affairs Committee, was read the second time at length and filed for third reading.

H 44 and H 42, by Transportation and Defense Committee, were read the second time at length and filed for third reading.

H 77, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

S 1045, by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 77 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Bair, Martin. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 77 was before the Senate for final consideration.

H 77 was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Bair, Martin. Total - 2.

Total - 35.

Whereupon the President declared H 77 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Gary Spackman was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heider, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Gary Spackman as the Director of the Idaho Department of Water Resources was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that SCR 103 was before the Senate for final consideration.

Moved by Senator Lakey, seconded by Senator Burgoyne, that SCR 103 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES–Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Bair, Martin. Total - 2.

Total - 35.

Whereupon the President declared SCR 103 adopted, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate went at ease and resolved itself into the Committee for the Memorial Service.

MEMORIAL SERVICE

The Service was conducted by Memorial Service Committee Co-chairmen Senator Abby Lee and Senator Mary Souza. The Invocation was delivered by Senator Nuxoll. "Battle Hymn of the Republic" was performed by Trey Nattress, Dylan Lloyd and Ben Hinatsu accompanied by Kelli Hinatsu. The Service was coordinated by Jan Snell, Secretary to the Secretary of the Senate.

IN THE SENATE
A SENATE MEMORIAL

WHEREAS, the late Senator F. EDWARD OSBORNE passed on since the close of the Second Regular Session of the Sixty-second Legislature to wit, March 3, 2014.

WHEREAS, the late Senator F. EDWARD OSBORNE served in the interest of Ada County during the Fifty-first Legislature of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the First Regular Session of the Sixty-third Legislature of the State of Idaho draws public attention by this Memorial to the life and works of the late Senator F. EDWARD OSBORNE; and

BE IT FURTHER RESOLVED that the Senate of the First Regular Session of the Sixty-third Legislature extends to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby instructed to spread this Memorial upon the Journal of the Senate and to mail copies to the F. EDWARD OSBORNE family.

On motion by Senator Winder, seconded by Senator Buckner-Webb, the Memorial to the late Senator Osborne was adopted by voice vote.

IN THE SENATE
A SENATE MEMORIAL

WHEREAS, the late Senator and Governor JOHN V. EVANS passed on since the close of the Second Regular Session of the Sixty-second Legislature to wit, July 8, 2014.

WHEREAS, the late Senator and Governor JOHN V. EVANS served in the interest of Oneida and Bannock Counties during the Thirty-second through the Thirty-fourth Legislatures and the Thirty-ninth through the Forty-second Legislatures of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the First Regular Session of the Sixty-third Legislature of the State of Idaho draws public attention by this Memorial to the life and works of the late Senator and Governor JOHN V. EVANS; and

BE IT FURTHER RESOLVED that the Senate of the First Regular Session of the Sixty-third Legislature extends to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby instructed to spread this Memorial upon the Journal of the Senate and to mail copies to the JOHN V. EVANS family.

On motion by Senator Cameron, seconded by Senator Stennett, the Memorial to the late Senator Evans was adopted by voice vote.

IN THE SENATE
A SENATE MEMORIAL

WHEREAS, the late Senator RALPH "MOON" WHEELER passed on since the close of the Second Regular Session of the Sixty-second Legislature to wit, July 2, 2014.

WHEREAS, the late Senator RALPH "MOON" WHEELER served in the interest of Power, Bingham and Bannock Counties during the Fifty-third through the Fifty-sixth Legislatures of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the First Regular Session of the Sixty-third Legislature of the State of Idaho draws public attention by this Memorial to the life and works of the late Senator RALPH "MOON" WHEELER; and

BE IT FURTHER RESOLVED that the Senate of the First Regular Session of the Sixty-third Legislature extends to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby instructed to spread this Memorial upon the Journal of the Senate and to mail copies to the RALPH "MOON" WHEELER family.

On motion by Senator Guthrie, seconded by Senator Burgoyne, the Memorial to the late Senator Wheeler was adopted by voice vote.

IN THE SENATE
A SENATE MEMORIAL

WHEREAS, the late Senator MELVIN M. RICHARDSON passed on since the close of the Second Regular Session of the Sixty-second Legislature to wit, December 11, 2014.

WHEREAS, the late Senator MELVIN M. RICHARDSON served in the interest of Bonneville County during the Fifty-second through the Fifty-ninth Legislatures of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the First Regular Session of the Sixty-third Legislature of the State of Idaho draws public attention by this Memorial to the life and works of the late Senator MELVIN M. RICHARDSON; and

BE IT FURTHER RESOLVED that the Senate of the First Regular Session of the Sixty-third Legislature extends to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby instructed to spread this Memorial upon the Journal of the Senate and to mail copies to the MELVIN M. RICHARDSON family.

On motion by Senator Davis, seconded by Senator Mortimer, the Memorial to the late Senator Richardson was adopted by voice vote.

"Be Still My Soul" was performed by Trey Nattress, Dylan Lloyd and Ben Hinatsu accompanied by Kelli Hinatsu. The Benediction was offered by Senator Mortimer and the Memorial Service was dissolved.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:45 p.m. until the hour of 4 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senator Bair, absent and formally excused by the Chair; and President Pro Tempore Hill and Senators Bayer, Brackett, Buckner-Webb, Cameron, Den Hartog, Keough, Mortimer, Nonini, Patrick, Rice, Souza, Stennett, Thayn, Vick, and Ward-Engelking, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

SCR 105
BY EDUCATION COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE, DIRECTING THE STATE DEPARTMENT OF EDUCATION AND STATE BOARD OF EDUCATION TO CONVERT THE CURRENT IDAHO CORE STANDARDS INTO MORE IDAHO-SPECIFIC STANDARDS, DECLARING THAT THE IDAHO CORE MATH AND ENGLISH LANGUAGE STANDARDS BE REVIEWED, THAT STANDARDS SHOULD NEVER BE USED AS A RIGID SCRIPT AND DIRECTING THAT MATH AND ENGLISH LANGUAGE STANDARDS BE REVIEWED IN 2015.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the State of Idaho has adopted academic standards and standards are valuable in providing a guideline for what should be taught in each grade level; the standards are named the Idaho Core Standards and are currently identical to Common Core State Standards; and

WHEREAS, students mature at different times and each child learns at a different pace; and

WHEREAS, young children think concretely before they are able to think abstractly; and

WHEREAS, standards have a great impact on curriculum, for curriculum aligns with standards; and

WHEREAS, Idahoans, parents of Idaho children, the State Board of Education and the State Department of Education must maintain control of the curriculum and what is taught in Idaho schools; and

WHEREAS, Common Core State Standards were developed outside the State of Idaho and contain several areas of concern including, but not limited to, abstractness of math principles in the early grades, concerns on how some math concepts are taught and a heavy reliance on modern technical writings with less exposure to historical literature, and include other concerns that may be raised by parents and educators.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the State Department of Education and the State Board of Education are directed to convert the current Idaho Core Standards into more Idaho-specific standards addressing the issues with abstractness, age appropriateness and literature content.

BE IT FURTHER RESOLVED that the Idaho core math and English language standards be reviewed on the normal rotation of reviewing standards already in place by the Standards of Professional Review Committee using Idaho educators and content experts and that those who review the standards seek the input and address the concerns that parents, teachers, administrators and legislators have with the present Idaho Core Standards.

BE IT FURTHER RESOLVED that standards should never be used as a rigid script to determine what and when children should learn specific concepts; but rather, teachers be encouraged to individualize instruction based upon the needs and abilities of each child.

BE IT FURTHER RESOLVED that math and English language standards be reviewed in 2015.

SCR 106
BY EDUCATION COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND STATING POLICY OF THE STATE OF IDAHO REGARDING THE RESPONSIBILITY FOR TESTING AND FOR TEACHER AND STUDENT ACCOUNTABILITY, STATING THE POLICY OF THE STATE OF IDAHO REGARDING THE LENGTH OF TESTING TIME, AND DIRECTING THE STATE DEPARTMENT OF EDUCATION TO PRESENT SUITABLE ALTERNATIVES TO THE SMARTER BALANCED ASSESSMENT CONSORTIUM TO THE LEGISLATURE.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, testing is an important activity in an education system to formulate instruction, to hold students accountable for learning, and to provide a tool to compare the efficacy of different education systems; and

WHEREAS, overtesting and poorly designed tests can be detrimental to student learning; and

WHEREAS, it is in the best interest of the students, parents, teachers, administrators, and taxpayers that the proper quantity and type of tests be administered; and

WHEREAS, the proper balance between testing and learning is critical; and

WHEREAS, there are at least three major reasons to test: to help formulate instruction, create accountability for learning and teaching, and, finally, systems accountability; and

WHEREAS, testing needs to be done in a way that creates the least amount of instructional disruption and cost; and

WHEREAS, the best tests are designed and used for multiple purposes, to create feedback to students and parents, to help teachers see what students have learned or have not learned, and used by the principal to see where support of teaching is needed; and

WHEREAS, each category of testing is best designed and administered by different entities, formative tests by local teachers and districts, student accountability tests by teacher or local districts, teacher accountability by the school district such as end-of-course assessments, and comparability between education systems in different states by out-of-state entities; and

WHEREAS, a clear vision of the future of testing would help the State of Idaho create policy, improve student learning outcomes and save tax dollars; and

WHEREAS, a state-to-state comparison test delivers more accurate results if the state education system does not test itself, a third-party evaluation is best; however, a state-to-state comparison test does not need to be given to each student each year, all that is required is a statistically large, random sample of students who take the test; and

WHEREAS, there are other tests being used by other states to fulfill the ESEA waiver other than the Smarter Balanced Assessment Consortium (SBAC).

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that it is the policy of the State of Idaho that the choice, selection and administration of formative tests be the responsibility of the local school districts, trustees, administrators and teachers.

BE IT FURTHER RESOLVED that the responsibility for student accountability test/quizzes be chosen, selected and/or created and be administered under the direction of local school boards, superintendents, teachers and principals and that this does not prohibit a local school district from choosing tests created by entities outside the school district or state.

BE IT FURTHER RESOLVED that teacher accountability should take place at the district level under district control and if the State of Idaho provides end-of-course assessments, the local school district can decide if they should be used for teacher accountability.

BE IT FURTHER RESOLVED that statewide assessments of student learning be less than three hours in length per student per year in elementary school, recognizing that some students require accommodations that may require more time, and be less than four and one-half hours per student per year in secondary school, and that statewide assessments of student learning be used by the state mainly for policy consideration and that local school districts may use the data for other purposes.

BE IT FURTHER RESOLVED that the SBAC test or the Idaho Standards Achievement Test 2.0 (ISAT) is probably a poor fit for the State of Idaho because of its length and cost, that the State Department of Education is directed to present suitable alternatives to the SBAC to the Legislature which could be used by the state in the 2016 spring testing window and report to the

Legislature by January 15, 2016, about the feasibility of using a different test, and that this alternative test must have reading, math and writing components.

SCR 107
BY RESOURCES AND ENVIRONMENT COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING AND URGING THE STATE BOARD OF LAND COMMISSIONERS, WHEN IN THE STATE'S BEST INTEREST, TO EXERCISE ITS AUTHORITY IN ENTERING INTO LAND EXCHANGES, INCLUDING MULTIPARTY EXCHANGES.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, pursuant to the provisions of Section 8, Article IX, of the Constitution of the State of Idaho, the Legislature has the power to authorize the State Board of Land Commissioners to exchange granted or acquired lands of the state on an equal value basis for other lands under agreement with the United States, local units of government, corporations, companies, individuals or combinations thereof; and

WHEREAS, pursuant to the provisions of Section 58-138, Idaho Code, the state has, subject to specified conditions, authorized the State Board of Land Commissioners, in its discretion, when in the state's best interest, to exchange state lands for lands of equal value, public or private; and

WHEREAS, land exchanges are not limited to two-way exchanges and afford the state the opportunity to enter into multiparty land exchanges; and

WHEREAS, Section 8, Article IX, of the Constitution of the State of Idaho provides that no more than one hundred sections of state lands shall be sold in any one year and that no more than three hundred and twenty acres of land shall be sold to any one individual, company or corporation; and

WHEREAS, due to such limitations relating to sales, without land exchanges, the interests of the endowments are being harmed; and

WHEREAS, the Legislature encourages and urges the State Board of Land Commissioners, when in the state's best interest, to exercise its authority in entering into land exchanges, including multiparty exchanges; and

WHEREAS, the Legislature supports exploring the potential of devoting a specific division within the Idaho Department of Lands that would be dedicated to efforts associated with all land exchanges, including multiparty land exchanges.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we encourage and urge the State Board of Land Commissioners, when in the state's best interest, to exercise its authority in entering into land exchanges, including multiparty exchanges.

SCR 108
BY RESOURCES AND ENVIRONMENT COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF THE PROCESS FOR THE STATE OF IDAHO TO ACQUIRE TITLE TO AND CONTROL OF PUBLIC LANDS NOW CONTROLLED BY THE FEDERAL GOVERNMENT.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, accurate information is needed by the Idaho Legislature before it can properly address the issue of the management and control of public lands, now controlled by the federal government in Idaho, should title to those public lands be transferred to the State of Idaho; and

WHEREAS, a process for the State of Idaho to receive title to public lands from the United States and a process of how the state may transfer title to any public lands that it receives need to be developed; and

WHEREAS, management priorities on public lands need to be developed for both the State of Idaho and local entities; and

WHEREAS, legislation may need to be drafted to accomplish the above purposes; and

WHEREAS, the Federal Lands Interim Committee met during calendar years 2013 and 2014 and reported as an outcome: its findings and recommendations that the state continue in its process of studying to take back federally owned public lands and continue to increase state management of federal lands through trusts, projects and collaboration; and

WHEREAS, the following Western states: Arizona, Colorado, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming are also reviewing federal lands transfer in more depth; and

WHEREAS, the issue warrants further study as a recently released report from the Property and Environment Research Center demonstrates that state-held trust lands produce greater income with lower per-acre expenses than federal lands for recreation, timber and grazing. This study suggests that state management of federal lands would not be a net cost to the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of the process for the State of Idaho to acquire title to and control of public lands now controlled by the federal government. The Legislative Council shall determine the number of legislators and membership from each house appointed to the committee and shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that the analysis shall include:

1. Measures or factors that could improve operating cost efficiencies after federal public lands are transferred to state control.
2. Options for funding land management activities, including control of forest fires and wildland fires.
3. Estimated asset value and sustained yield capacity associated with existing resources appurtenant to the land.
4. The degree to which federal Payment in Lieu of Taxes (PILT) and Secure Rural Schools (SRS) payments to counties may be continued, replicated or replaced.
5. Projected management costs and revenues under current and improved conditions.
6. A formula for distribution of revenues if revenues exceed operating costs.
7. A process to identify safeguards to protect or enhance public ownership, access, use, valid existing rights, land-based livelihoods, conservation and economic production.
8. A process to identify criteria for priorities to determine which lands should, if any, be sought and in what sequence and time frame, including options for incremental acquisition.
9. A process to identify prospective pilot projects.

10. A process to identify entities that may be best suited to carry out pertinent management functions.

BE IT FURTHER RESOLVED that nonlegislative members of the committee may be appointed by the cochairs of the committee who are appointed by the Legislative Council. Nonlegislative members of the advisory committee shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges regarding the committee's recommendations or proposed legislation.

BE IT FURTHER RESOLVED that the committee shall issue a progress report to the Second Regular Session of the Sixty-third Idaho Legislature and shall report its findings, recommendations and proposed legislation, if any, to the First Regular Session of the Sixty-fourth Idaho Legislature.

SCR 109
BY HEALTH AND WELFARE COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND RECOGNIZING MUSIC THERAPY AS A VALID AND IMPORTANT THERAPEUTIC HEALTH CARE SERVICE.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, music therapy is the clinical and evidence-based use of music interventions to accomplish individualized goals within a therapeutic relationship by a credentialed professional who has completed an approved music therapy program; and

WHEREAS, music therapy is a field that offers benefits across all developmental domains and supports individuals of all ages and ability levels, including children, adolescents, adults and the elderly, with mental health needs, developmental and learning disabilities, Alzheimer's disease and other aging-related conditions, substance abuse problems, brain injuries, physical disabilities, and acute and chronic pain; and

WHEREAS, music therapists work in psychiatric hospitals, rehabilitative facilities, medical hospitals, outpatient clinics, day care treatment centers, agencies serving persons with developmental disabilities, community mental health centers, drug and alcohol programs, senior centers, nursing homes, hospice programs, correctional facilities, halfway houses, schools and private practice; and

WHEREAS, music therapists: assess emotional well-being, physical health, social functioning, communication abilities, and cognitive skills through musical responses; design music sessions for individuals and groups based on client needs using music improvisation, receptive music listening, song writing, lyric discussion, music and imagery, music performance, and learning through music; participate in interdisciplinary treatment planning and ongoing evaluation; and

WHEREAS, a board-certified music therapist must earn a degree in music therapy at a college or a university approved by the American Music Therapy Association (AMTA) and must be certified by the Certification Board for Music Therapists; and

WHEREAS, there are approximately 6,000 board-certified music therapists in the United States; and

WHEREAS, many Idahoans receive music therapy each year.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that music therapy is a valid and important therapeutic health care service for Idahoans.

SCR 110
BY HEALTH AND WELFARE COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND RECOGNIZING NATIONAL DIAPER NEED AWARENESS WEEK.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, diaper need, the condition of not having a sufficient supply of clean diapers to ensure that infants and toddlers are clean, healthy and dry, can adversely affect the health and welfare of infants, toddlers and their families; and

WHEREAS, national surveys report that more than thirty percent of mothers will experience diaper need at some point while their children are small, and forty-eight percent of families will delay changing diapers to extend their supply; and

WHEREAS, the average infant or toddler requires fifty diaper changes per week over three years; and

WHEREAS, diapers cannot be bought with food stamps or WIC vouchers, and obtaining a sufficient supply of diapers can therefore cause economic hardship to families; and

WHEREAS, a supply of diapers is generally an eligibility requirement for infants and toddlers to participate in child care programs and quality early education programs; and

WHEREAS, the people of Idaho recognize that addressing diaper need can lead to economic opportunity and improved health for the state's low-income families and their communities; and

WHEREAS, Idaho is proud to be home to various community organizations that assist families in need by distributing diapers through various channels.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the week of September 28 through October 4, 2015, be recognized throughout the state as National Diaper Need Awareness Week.

BE IT FURTHER RESOLVED that the citizens of Idaho are encouraged, both during National Diaper Need Awareness Week and throughout the year, to donate generously to diaper banks and diaper drives and to those organizations that distribute diapers to families in need in order to alleviate diaper need in Idaho.

SCR 111
BY HEALTH AND WELFARE COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND CREATING A TASK FORCE TO STUDY ISSUES RELATING TO FAMILY CAREGIVERS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, family caregivers are an essential part of Idaho's health care system, providing uncompensated support and care to ill or disabled family members or loved ones; and

WHEREAS, family caregivers are valued community members who are the backbone of Idaho's long-term care system; and

WHEREAS, the State Healthcare Innovation Plan is focused on redesigning Idaho's health care delivery system to evolve from a fee-for-service, volume-based system to a value-based system of care based on improved health outcomes; and

WHEREAS, uncompensated family caregivers in Idaho are an essential part of the medical neighborhood, the medical neighborhood being the array of services that are available to

patients beyond the scope of a patient-centered medical home; and

WHEREAS, the State Healthcare Innovation Plan envisions better connection of the patient-centered medical home to the rest of the medical neighborhood in order to improve care coordination and care quality and reduce costs and duplication of services; and

WHEREAS, half of Idaho's 44 counties are frontier, with fewer than seven persons per square mile, resulting in areas that lack access to many levels of health care, including access to caregiving resources; and

WHEREAS, the population of the state that is 65 years or older is projected to reach 370,000 in 2032, a significant increase from 2012, and this demographic represents the fastest-growing population in the state; and

WHEREAS, Idaho has 137,099 veterans, with an estimated 19,041 who suffer disabilities, including 1,645 who are completely disabled; and

WHEREAS, an estimated 53,280 Idaho children have a special health care need, and an estimated 18,820 have a serious emotional disorder; and

WHEREAS, providing services and support to Idahoans in their homes and communities is generally less expensive than institutional care; and

WHEREAS, individuals who receive care at home are less likely to need public assistance; and

WHEREAS, at any time during the year an estimated 307,000 adults in Idaho provide care to adult relatives or friends, which equates to an estimated 201 million hours per year and an estimated value of $2 billion per year; and

WHEREAS, approximately two-thirds of Idaho's unpaid caregivers are employed or looking for work, and their caregiving responsibilities therefore have an economic impact on families and employers in Idaho; and

WHEREAS, more than half of care recipients are under the age of 75, and almost one-third are under the age of 50, thus indicating that caregiving is a multigenerational issue in family life that also impacts a broad spectrum of individuals with chronic illnesses that necessitate family caregiving throughout the lifespan; and

WHEREAS, approximately 22,000 Idahoans are living with Alzheimer's disease or a related disorder, and an estimated 77,000 individuals, many of whom are unpaid, provide caregiving responsibilities for people with Alzheimer's disease or a related disorder; and

WHEREAS, to successfully address the surging population of older adults and people with disabilities who have significant needs for long-term services and support, the state must develop methods that both encourage and support individuals who assist family members and must also develop ways to recruit and retain a qualified, responsive in-home care workforce.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Idaho Caregiver Alliance convene a task force to coordinate and develop a comprehensive set of recommendations to inform stakeholders regarding innovative solutions to support uncompensated family caregivers in Idaho and to provide information to those who may serve as a caregiver in the future.

BE IT FURTHER RESOLVED that the Idaho Caregiver Alliance recruit members to the task force who represent a broad array of caregiving stakeholders.

BE IT FURTHER RESOLVED that any task force members who are also members of the Legislature shall be reimbursed from legislative funds for per diem, mileage or other expenses.

BE IT FURTHER RESOLVED that the task force hold an organizational meeting by May 31, 2015, and at such meeting elect a chair or co-chairs and adopt any rules or procedures that are necessary to conduct its business.

BE IT FURTHER RESOLVED that the task force identify policies, resources and programs available for family caregivers and methods to support family caregivers and integrate this component of Idaho's health care system into the State Healthcare Innovation Plan medical neighborhood model.

BE IT FURTHER RESOLVED that the task force compile an inventory of the resources available to family caregivers in Idaho.

BE IT FURTHER RESOLVED that the task force report its findings and recommendations to the Second Regular Session of the Sixty-third Idaho Legislature.

SCR 105, **SCR 106**, **SCR 107**, **SCR 108**, **SCR 109**, **SCR 110**, and **SCR 111** were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 16, 2015

The JUDICIARY AND RULES Committee reports out **S 1026**, **S 1027**, and **S 1029** with the recommendation that they do pass.

HAGEDORN, Vice-Chairman

S 1026, **S 1027**, and **S 1029** were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 16, 2015

Dear Mr. President:

I transmit herewith Enrolled **H 21** and **H 22** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 21** and **H 22** and ordered them returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

Senator Brackett was recorded present at this order of business.

S 1096
BY EDUCATION COMMITTEE
AN ACT

RELATING TO PARENTAL RIGHTS IN EDUCATION; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 46, TITLE 33, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO PARENTAL RIGHTS IN EDUCATION AND TO PROVIDE FOR AN ANNUAL NOTICE OF PARENTAL RIGHTS.

S 1097
BY EDUCATION COMMITTEE
AN ACT
RELATING TO PUPIL TRANSPORTATION; REPEALING SECTION 33-1006A, IDAHO CODE, RELATING TO PUPIL TRANSPORTATION AUDITS.

S 1098
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO THE PARKS AND RECREATION BOARD; AMENDING SECTION 67-4223, IDAHO CODE, TO AUTHORIZE THE BOARD TO ENTER INTO CERTAIN AGREEMENTS TO ASSIST IN ITS EFFORTS TO SECURE LONG-TERM FUNDING SOURCES, TO AUTHORIZE THE RECOGNITION OF SPONSORS, TO PROVIDE FOR THE DEPOSIT OF CERTAIN REVENUE RECEIVED AND TO MAKE TECHNICAL CORRECTIONS.

S 1099
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO IRRIGATION AND DRAINAGE; AMENDING SECTION 42-1301, IDAHO CODE, TO REVISE CONDITIONS UNDER WHICH PARTIES CONSTITUTE A LATERAL WATER USERS' ASSOCIATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 42-1303, IDAHO CODE, TO PROVIDE THAT THE OPERATION, IMPROVEMENT, REPAIR AND MAINTENANCE OF CERTAIN LATERALS AND DITCHES SHALL BE UNDER THE DIRECTION OF THE DIRECTORS OF THE LATERAL WATER USERS' ASSOCIATION, TO REVISE PROVISIONS RELATING TO THE EXAMINATION OF LATERALS AND DITCHES AND PREPARATION OF ESTIMATES OF CERTAIN TOTAL COSTS AND TO REVISE PROVISIONS RELATING TO ASSESSMENT OF WATER USERS; AMENDING CHAPTER 13, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-1311, IDAHO CODE, TO PROVIDE THAT CERTAIN ASSESSMENTS SHALL BE A LIEN UPON CERTAIN LANDS OF A WATER USER, TO PROVIDE FOR THE RECORDING AND COLLECTION OF LIENS, TO PROVIDE FOR THE DURATION OF LIEN AND TO PROVIDE FOR THE PRIORITY OF CERTAIN LIENS; AMENDING CHAPTER 13, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-1312, IDAHO CODE, TO PROVIDE A PROCEDURE FOR WITHDRAWAL FROM A LATERAL WATER USERS' ASSOCIATION AND TO PROVIDE THAT WITHDRAWAL SHALL NOT AFFECT CERTAIN LIENS; AND AMENDING CHAPTER 13, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-1313, IDAHO CODE, TO DEFINE A TERM.

S 1100
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO WATER; AMENDING SECTION 42-605, IDAHO CODE, TO PROVIDE THAT UNDER SPECIFIED CONDITIONS A WATERMASTER MAY ACQUIRE, HOLD AND DISPOSE OF REAL AND PERSONAL PROPERTY, EQUIPMENT AND FACILITIES FOR THE PROPER ADMINISTRATION OF THE WATER DISTRICT AND ENHANCEMENT OF WATER SUPPLIES AND TO PROVIDE THAT UNDER SPECIFIED CONDITIONS A WATERMASTER MAY DEVELOP, COORDINATE OR PROVIDE FOR CERTAIN WEATHER MODIFICATION PROJECTS; AND AMENDING SECTION 42-612, IDAHO CODE, TO PROVIDE THAT IF SPECIFIED FUNDS ARE NOT SUFFICIENT TO COVER EXPENSES IN IMPLEMENTING CERTAIN RESOLUTIONS, SUCH EXPENSES SHALL COME FROM ASSESSMENTS AND TO MAKE A TECHNICAL CORRECTION.

S 1101
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO INDIGENT SICK; AMENDING SECTION 31-3501, IDAHO CODE, TO REVISE THE DECLARATION OF POLICY RELATING TO WHO IS ELIGIBLE FOR THE COUNTY MEDICALLY INDIGENT PROGRAM AND CATASTROPHIC HEALTH CARE COST PROGRAM; AMENDING SECTION 31-3502, IDAHO CODE, TO DEFINE A TERM AND TO REVISE A DEFINITION; AMENDING SECTION 67-7903, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND PROVIDING AN EFFECTIVE DATE.

S 1102
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO ABORTION; AMENDING SECTION 18-604, IDAHO CODE, TO DEFINE TERMS; AMENDING SECTION 18-608, IDAHO CODE, TO PROVIDE THAT ABORTIONS SHALL ONLY BE LAWFUL WHEN PERFORMED BY A PHYSICIAN WITH ADMITTING PRIVILEGES AT A HOSPITAL WITHIN THIRTY MILES OF WHERE THE PHYSICIAN PERFORMS SURGICAL ABORTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-608A, IDAHO CODE, TO PROVIDE THAT A PHYSICIAN WHO PERFORMS ABORTIONS MUST HAVE ADMITTING PRIVILEGES AT A HOSPITAL WITHIN THIRTY MILES OF WHERE THE PHYSICIAN PERFORMS SURGICAL ABORTIONS; AND PROVIDING SEVERABILITY.

S 1096, **S 1097**, **S 1098**, **S 1099**, **S 1100**, **S 1101**, and **S 1102** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

President Pro Tempore Hill and Senator Cameron were recorded present at this order of business.

On motion by Senator Davis, seconded by Senator Werk, by voice vote, the Senate adjourned at 4:20 p.m. until the hour of 10:30 a.m., Tuesday, February 17, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

THIRTY-SEVENTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 17, 2015

Senate Chamber

President Little called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Bair, absent and formally excused by the Chair; and Senators Bayer, Brackett, Cameron, and Den Hartog, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Karessa Love, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 16, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senators Bayer and Den Hartog were recorded present at this order of business.

February 17, 2015

The JUDICIARY AND RULES Committee reports that **SJM 101**, **SCR 105**, **SCR 106**, **SCR 107**, **SCR 108**, **SCR 109**, **SCR 110**, **SCR 111**, **S 1095**, **S 1096**, **S 1097**, **S 1098**, **S 1099**, **S 1100**, **S 1101**, and **S 1102** have been correctly printed.

HAGEDORN, Vice-Chairman

On request by Senator Davis, granted by unanimous consent, **SCR 105** and **SCR 106** were referred to the Education Committee.

On request by Senator Davis, granted by unanimous consent, **SCR 107** and **SCR 108** were referred to the Resources and Environment Committee.

On request by Senator Davis, granted by unanimous consent, **SCR 109**, **SCR 110**, and **SCR 111** were referred to the Health and Welfare Committee.

SJM 101 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1095 was referred to the Judiciary and Rules Committee.

S 1096 and **S 1097** were referred to the Education Committee.

S 1098, **S 1099**, and **S 1100** were referred to the Resources and Environment Committee.

S 1101 was referred to the Health and Welfare Committee.

S 1102 was referred to the State Affairs Committee.

February 16, 2015

The JUDICIARY AND RULES Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Debra Field to the State Board of Correction, term to expire January 1, 2017.

Jean Fisher to the Sexual Offender Management Board, term to expire January 1, 2018.

John Burnham to the Sexual Offender Management Board, term to expire January 1, 2018.

Shane Evans to the Sexual Offender Management Board, term to expire January 1, 2018.

HAGEDORN, Vice-Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 13, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that George Eskridge of Dover, Idaho, was appointed as a member of the Idaho Energy Resources Authority to serve a term commencing January 8, 2015, and expiring June 30, 2019.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 16, 2015

Dear Mr. President:

I transmit herewith H 61, H 62, and H 64, which have passed the House.

ALEXANDER, Chief Clerk

H 61, H 62, and H 64 were filed for first reading.

February 17, 2015

Dear Mr. President:

I transmit herewith Enrolled H 77 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 77 and ordered it returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 61, H 62, and H 64, by Judiciary, Rules, and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1026, S 1027, and S 1029, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, HCR 2 retained its place on the calendar for Thursday, February 19, 2015.

Senators Cameron and Brackett were recorded present at this order of business.

The President announced that SCR 104 was before the Senate for final consideration.

Moved by Senator Schmidt, seconded by Senator Martin, that SCR 104 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES–Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Bair, Patrick. Total - 2.

Total - 35.

Whereupon the President declared SCR 104 adopted, title was approved, and the resolution ordered transmitted to the House.

At this time Senator Davis arose on a point of personal privilege to announce that two distinguished visitors had arrived, and the President appointed President Pro Tempore Hill and Senators Lakey and Werk to escort United States Senators Michael D. Crapo and James E. Risch, into the Senate Chamber where they addressed the members of the Senate.

The President thanked United States Senators Crapo and Risch for their remarks and President Pro Tempore Hill and Senators Lakey and Werk escorted the Senators from the Chamber, and the Committee was discharged.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1037 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Bair. Total - 1.

Total - 35.

Whereupon the President declared S 1037 passed, title was approved, and the bill ordered transmitted to the House.

President Little called Senator Werk to the Chair.

S 1020 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Bair. Total - 1.

Total - 35.

Whereupon the Acting President declared S 1020 passed, title was approved, and the bill ordered transmitted to the House.

S 1031 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Bair. Total - 1.

Total - 35.

Whereupon the Acting President declared **S 1031** passed, title was approved, and the bill ordered transmitted to the House.

S 1042 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Bair. Total - 1.

Total - 35.

Whereupon the Acting President declared **S 1042** passed, title was approved, and the bill ordered transmitted to the House.

S 1043 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

President Little returned to the Chair.

Roll call resulted as follows:

AYES–Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Bair. Total - 1.

Total - 35.

Whereupon the President declared **S 1043** passed, title was approved, and the bill ordered transmitted to the House.

S 1011 was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Ward-Engelking and Acting Senator Johnson disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Heider, Hill, Johnson, Lacey, Lakey, Lee, Martin, McKenzie, Mortimer, Patrick, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Ward-Engelking, Werk. Total - 25.

NAYS–Bayer, Hagedorn, Keough, Johnson (Lodge), Nonini, Nuxoll, Rice, Vick, Winder. Total - 9.

Absent and excused–Bair. Total - 1.

Paired and voting included in roll call:

AYE - Heider NAY - Nuxoll

Total - 35.

Whereupon the President declared **S 1011** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Werk, by voice vote, the Senate adjourned at 1 p.m. until the hour of 10:45 a.m., Wednesday, February 18, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

THIRTY-EIGHTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 18, 2015

Senate Chamber

President Little called the Senate to order at 10:45 a.m.

Roll call showed all members present except Senators Burgoyne and Werk, absent and formally excused by the Chair; and Senators Johnson, and Mortimer, absent and excused.

Prayer was offered by Acting Chaplain Keith Buhler, The Church of Jesus Christ of Latter-day Saints.

The Pledge of Allegiance was led by Miles Madden, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 17, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Fourth Order of Business.

Reading of Communications

February 17, 2015

The Honorable Brad Little
President of the Senate
Idaho State Capitol

Dear Mr. President:

I have accepted an appointment to the Idaho State Tax Commission offered by Governor C.L. "Butch" Otter. In accordance with Idaho Code 59-902 I am tendering my resignation from the Idaho State Senate effective immediately upon receipt of this letter.

It has been an honor serving the people of the great state of Idaho in the Idaho State Senate. I look forward to continuing my public service on the Idaho State Tax Commission.

Sincerely,
/s/ Senator Elliot Werk

The correspondence was ordered filed in the office of the Secretary of the Senate.

Senators Johnson and Mortimer were recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 17, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out **S 1079** and **S 1081** with the recommendation that they do pass.

TIPPETS, Chairman

S 1079 and **S 1081** were filed for second reading.

February 17, 2015

The TRANSPORTATION Committee reports out **S 1082** with the recommendation that it do pass.

BRACKETT, Chairman

S 1082 was filed for second reading.

February 17, 2015

The TRANSPORTATION Committee reports out **S 1061** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, **S 1061** was referred to the Fourteenth Order of Business, General Calendar.

February 17, 2015

The HEALTH AND WELFARE Committee reports out **H 4**, **H 5**, **H 6**, **H 7**, **H 8**, and **H 9** with the recommendation that they do pass.

HEIDER, Chairman

H 4, **H 5**, **H 6**, **H 7**, **H 8**, and **H 9** were filed for second reading.

February 18, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out **S 1044** with the recommendation that it do pass.

SIDDOWAY, Chairman

S 1044 was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 16, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Darrell Bolz of Caldwell, Idaho, was appointed as a member of the State Public Defense Commission to serve a term commencing July 1, 2014, and expiring July 1, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

February 16, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Sara Thomas of Meridian, Idaho, was appointed as a member of the State Public Defense Commission to serve a term commencing July 1, 2014, and expiring July 1, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 17, 2015

Dear Mr. President:

I transmit herewith **H 39**, **H 75**, **H 68**, and **H 70**, which have passed the House.

ALEXANDER, Chief Clerk

H 39, **H 75**, **H 68**, and **H 70** were filed for first reading.

February 17, 2015

Dear Mr. President:

I return herewith **S 1021**, which has passed the House.

ALEXANDER, Chief Clerk

S 1021 was referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the following roster of minority leadership was ordered spread upon the pages of the Journal:

Minority Leader ..... Senator Michelle Stennett
Assistant Minority Leader ..... Senator Cherie Buckner-Webb
Minority Caucus Chairman ..... Senator Grant Burgoyne

On request by Senator Davis, granted by unanimous consent, the seats, as presently occupied by minority leadership, were permanently assigned to the Senators for the Sixty-third Idaho Legislature.

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Debra Field retained its place on the calendar for Thursday, February 19, 2015.

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of Shane Evans retained its place on the calendar for Thursday, February 19, 2015.

The President announced that **SJM 101** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator McKenzie, seconded by Senator Stennett, **SJM 101** was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Jean Fisher was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Bayer, the Gubernatorial reappointment of Jean Fisher as a member of the Sexual Offender Management Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of John Burnham was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by President Pro Tempore Hill, seconded by Senator Stennett, the Gubernatorial reappointment of John Burnham as a member of the Sexual Offender Management Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 39 and **H 75**, by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 68, by Local Government Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 70, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1045 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Burgoyne. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1045** passed, title was approved, and the bill ordered transmitted to the House.

S 1026 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Burgoyne. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1026** passed, title was approved, and the bill ordered transmitted to the House.

S 1027 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Burgoyne. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1027** passed, title was approved, and the bill ordered transmitted to the House.

S 1029 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Burgoyne. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1029** passed, title was approved, and the bill ordered transmitted to the House.

H 20 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Burgoyne. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **H 20** passed, title was approved, and the bill ordered returned to the House.

H 10 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Burgoyne. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **H 10** passed, title was approved, and the bill ordered returned to the House.

H 11 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

President Little called President Pro Tempore Hill to the Chair.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Burgoyne. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared **H 11** passed, title was approved, and the bill ordered returned to the House.

H 12 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Burgoyne. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared **H 12** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, **H 13**, **H 34**, and **H 36** retained their place on the Third Reading Calendar for one legislative day.

H 37 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Burgoyne. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared **H 37** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President Pro Tempore declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President Pro Tempore called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out **H 15** and **S 1015**, without recommendation, amended as follows:

SENATE AMENDMENT TO H 15

AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 3, delete "evidence of the judicial filing" and insert: "a written request for a title stop and the required fee"; in line 9, following "received" insert: ", the requesting party has instructed the department to remove the stop, the requesting party has failed to respond to notice under paragraph (c) of this subsection,"; and following line 10 insert:

"(c) If a person files evidence with the department that they have acquired title to the vehicle for which a title stop has been placed, then the department shall send notice to the original requesting party providing ten (10) business days from the date notice was mailed to object to the release of the title stop. If the department does not receive timely response from the requesting party, or if the requesting party instructs the department to remove the stop, then the title stop shall be immediately released.".

CORRECTION TO TITLE

On page 1, in line 12, following "STOP," insert: "TO PROVIDE THAT A PERSON MAY FILE EVIDENCE THAT THEY HAVE ACQUIRED TITLE TO A VEHICLE FOR WHICH A TITLE STOP HAS BEEN PLACED, TO PROVIDE FOR NOTICE, TO PROVIDE FOR THE RELEASE OF A TITLE STOP UNDER CERTAIN CONDITIONS,".

SENATE AMENDMENT TO S 1015

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 18 through 30, and insert:

"(a) ~~All dealers, including wholesale, but excluding a dealer exclusively in the business of motorcycles, motor-driven cycles and motorbikes, all-terrain vehicles, utility type vehicles, truck campers and snow machine sales, twenty thousand dollars ($20,000).~~

~~(b)~~ A dealer exclusively in the business of motorcycle, motor-driven cycle and motorbike sales, all-terrain vehicles, utility type vehicles, truck campers and snow machine sales, ten thousand dollars ($10,000).

(b) Any wholesale dealer in the business of wholesaling used vehicles of all types, forty thousand dollars ($40,000). Such wholesale dealer licensees shall be exempt from participating in the Idaho consumer asset recovery fund as provided in sections 49-1608B through 49-1608F, Idaho Code.

(c) All other dealers, twenty thousand dollars ($20,000).".

CORRECTION TO TITLE

On page 1, delete lines 3 through 6, and insert: "REMOVE BOND PROVISIONS RELATING TO CERTAIN DEALERS, TO REQUIRE THE PROCUREMENT AND FILING OF A SPECIFIED BOND BY WHOLESALE DEALERS, TO PROVIDE AN EXEMPTION FROM PARTICIPATION IN

THE IDAHO CONSUMER ASSET RECOVERY FUND BY CERTAIN WHOLESALE DEALER LICENSEES AND TO SPECIFY BOND REQUIREMENTS FOR ALL OTHER DEALERS.".

The Committee also has **S 1061** under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

S 1015, as amended, was referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

H 15, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 11 a.m., Thursday, February 19, 2015.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

THIRTY-NINTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 19, 2015

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senator Bair, absent and formally excused by the Chair; and Senators Cameron and Stennett, absent and excused. [District 17 seat is temporarily vacant.]

Prayer was offered by Acting Chaplain Keith Buhler.

The Pledge of Allegiance was led by Cameron Floyd, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 18, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senator Stennett was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 18, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to **H 15** and **S 1015** have been correctly printed.

HAGEDORN, Vice-Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 18, 2015

The JUDICIARY AND RULES Committee reports that **S 1015**, as amended, has been correctly engrossed.

HAGEDORN, Vice-Chairman

S 1015, as amended, was filed for first reading.

February 18, 2015

The JUDICIARY AND RULES Committee reports that **S 1021** has been correctly enrolled.

HAGEDORN, Vice-Chairman

The President signed Enrolled **S 1021** and ordered it transmitted to the House for the signature of the Speaker.

Senator Cameron was recorded present at this order of business.

February 18, 2015

The HEALTH AND WELFARE Committee reports out **H 23**, **H 24**, and **H 25** with the recommendation that they do pass.

HEIDER, Chairman

H 23, **H 24**, and **H 25** were filed for second reading.

February 18, 2015

The EDUCATION Committee reports out **H 52** and **S 1050** with the recommendation that they do pass.

MORTIMER, Chairman

H 52 and **S 1050** were filed for second reading.

February 18, 2015

The JUDICIARY AND RULES Committee reports out **S 1014**, **S 1025**, **S 1040**, **S 1051**, and **S 1052** with the recommendation that they do pass.

HAGEDORN, Vice-Chairman

S 1014, **S 1025**, **S 1040**, **S 1051**, and **S 1052** were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 17, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kimber Ricks of Sugar City, Idaho, was appointed as a member of the State Public Defense Commission to serve a term commencing July 1, 2014, and expiring July 1, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

February 17, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kristine Sasser of Boise, Idaho, was appointed as a member of the Public Utilities Commission to serve a term commencing February 19, 2015, and expiring January 13, 2021.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

February 17, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Elliot Werk of Boise, Idaho, was appointed as a member of the State Tax Commission to serve a term commencing February 17, 2015, and expiring March 8, 2015.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Local Government and Taxation Committee.

February 17, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Elliot Werk of Boise, Idaho, was appointed as a member of the State Tax Commission to serve a term commencing March 8, 2015, and expiring March 8, 2021.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Local Government and Taxation Committee.

February 18, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1013

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that **HCR 2** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Davis, seconded by Senator Stennett, **HCR 2** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Debra Field was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Hagedorn, seconded by Senator Burgoyne, the Gubernatorial appointment of Debra Field as a member of the State Board of Correction was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Shane Evans was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Burgoyne, seconded by Senator Lakey, the Gubernatorial reappointment of Shane Evans as a member of the Sexual Offender Management Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, the following changes were made in Standing Committee assignments for the First Regular Session of the Sixty-third Idaho Legislature: Senator Buckner-Webb's assignment to the

Resources and Conservation Committee was withdrawn and she was assigned to the State Affairs Committee.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1103
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO CRIMINAL HISTORY RECORDS; AMENDING CHAPTER 30, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-3014, IDAHO CODE, TO PROVIDE THAT A VICTIM OF HUMAN TRAFFICKING MAY PETITION FOR EXPUNGEMENT OF A CRIMINAL HISTORY RECORD UNDER CERTAIN CONDITIONS, TO PROVIDE FOR DENIAL OF A PETITION, TO PROVIDE FOR A HEARING ON A PETITION, TO PROVIDE REQUIREMENTS FOR A HEARING, TO PROVIDE FOR CONSIDERATION OF CERTAIN EVIDENCE AT A HEARING, TO PROVIDE FOR THE GRANTING OF A PETITION AND TO DEFINE TERMS.

S 1103 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

S 1015, as amended, by Transportation Committee, was read the first time at length and filed for second reading.

H 15, as amended in the Senate, by Transportation and Defense Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1079 and **S 1081**, by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

S 1082, by Transportation Committee, was read the second time at length and filed for third reading.

H 4, **H 5**, **H 6**, **H 7**, **H 8**, and **H 9**, by Health and Welfare Committee, were read the second time at length and filed for third reading.

S 1044, by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

H 13 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Call of the Senate was requested by Senator Cameron.

Whereupon the President ordered the doorkeepers to lock the doors permitting no Senator to leave the Senate Chamber. The Sergeant at Arms was instructed to find and present any absent members to the Senate.

Roll call showed all members present except Senator Bair, absent and formally excused by the Chair; and Senators Heider, Rice, and Thayn, absent and excused. [District 17 seat is temporarily vacant.]

The President directed the Sergeant at Arms to find and present Senators Heider, Rice, and Thayn to the Senate.

Senators Heider, Rice, and Thayn were recorded present.

On request by Senator Cameron, granted by unanimous consent, the Call was lifted.

Roll call resulted as follows:

AYES–Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Bair. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **H 13** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

Messages from the House

February 19, 2015

Dear Mr. President:

I transmit herewith **H 168**, which has passed the House.

ALEXANDER, Chief Clerk

H 168 was filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 168, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:15 p.m. until the hour of 10:30 a.m., Friday, February 20, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FORTIETH LEGISLATIVE DAY
FRIDAY, FEBRUARY 20, 2015

Senate Chamber

President Little called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Bair, Burgoyne, and Souza, absent and formally excused by the Chair. [District 17 seat is temporarily vacant.]

Prayer was offered by Acting Chaplain Keith Buhler.

The Pledge of Allegiance was led by Brooke Chick, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 19, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 112
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND RECOGNIZING AND CONGRATULATING BOUNDARY COUNTY AND ITS RESIDENTS ON ITS CENTENNIAL ANNIVERSARY.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, Boundary County is celebrating its Centennial Anniversary during 2015; and

WHEREAS, in 1915, during the Thirteenth Idaho Legislature, the Legislature passed House Bill No. 1, creating Boundary County. The bill was signed by Governor Moses Alexander on January 25, 1915. The bill declared the village of Bonners Ferry to be the county seat and ordered the county commissioners to meet in the village of Bonners Ferry on the first Monday of July 1915. Governor Alexander appointed H. L. Shively, James Deyoe, and Donald C. McColl as the first Board of Boundary County Commissioners who first met in Boundary County on July 5, 1915; and

WHEREAS, Boundary County was so named because it borders Canada on the north, Washington on the west and Montana on the east. It is the only county in Idaho with an international border. The county consists of 1,278 square miles, with 9.3 square miles of water; and

WHEREAS, the Kootenai Valley is the ancestral home of the Kootenai Tribe of Idaho. They were not represented when other tribes ceded their land to the United States in the Treaty of July 16, 1855, in exchange for reservations, and so therefore were left landless. On September 20, 1974, following years of loss of their aboriginal lands, the 67 remaining Kootenais declared war on the United States of America. The peaceful war ended with the tribe being deeded 12.5 acres of land and the tribe remains an integral partner in Boundary County today; and

WHEREAS, the Boundary County Courthouse was under construction from 1935 to 1937 and was listed on the National Register of Historic Places on September 27, 1987. The front of the courthouse bears carvings depicting county resources of farming, mining and logging; and

WHEREAS, on May 1, 1989, the Boundary County seal was adopted. In the center of the seal is the head of a deer surrounded by pine trees, with the Moyie Dam depicted below, along with drawings setting forth the county resources of farming, mining and logging, and depictions of hops are presented to the left and right; and

WHEREAS, mining was once a major resource in Boundary County. On December 22, 1864, the second session of the Idaho Territorial Legislature convened at Lewiston and granted Edwin L. Bonner and his party the right to build and operate a ferry across the Kootenai River. Bonners Ferry became a major shipping and supply point for Canadian mines; and

WHEREAS, the timber industry was once a major employer of the area with over 10 sawmills. Logging and farming are still major resources in Boundary County; and

WHEREAS, the Northern Pacific Railroad and the Great Northern Railroad lines were completed in Boundary County in 1882 and 1892, respectively; and

WHEREAS, the first fire department in Boundary County was established in 1904, electricity came to Boundary County in 1905, and Boundary County's first hospital was opened in 1907; and

WHEREAS, the Moyie River and the Kootenai River run through Boundary County, and there are more than 60 lakes in the county. Major floods on the Kootenai River plagued the valley until the Libby Dam was completed in July 1973. Prior to the dam, drainage districts were constructed to retain the high water in an attempt to prevent flooding of farmland. The highest water stage at Bonners Ferry was recorded in 1961 at 37.28 feet; and

WHEREAS, Boundary County is also home to portions of the Idaho Panhandle National Forests, the Kaniksu National Forest, the Selkirk, Cabinet and Purcell mountain ranges, the Wild Horse Trail, the Kootenai River White Sturgeon, and the Kootenai National Wildlife Refuge.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we hereby recognize and congratulate Boundary County and its residents on its Centennial Anniversary.

SCR 112 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 20, 2015

The JUDICIARY AND RULES Committee reports that S 1103 has been correctly printed.

HAGEDORN, Vice-Chairman

S 1103 was referred to the Judiciary and Rules Committee.

February 19, 2015

The AGRICULTURAL AFFAIRS Committee reports it has had under consideration the Gubernatorial reappointment listed below and the Committee recommends that said reappointment be confirmed by the Senate:

Dave Radford to the State Soil and Water Conservation Commission, term to expire July 1, 2019.

RICE, Chairman

The Gubernatorial reappointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 19, 2015

The AGRICULTURAL AFFAIRS Committee reports out S 1073 with the recommendation that it do pass.

RICE, Chairman

S 1073 was filed for second reading.

February 19, 2015

The FINANCE Committee reports out H 168 with the recommendation that it do pass.

CAMERON, Chairman

H 168 was filed for second reading.

February 19, 2015

The TRANSPORTATION Committee reports out S 1083 and S 1084 with the recommendation that they do pass.

BRACKETT, Chairman

S 1083 and S 1084 were filed for second reading.

February 19, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1006, S 1007, S 1008, S 1009, S 1010, and S 1023 with the recommendation that they do pass.

TIPPETS, Chairman

S 1006, S 1007, S 1008, S 1009, S 1010, and S 1023 were filed for second reading.

February 19, 2015

The EDUCATION Committee reports out S 1070 with the recommendation that it do pass.

MORTIMER, Chairman

S 1070 was filed for second reading.

February 20, 2015

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Cameron Arial to the Treasurer's Investment Advisory Board, term to expire July 1, 2018.

Gavin Gee to the Treasurer's Investment Advisory Board, term to expire July 1, 2016.

Kerrie Murray to the Treasurer's Investment Advisory Board, term to expire July 1, 2016.

W. Craig Corbett to the Idaho Lottery Commission, term to expire January 1, 2020.

MCKENZIE, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 19, 2015

Dear Mr. President:

I transmit herewith H 109, H 133, and H 95, which have passed the House.

ALEXANDER, Chief Clerk

H 109, H 133, and H 95 were filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1104
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO VETERANS; AMENDING CHAPTER 2, TITLE 65, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 65-210, IDAHO CODE, TO AUTHORIZE THE ESTABLISHMENT OF A VETERANS HOME.

S 1104 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 109, H 133, and H 95, by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 23, H 24, and H 25, by Health and Welfare Committee, were read the second time at length and filed for third reading.

H 52, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

S 1050, by Education Committee, was read the second time at length and filed for third reading.

S 1014, S 1025, S 1040, S 1051, and S 1052, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

S 1015, as amended, by Transportation Committee, was read the second time at length and filed for third reading.

H 15, as amended in the Senate, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out S 1061, without recommendation, amended as follows:

SENATE AMENDMENT TO S 1061
AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 20, following "in" insert: "or prior to".

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

S 1061, as amended, was referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

S 1079 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bayer, Brackett, Buckner-Webb, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 30.

NAYS–None.

Absent and excused–Bair, Burgoyne, Cameron, Souza. Total - 4.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared S 1079 passed, title was approved, and the bill ordered transmitted to the House.

S 1081 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 31.

NAYS–None.

Absent and excused–Bair, Burgoyne, Souza. Total - 3.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared S 1081 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, **S 1044** was placed at the head of the Third Reading Calendar, followed by all remaining Senate bills, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:05 a.m. until the hour of 10 a.m., Monday, February 23, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FORTY-THIRD LEGISLATIVE DAY
MONDAY, FEBRUARY 23, 2015

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Rice, absent and formally excused by the Chair; and Senators Bair, Cameron, Guthrie, Johnson, Keough, Lacey, Mortimer, Nuxoll, Schmidt, and Thayn, absent and excused. [District 17 seat is temporarily vacant.]

Prayer was offered by Acting Chaplain Keith Buhler.

The Pledge of Allegiance was led by Molly Ashby, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 20, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 23, 2015

The JUDICIARY AND RULES Committee reports that **SCR 112** and **S 1104** have been correctly printed.

LODGE, Chairman

SCR 112 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1104 was referred to the State Affairs Committee.

February 20, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to **S 1061** have been correctly printed.

HAGEDORN, Vice-Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 20, 2015

The JUDICIARY AND RULES Committee reports that **S 1061**, as amended, has been correctly engrossed.

HAGEDORN, Vice-Chairman

S 1061, as amended, was filed for first reading.

February 20, 2015

The JUDICIARY AND RULES Committee reports it has had under consideration the Gubernatorial reappointment listed below and the Committee recommends that said reappointment be confirmed by the Senate:

Lisa Growette Bostaph to the Commission on Pardons and Parole, term to expire January 1, 2018.

HAGEDORN, Vice-Chairman

The Gubernatorial reappointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 20, 2015

The JUDICIARY AND RULES Committee reports out **S 1034** and **S 1035** with the recommendation that they do pass.

HAGEDORN, Vice-Chairman

S 1034 and **S 1035** were filed for second reading.

February 20, 2015

The JUDICIARY AND RULES Committee reports out **S 1033** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

HAGEDORN, Vice-Chairman

There being no objection, **S 1033** was referred to the Fourteenth Order of Business, General Calendar.

February 23, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 76** and **H 85** with the recommendation that they do pass.

SIDDOWAY, Chairman

H 76 and **H 85** were filed for second reading.

February 23, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 29** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SIDDOWAY, Chairman

There being no objection, **H 29** was referred to the Fourteenth Order of Business, General Calendar.

February 23, 2015

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Gary Michael to the Treasurer's Investment Advisory Board, term to expire July 1, 2016.

Gary Sayler as the Adjutant General of the Idaho Military Division, term to continue at the pleasure of the Governor.

MCKENZIE, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 19, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Candace Sweigart of Boise, Idaho, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing February 5, 2015, and expiring April 10, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 20, 2015

Dear Mr. President:

I transmit herewith **H 110**, **H 96**, **H 122**, and **H 30**, which have passed the House.

ALEXANDER, Chief Clerk

H 110, **H 96**, **H 122**, and **H 30** were filed for first reading.

February 20, 2015

Dear Mr. President:

I transmit herewith Enrolled **H 20**, **H 10**, **H 11**, **H 12**, and **H 37** for the signature of the President.

ALEXANDER, Chief Clerk

The President Pro Tempore signed Enrolled **H 20**, **H 10**, **H 11**, **H 12**, and **H 37** and ordered them returned to the House.

February 20, 2015

Dear Mr. President:

I return herewith Enrolled **S 1021**, which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1021** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

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:

Minority Staff Assistant .....Morgan Hill

Pages:

Molly Ashby, Meridian
Tim Bush, Boise
Samuel Cahoon, Twin Falls
Kayla Christensen, Emmett
Nolan Cole, Rigby
Lydia Deatherage, Pocatello
Savannah Martin, Boise
Christopher Miller, Boise
Samantha Mooney, Boise
Joshua Price, Garden City

The question being, Shall the motion prevail?

Roll call resulted as follows:

AYES–Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Hagedorn, Heider, Hill, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Patrick, Siddoway, Souza, Stennett, Tippets, Vick, Ward-Engelking, Winder. Total - 23.

NAYS–None.

Absent and excused–Bair, Cameron, Guthrie, Johnson, Keough, Lacey, Mortimer, Nuxoll, Rice, Schmidt, Thayn. Total - 11.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared the attaches duly elected to their respective positions. The President instructed the Sergeant at Arms to escort the attaches to the Desk at which time the Oath of Office was administered to the elected attaches and they were escorted from the Chamber.

The President Pro Tempore announced that the Agricultural Affairs Committee report relative to the Gubernatorial reappointment of Dave Radford was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Brackett, seconded by Senator Burgoyne, the Gubernatorial reappointment of Dave Radford as a member of the State Soil and Water Conservation Commission was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial appointment

confirmation of Gavin Gee retained its place on the calendar for Tuesday, February 24, 2015.

The President Pro Tempore announced that the State Affairs Committee report relative to the Gubernatorial appointment of Cameron Arial was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Hagedorn, seconded by Senator Buckner-Webb, the Gubernatorial appointment of Cameron Arial as a member of the Treasurer's Investment Advisory Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

Senator Lacey was recorded present at this order of business.

The President Pro Tempore announced that the State Affairs Committee report relative to the Gubernatorial appointment of Kerrie Murray was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Stennett, seconded by Senator Winder, the Gubernatorial appointment of Kerrie Murray as a member of the Treasurer's Investment Advisory Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

Senators Bair, Cameron, Guthrie, Johnson, Keough, Mortimer, Nuxoll, Schmidt, and Thayn were recorded present at this order of business.

The President Pro Tempore announced that the State Affairs Committee report relative to the Gubernatorial reappointment of W. Craig Corbett was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Tippets, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of W. Craig Corbett as a member of the Idaho Lottery Commission was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1061, as amended, by Transportation Committee, was read the first time at length and filed for second reading.

H 110 and H 122, by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

H 96, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 30, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1073, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

H 168, by Appropriations Committee, was read the second time at length and filed for third reading.

S 1083 and S 1084, by Transportation Committee, were read the second time at length and filed for third reading.

S 1006, S 1007, S 1008, S 1009, S 1010, and S 1023, by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

S 1070, by Education Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1044 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate.

On request by Senator Winder, granted by unanimous consent, S 1044 retained its place on the Third Reading Calendar.

Moved by Senator Winder, seconded by Senator Cameron, that all rules of the Senate interfering with the immediate consideration of H 168 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Siddoway, Souza, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 31.

NAYS–None.

Absent and excused–Davis, Rice, Stennett. Total - 3.

Total - 34. [District 17 seat is temporarily vacant.]

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that H 168 was before the Senate for final consideration.

H 168 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Rice. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared **H 168** passed, title was approved, and the bill ordered returned to the House.

S 1044, having been held, having previously been read the third time at length and debate having previously been opened, was before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and reopened the debate. The question being, "Shall the bill pass?"

Moved by Senator Johnson, seconded by Senator McKenzie, that **S 1044** be referred to the Fourteenth Order of Business for amendment. The question being, "Shall the motion prevail?"

Roll call vote was requested by Senator Siddoway.

Roll call resulted as follows:

AYES–Buckner-Webb, Burgoyne, Johnson, McKenzie, Schmidt, Stennett. Total - 6.

NAYS–Bair, Bayer, Brackett, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Siddoway, Souza, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 27.

Absent and excused–Rice. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared that the motion to refer **S 1044** to the Fourteenth Order of Business for amendment did not prevail. The question being, "Shall **S 1044** pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Davis, Den Hartog, Guthrie, Hagedorn, Keough, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Siddoway, Souza, Thayn, Tippets, Vick. Total - 20.

NAYS–Buckner-Webb, Burgoyne, Cameron, Heider, Hill, Johnson, Lacey, Lakey, McKenzie, Schmidt, Stennett, Ward-Engelking, Winder. Total - 13.

Absent and excused–Rice. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared **S 1044** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

Messages from the House

February 23, 2015

Dear Mr. President:

I transmit herewith Enrolled **H 168** for the signature of the President.

ALEXANDER, Chief Clerk

The President Pro Tempore signed Enrolled **H 168** and ordered it returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Tippets, granted by unanimous consent, **S 1040** was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:20 p.m. until the hour of 10 a.m., Tuesday, February 24, 2015.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FORTY-FOURTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 24, 2015

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senator McKenzie, absent and formally excused by the Chair; and Senators Bayer and Cameron, absent and excused. [District 17 seat is temporarily vacant.]

Prayer was offered by Acting Chaplain Keith Buhler.

The Pledge of Allegiance was led by Tim Bush, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 23, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 23, 2015

The JUDICIARY AND RULES Committee reports that Enrolled **S 1021** was delivered to the Office of the Governor at 11 a.m., February 23, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 23, 2015

The RESOURCES AND ENVIRONMENT Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

George McQuiston Jr. to the Idaho Outfitters and Guides Licensing Board, term to expire April 20, 2017.

Randy K. Doman to the Park and Recreation Board, term to expire June 30, 2020.

BAIR, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Bayer was recorded present at this order of business.

February 23, 2015

The RESOURCES AND ENVIRONMENT Committee reports it has had under consideration the Fish and Game appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Bob Barowsky to the Idaho Outfitters and Guides Licensing Board, term to expire May 31, 2017.

BAIR, Chairman

The Fish and Game appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 23, 2015

The RESOURCES AND ENVIRONMENT Committee reports out **S 1057**, **S 1058**, **S 1098**, and **S 1099** with the recommendation that they do pass.

BAIR, Chairman

S 1057, **S 1058**, **S 1098**, and **S 1099** were filed for second reading.

February 23, 2015

The JUDICIARY AND RULES Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

William Wellman to the State Public Defense Commission, term to expire July 1, 2017.

LODGE, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 23, 2015

The JUDICIARY AND RULES Committee reports out **H 55** and **S 1056** with the recommendation that they do pass.

LODGE, Chairman

H 55 and **S 1056** were filed for second reading.

February 23, 2015

The JUDICIARY AND RULES Committee reports out **S 1041** and **S 1053** with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, **S 1041** and **S 1053** were referred to the Fourteenth Order of Business, General Calendar.

February 23, 2015

The EDUCATION Committee reports out **S 1086** and **S 1087** with the recommendation that they do pass.

MORTIMER, Chairman

S 1086 and S 1087 were filed for second reading.

February 23, 2015

The HEALTH AND WELFARE Committee reports out S 1060 with the recommendation that it do pass.

HEIDER, Chairman

S 1060 was filed for second reading.

Senator Cameron was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 23, 2015

Dear Mr. President:

I transmit herewith H 81, HCR 6, H 94, and HCR 7, which have passed the House.

ALEXANDER, Chief Clerk

H 81, HCR 6, H 94, and HCR 7 were filed for first reading.

February 23, 2015

Dear Mr. President:

I return herewith S 1018, which has passed the House.

ALEXANDER, Chief Clerk

S 1018 was referred to the Judiciary and Rules Committee for enrolling.

February 23, 2015

Dear Mr. President:

I transmit herewith Enrolled HCR 2 and H 13 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled HCR 2 and H 13 and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Gavin Gee was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by President Pro Tempore Hill, seconded by Senator Burgoyne, the Gubernatorial appointment of Gavin Gee as a member of the Treasurer's Investment Advisory Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

Senator McKenzie was recorded present at this order of business.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Lisa Growette Bostaph was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Burgoyne, seconded by Senator Hagedorn, the Gubernatorial reappointment of Lisa Growette Bostaph as a member of the Commission on Pardons and Parole was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Gary Michael was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Winder, the Gubernatorial appointment of Gary Michael as a member of the Treasurer's Investment Advisory Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, SCR 112 retained its place on the calendar for Monday, March 2, 2015.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 81, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

HCR 6, by Commerce and Human Resources Committee, was introduced, read at length, and referred to the Commerce and Human Resources Committee.

H 94, by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

HCR 7, by Resources and Conservation Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1034 and S 1035, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

H 76 and H 85, by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

S 1061, as amended, by Transportation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1082 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared S 1082 passed, title was approved, and the bill ordered transmitted to the House.

S 1050 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 30.

NAYS–Cameron, Johnson, Lacey, Schmidt. Total - 4.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared S 1050 passed, title was approved, and the bill ordered transmitted to the House.

S 1014 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Cameron and Nonini disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared S 1014 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, S 1025 retained its place on the Third Reading Calendar for Friday, February 27, 2015.

S 1051 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared S 1051 passed, title was approved, and the bill ordered transmitted to the House.

S 1052 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared S 1052 passed, title was approved, and the bill ordered transmitted to the House.

S 1015, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared S 1015, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1073 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared S 1073 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, S 1083 retained its place on the Third Reading Calendar for Friday, February 27, 2015.

S 1084 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Lacey, Lakey, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 30.

NAYS–Keough, Lee, McKenzie, Schmidt. Total - 4.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared S 1084 passed, title was approved, and the bill ordered transmitted to the House.

S 1006 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared S 1006 passed, title was approved, and the bill ordered transmitted to the House.

S 1007 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared S 1007 passed, title was approved, and the bill ordered transmitted to the House.

S 1008 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared S 1008 passed, title was approved, and the bill ordered transmitted to the House.

S 1009 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared S 1009 passed, title was approved, and the bill ordered transmitted to the House.

S 1010 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate.

President Little called President Pro Tempore Hill to the Chair.

On request by Senator Heider, granted by unanimous consent, S 1010 retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, S 1070 retained its place on the Third Reading Calendar for Monday, March 2, 2015.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 10 a.m., Wednesday, February 25, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FORTY-FIFTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 25, 2015

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

Roll call showed all members present. [District 17 seat is temporarily vacant.]

Prayer was offered by Acting Chaplain Keith Buhler.

The Pledge of Allegiance was led by Samuel Cahoon, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 24, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 24, 2015

The JUDICIARY AND RULES Committee reports that **S 1018** has been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled **S 1018** and ordered it transmitted to the House for the signature of the Speaker.

February 23, 2015

The HEALTH AND WELFARE Committee reports it has had under consideration the Gubernatorial reappointments listed below and the Committee recommends that said reappointments be confirmed by the Senate:

Darrell Kerby to the State Board of Health and Welfare, term to continue at the pleasure of the Governor.

Richard Roberge to the State Board of Health and Welfare, term to continue at the pleasure of the Governor.

Stephen Weeg to the State Board of Health and Welfare, term to continue at the pleasure of the Governor.

HEIDER, Chairman

The Gubernatorial reappointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 24, 2015

The AGRICULTURAL AFFAIRS Committee reports out **S 1074** with the recommendation that it do pass.

RICE, Chairman

S 1074 was filed for second reading.

February 24, 2015

The TRANSPORTATION Committee reports it has had under consideration the Gubernatorial reappointment listed below and the Committee recommends that said reappointment be confirmed by the Senate:

Rodger Lee Sorensen to the Aeronautics Advisory Board, term to expire January 31, 2020.

BRACKETT, Chairman

The Gubernatorial reappointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 24, 2015

The TRANSPORTATION Committee reports out **H 43** and **H 96** with the recommendation that they do pass.

BRACKETT, Chairman

H 43 and **H 96** were filed for second reading.

February 24, 2015

The EDUCATION Committee reports out **H 110**, **S 1097**, and **SCR 106** with the recommendation that they do pass.

MORTIMER, Chairman

H 110 and **S 1097** were filed for second reading.

SCR 106 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 25, 2015

The STATE AFFAIRS Committee reports out **S 1066** and **S 1091** with the recommendation that they do pass.

MCKENZIE, Chairman

S 1066 and **S 1091** were filed for second reading.

February 25, 2015

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Shane Gehring to the Bingo-Raffle Advisory Board, term to expire January 7, 2018.

MCKENZIE, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 25, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out **S 1080** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

TIPPETS, Chairman

There being no objection, **S 1080** was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 24, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jeff Anderson of Boise, Idaho, was reappointed Director of the State Liquor Division to serve a term commencing January 5, 2015, and expiring January 5, 2018; however, he may be removed by the Governor at will.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the State Affairs Committee.

February 24, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1021

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 24, 2015

Dear Mr. President:

I transmit herewith **HCR 8**, **HCR 9**, **HCR 10**, **H 72**, **H 107**, **H 108**, **HCR 5**, **H 131**, **H 101**, **H 102**, **H 121**, **H 138**, and **H 139**, which have passed the House.

ALEXANDER, Chief Clerk

HCR 8, **HCR 9**, **HCR 10**, **H 72**, **H 107**, **H 108**, **HCR 5**, **H 131**, **H 101**, **H 102**, **H 121**, **H 138**, and **H 139** were filed for first reading.

February 24, 2015

Dear Mr. President:

I return herewith **S 1028**, which has passed the House.

ALEXANDER, Chief Clerk

S 1028 was referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the committee report of the Fish and Game appointment confirmation of Bob Barowsky retained its place on the calendar for Thursday, February 26, 2015.

The President Pro Tempore announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Gary Sayler was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Den Hartog, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Gary Sayler as the Adjutant General of the Idaho Military Division was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of George McQuiston Jr. was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Thayn, seconded by Senator Burgoyne, the Gubernatorial appointment of George McQuiston Jr. as a member of the Idaho Outfitters and Guides Licensing Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Randy K. Doman was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Nuxoll, seconded by Senator Schmidt, the Gubernatorial appointment of Randy K. Doman as a member of the Park and Recreation Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of William Wellman was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Den Hartog, seconded by Senator Burgoyne, the Gubernatorial appointment of William Wellman as a member of the State Public Defense Commission was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1105
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO TELECOMMUNICATIONS; AMENDING SECTION 61-121, IDAHO CODE, TO REVISE THE DEFINITION OF "TELEPHONE CORPORATION" AND "TELECOMMUNICATION SERVICE" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 62-603, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 62-618, IDAHO CODE, TO PROVIDE PREEMPTION OF CERTAIN PROVIDERS OF CERTAIN SERVICES; AMENDING CHAPTER 6, TITLE 62, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 62-618A, IDAHO CODE, TO CLARIFY THAT NO STATE GOVERNMENT ENTITY OR POLITICAL SUBDIVISION SHALL REGULATE VOIP AND IP-ENABLED SERVICES WITH EXCEPTIONS; AND AMENDING SECTIONS 18-6609, 26-2239, 61-1302 AND 62-609, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES.

S 1106
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO CONTROLLED SUBSTANCES; AMENDING SECTION 37-2701, IDAHO CODE, TO REVISE THE DEFINITION OF "MARIJUANA" AND TO DEFINE "CANNABIDIOL OIL"; AND DECLARING AN EMERGENCY.

S 1107
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO TRUST ACCOUNTS; AMENDING SECTION 63-3067A, IDAHO CODE, TO REVISE PROCEDURES FOR AN INDIVIDUAL TO DESIGNATE A TRUST ACCOUNT TO WHICH AN INCOME TAX REFUND OR LIABILITY MONEYS IS REMITTED AND TO DELETE TWO ACCOUNTS TO WHICH MONEYS MAY BE REMITTED; REPEALING SECTION 63-3067B, IDAHO CODE, RELATING TO DESIGNATION BY INDIVIDUALS TO CERTAIN TRUST ACCOUNTS OF INCOME TAX REFUNDS OR LIABILITY; AMENDING SECTION 63-3067C, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 63-3067D, IDAHO CODE, TO REVISE PROCEDURES FOR AN INDIVIDUAL TO DESIGNATE THE IDAHO OPPORTUNITY SCHOLARSHIP TO WHICH AN INCOME TAX REFUND OR LIABILITY MONEYS IS REMITTED; AMENDING SECTION 38-136, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 65-209, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

S 1108
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO AUTONOMOUS DRIVEN VEHICLES; AMENDING TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 37, TITLE 49, IDAHO CODE, TO PROVIDE A TITLE, TO PROVIDE LEGISLATIVE INTENT, TO PROVIDE INSURANCE REQUIREMENTS, TO PROVIDE REQUIREMENTS FOR TESTING AUTONOMOUS DRIVEN VEHICLES, TO PROVIDE THAT AUTONOMOUS DRIVEN VEHICLES SHALL MEET FEDERAL STANDARDS AND REGULATIONS, TO PROVIDE REQUIREMENTS FOR AUTONOMOUS DRIVEN VEHICLES PRIOR TO TESTING OR OPERATION ON HIGHWAYS WITHIN THE STATE, TO PROVIDE AN EXEMPTION FROM LIABILITY FOR MANUFACTURERS AND DEALERS UNDER CERTAIN CONDITIONS, TO PROVIDE THAT ALL HIGHWAYS SHALL BE OPEN FOR TESTING AND TO PROVIDE EXCEPTIONS; AND AMENDING SECTION 49-102, IDAHO CODE, TO DEFINE TERMS.

S 1105, **S 1106**, **S 1107**, and **S 1108** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

HCR 8 and **HCR 10**, by Resources and Conservation Committee, were introduced, read at length, and referred to the Resources and Environment Committee.

HCR 9 and **HCR 5**, by Health and Welfare Committee, were introduced, read at length, and referred to the Health and Welfare Committee.

H 72, by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 107 and **H 108**, by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 131, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 101, **H 102**, **H 121**, **H 138**, and **H 139**, by Judiciary, Rules, and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1057, S 1058, S 1098, and S 1099, by Resources and Environment Committee, were read the second time at length and filed for third reading.

H 55, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

S 1056, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1086 and S 1087, by Education Committee, were read the second time at length and filed for third reading.

S 1060, by Health and Welfare Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1010, having been held, having previously been read the third time at length and debate having previously been opened, was before the Senate for final consideration. Senator Heider arose as sponsor of the bill and reopened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared S 1010 passed, title was approved, and the bill ordered transmitted to the House.

S 1023 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Cameron and Nonini disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared S 1023 passed, title was approved, and the bill ordered transmitted to the House.

S 1034 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared S 1034 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, S 1035 retained its place on the Third Reading Calendar for Friday, February 27, 2015.

S 1061, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared S 1061, as amended, passed, title was approved, and the bill ordered transmitted to the House.

H 34 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared H 34 passed, title was approved, and the bill ordered returned to the House.

H 36 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared H 36 passed, title was approved, and the bill ordered returned to the House.

H 44 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Keough, Lacey, Lakey, Martin, Nonini, Patrick, Souza, Stennett, Tippets, Ward-Engelking, Winder. Total - 19.

NAYS–Bair, Bayer, Den Hartog, Hill, Johnson, Lee, Lodge, McKenzie, Mortimer, Nuxoll, Rice, Schmidt, Siddoway, Thayn, Vick. Total - 15.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared **H 44** passed, title was approved, and the bill ordered returned to the House.

H 42 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared **H 42** passed, title was approved, and the bill ordered returned to the House.

H 4 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared **H 4** passed, title was approved, and the bill ordered returned to the House.

H 5 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared **H 5** passed, title was approved, and the bill ordered returned to the House.

H 6 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared **H 6** passed, title was approved, and the bill ordered returned to the House.

H 7 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared **H 7** passed, title was approved, and the bill ordered returned to the House.

H 8 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Ward-Engelking. Total - 27.

NAYS–Bayer, Mortimer, Nonini, Nuxoll, Souza, Vick, Winder. Total - 7.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared **H 8** passed, title was approved, and the bill ordered returned to the House.

H 9 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared **H 9** passed, title was approved, and the bill ordered returned to the House.

H 23 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking. Total - 31.

NAYS–Hagedorn, Winder. Total - 2.

Absent and excused–Rice. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared **H 23** passed, title was approved, and the bill ordered returned to the House.

H 24 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared **H 24** passed, title was approved, and the bill ordered returned to the House.

H 25 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–Hagedorn. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared **H 25** passed, title was approved, and the bill ordered returned to the House.

H 52 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared **H 52** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:10 p.m. until the hour of 10 a.m., Thursday, February 26, 2015.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FORTY-SIXTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 26, 2015

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Davis, and Stennett, absent and excused. [District 17 seat is temporarily vacant.]

Prayer was offered by Acting Chaplain Keith Buhler.

The Pledge of Allegiance was led by Kayla Christensen, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 25, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 26, 2015

The JUDICIARY AND RULES Committee reports that **S 1105**, **S 1106**, **S 1107**, and **S 1108** have been correctly printed.

LODGE, Chairman

S 1105 and **S 1106** were referred to the State Affairs Committee.

S 1107 was referred to the Local Government and Taxation Committee.

S 1108 was referred to the Transportation Committee.

February 25, 2015

The JUDICIARY AND RULES Committee reports that **S 1028** has been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled **S 1028** and ordered it transmitted to the House for the signature of the Speaker.

February 24, 2015

The HEALTH AND WELFARE Committee reports it has had under consideration the Gubernatorial reappointments listed below and the Committee recommends that said reappointments be confirmed by the Senate:

Curt Fransen as the Director of the Department of Environmental Quality, term to expire January 7, 2019.

John McCreedy to the Board of Environmental Quality, term to expire July 1, 2018.

Kermit Kiebert to the Board of Environmental Quality, term to expire July 1, 2018.

HEIDER, Chairman

The Gubernatorial reappointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 25, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports it has had under consideration the Gubernatorial reappointments listed below and the Committee recommends that said reappointments be confirmed by the Senate:

Gavin Gee as the Director of the Department of Finance, term to expire January 7, 2019.

Jeffery Sayer as the Director of the Department of Commerce, term to expire January 7, 2019.

Thomas P. Baskin to the Idaho Industrial Commission, term to expire January 13, 2021.

TIPPETS, Chairman

The Gubernatorial reappointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 25, 2015

The RESOURCES AND ENVIRONMENT Committee reports out **HJM 2**, **S 1100**, and **SCR 107** with the recommendation that they do pass.

BAIR, Chairman

S 1100 was filed for second reading.

HJM 2 and **SCR 107** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 25, 2015

The RESOURCES AND ENVIRONMENT Committee reports out **S 1059** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BAIR, Chairman

There being no objection, S 1059 was referred to the Fourteenth Order of Business, General Calendar.

February 25, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out HCR 4 with the recommendation that it do pass.

SIDDOWAY, Chairman

HCR 4 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 25, 2015

The JUDICIARY AND RULES Committee reports out S 1004 and S 1054 with the recommendation that they do pass.

LODGE, Chairman

S 1004 and S 1054 were filed for second reading.

February 25, 2015

The EDUCATION Committee reports out S 1088 with the recommendation that it do pass.

MORTIMER, Chairman

S 1088 was filed for second reading.

February 25, 2015

The EDUCATION Committee reports out S 1071 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, S 1071 was referred to the Fourteenth Order of Business, General Calendar.

Senators Davis and Stennett were recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 25, 2015

Dear Mr. President:

I transmit herewith H 123, H 124, H 125, H 112, and H 113, which have passed the House.

ALEXANDER, Chief Clerk

H 123, H 124, H 125, H 112, and H 113 were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced that the Resources and Environment Committee report relative to the Fish and Game appointment of Bob Barowsky was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lee, seconded by Senator Burgoyne, the Fish and Game appointment of Bob Barowsky as a member of the Idaho Outfitters and Guides Licensing Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Fish and Game appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Fish and Game Commission informing them of the action of the Senate.

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Darrell Kerby retained its place on the calendar for Friday, February 27, 2015.

The President Pro Tempore announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Richard Roberge was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Richard Roberge as a member of the State Board of Health and Welfare was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Stephen Weeg was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lacey, seconded by Senator Guthrie, the Gubernatorial reappointment of Stephen Weeg as a member of the State Board of Health and Welfare was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Transportation Committee report relative to the Gubernatorial reappointment of Rodger Lee Sorensen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Winder, seconded by Senator Burgoyne, the Gubernatorial reappointment of Rodger Lee Sorensen as a member of the Aeronautics Advisory Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the State Affairs Committee report relative to the Gubernatorial appointment of Shane Gehring was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lakey, seconded by Senator Burgoyne, the Gubernatorial appointment of Shane Gehring as a member of the Bingo-Raffle Advisory Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

President Little assumed the Chair.

The President announced that SCR 106 was before the Senate for final consideration.

Moved by Senator Thayn, seconded by Senator Mortimer, that SCR 106 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–Schmidt. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared SCR 106 adopted, title was approved, and the resolution ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1109
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO THE IDAHO UNIFORM BUSINESS ORGANIZATIONS CODE; REPEALING CHAPTER 4, TITLE 30, IDAHO CODE, RELATING TO THE IDAHO REGISTERED AGENTS ACT; REPEALING CHAPTER 13, TITLE 30, IDAHO CODE, RELATING TO PROFESSIONAL SERVICE CORPORATIONS; REPEALING CHAPTER 5, TITLE 53, IDAHO CODE, RELATING TO ASSUMED BUSINESS NAMES; REPEALING CHAPTER 7, TITLE 53, IDAHO CODE, RELATING TO THE UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION ACT; AMENDING SECTION 41-3921, IDAHO CODE, TO REMOVE A PROVISION RELATING TO PROFESSIONAL SERVICE ORGANIZATIONS; AMENDING SECTION 54-1235, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 54-1510, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 54-2113, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 54-3003, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND PROVIDING AN EFFECTIVE DATE.

S 1109 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 123, H 124, and H 125, by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 112 and H 113, by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1074, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

H 43 and H 96, by Transportation and Defense Committee, were read the second time at length and filed for third reading.

H 110, by Education Committee, was read the second time at length and filed for third reading.

S 1097, by Education Committee, was read the second time at length and filed for third reading.

S 1066 and S 1091, by State Affairs Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Brackett, granted by unanimous consent, S 1083 was recommitted to the Transportation Committee.

S 1057 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared S 1057 passed, title was approved, and the bill ordered transmitted to the House.

S 1058 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared S 1058 passed, title was approved, and the bill ordered transmitted to the House.

S 1098 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1098** passed, title was approved, and the bill ordered transmitted to the House.

S 1099 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–Rice. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1099** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, **S 1056** retained its place on the Third Reading Calendar for one legislative day.

S 1086 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate.

On request by Senator Mortimer, granted by unanimous consent, **S 1086** and **S 1087** retained their place on the Third Reading Calendar for one legislative day.

S 1060 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Tippets disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Lakey, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 26.

NAYS–Cameron, Den Hartog, Keough, Lacey, Lee, Lodge, Patrick, Schmidt. Total - 8.

Paired and voting included in roll call:

AYE - Johnson NAY - Schmidt

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1060** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, House bills amended in the Senate were placed at the head of the Third Reading Calendar, followed by Senate bills, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12 noon until the hour of 10 a.m., Friday, February 27, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FORTY-SEVENTH LEGISLATIVE DAY
FRIDAY, FEBRUARY 27, 2015

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Cameron, absent and excused. [District 17 seat is temporarily vacant.]

Prayer was offered by Acting Chaplain Keith Buhler.

The Pledge of Allegiance was led by Nolan Cole, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 26, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 113
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE DOCKET OF THE IDAHO STATE DEPARTMENT OF AGRICULTURE RELATING TO RULES GOVERNING LIVESTOCK DEALERS, BUYING STATIONS, AND LIVESTOCK TRADER LOTS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Idaho State Department of Agriculture relating to Rules Governing Livestock Dealers, Buying Stations, and Livestock Trader Lots is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 02.04.28, the Idaho State Department of Agriculture, Rules Governing Livestock Dealers, Buying Stations, and Livestock Trader Lots, adopted as a pending rule under Docket Number 02-0428-1401, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

SCR 114
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE DOCKET OF THE BOARD OF VETERINARY MEDICINE RELATING TO RULES OF THE STATE OF IDAHO BOARD OF VETERINARY MEDICINE.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Board of Veterinary Medicine relating to Rules of the State of Idaho Board of Veterinary Medicine is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 46.01.01, the Board of Veterinary Medicine, Rules of the State of Idaho Board of Veterinary Medicine, adopted as a pending rule under Docket Number 46-0101-1401, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

SCR 113 and **SCR 114** were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 27, 2015

The JUDICIARY AND RULES Committee reports that **S 1109** has been correctly printed.

LODGE, Chairman

S 1109 was referred to the Judiciary and Rules Committee.

February 25, 2015

The HEALTH AND WELFARE Committee reports out **SCR 109** and **SCR 110** with the recommendation that they do pass.

HEIDER, Chairman

SCR 109 and **SCR 110** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 26, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out **S 1001**, **S 1046**, **S 1047**, **S 1063**, and **S 1078** with the recommendation that they do pass.

TIPPETS, Chairman

S 1001, S 1046, S 1047, S 1063, and S 1078 were filed for second reading.

February 26, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports it has had under consideration the Gubernatorial reappointment listed below and the Committee recommends that said reappointment be confirmed by the Senate:

Ken Edmunds as the Director of the Department of Labor, term to expire January 7, 2019.

TIPPETS, Chairman

The Gubernatorial reappointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 26, 2015

The TRANSPORTATION Committee reports out H 70 with the recommendation that it do pass.

BRACKETT, Chairman

H 70 was filed for second reading.

February 26, 2015

The HEALTH AND WELFARE Committee reports out H 33 and HCR 5 with the recommendation that they do pass.

HEIDER, Chairman

H 33 was filed for second reading.

HCR 5 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 26, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 68 and H 95 with the recommendation that they do pass.

SIDDOWAY, Chairman

H 68 and H 95 were filed for second reading.

February 26, 2015

The EDUCATION Committee reports out HCR 3 with the recommendation that it do pass.

MORTIMER, Chairman

HCR 3 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 27, 2015

The EDUCATION Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Dr. David Hill to the State Board of Education, term to expire July 1, 2017.

MORTIMER, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 27, 2015

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Dennis Johnson to the Treasurer's Investment Advisory Board, term to expire July 1, 2018.

Wendy Lively to the Bingo-Raffle Advisory Board, term to expire January 7, 2018.

MCKENZIE, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 27, 2015

The JUDICIARY AND RULES Committee reports out S 1109 with the recommendation that it do pass.

LODGE, Chairman

S 1109 was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

Senator Cameron was recorded present at this order of business.

February 26, 2015

Dear Mr. President:

I transmit herewith H 128, H 114, H 90, H 91, HCR 11, H 170, H 104, H 136, and H 157, which have passed the House.

ALEXANDER, Chief Clerk

H 128, H 114, H 90, H 91, HCR 11, H 170, H 104, H 136, and H 157 were filed for first reading.

February 26, 2015

Dear Mr. President:

I return herewith SCR 101, which has passed the House.

ALEXANDER, Chief Clerk

SCR 101 was referred to the Judiciary and Rules Committee for enrolling.

February 26, 2015

Dear Mr. President:

I return herewith Enrolled S 1018, which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled S 1018 was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Darrell Kerby was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Schmidt, seconded by Senator Keough, the Gubernatorial reappointment of Darrell Kerby as a member of the State Board of Health and Welfare was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Curt Fransen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Burgoyne, seconded by Senator Hagedorn, the Gubernatorial reappointment of Curt Fransen as the Director of the Department of Environmental Quality was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, the committee reports of the Gubernatorial appointment confirmations of John McCreedy and Thomas P. Baskin retained their place on the calendar for Monday, March 2, 2015.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Kermit Kiebert was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heider, seconded by Senator Lacey, the Gubernatorial reappointment of Kermit Kiebert as a member of the Board of Environmental Quality was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Gavin Gee was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Souza, the Gubernatorial reappointment of Gavin Gee as the Director of the Department of Finance was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Jeffery Sayer was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Hagedorn, seconded by Senator Burgoyne, the Gubernatorial reappointment of Jeffery Sayer as the Director of the Department of Commerce was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that **HJM 2** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

Pursuant to Senate Rule 39(H), Senator Lacey disclosed a possible conflict of interest under applicable law.

On motion by Senator Siddoway, seconded by Senator Bair, **HJM 2** was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The President announced that **SCR 107** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Keough, seconded by Senator Cameron, **SCR 107** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that **HCR 4** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Johnson, seconded by Senator Lacey, **HCR 4** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1110
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE STATE APPELLATE PUBLIC DEFENDER FOR FISCAL YEAR 2015; PROVIDING LEGISLATIVE INTENT REGARDING CAPITAL REPRESENTATION COSTS; AND DECLARING AN EMERGENCY.

S 1111
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO MINIMUM WAGES; AMENDING SECTION 44-1502, IDAHO CODE, TO REVISE THE CALCULATION OF MINIMUM WAGES FOR EMPLOYEES, TO REVISE THE CALCULATION OF THE WAGES OF TIPPED EMPLOYEES AND TO REVISE THE CALCULATION OF WAGES FOR EMPLOYEES UNDER TWENTY YEARS OF AGE.

S 1112
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO VACANCIES IN STATE OFFICE; AMENDING SECTION 59-904, IDAHO CODE, TO PROVIDE WHENEVER AN APPOINTEE'S TERM HAS EXPIRED AS PRESCRIBED BY LAW, THE GOVERNOR OR OTHER APPOINTING AUTHORITY SHALL REAPPOINT THE APPOINTEE TO THE POSITION WITHIN TWELVE MONTHS OF SUCH EXPIRATION OF TERM, OR SUCH OFFICE WILL BE DECLARED VACANT IF CERTAIN EVENTS OCCUR BY THE GOVERNOR OR THE APPOINTING AUTHORITY, TO PROVIDE FOR DOCUMENTATION TO ACCOMPANY APPOINTMENTS, TO PROVIDE PROCEDURES AND TO MAKE A TECHNICAL CORRECTION.

S 1113
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE IDAHO BEEF COUNCIL; AMENDING SECTION 25-2906, IDAHO CODE, TO AUTHORIZE THE COUNCIL TO LEASE, PURCHASE OR OWN PERSONAL PROPERTY AND TO LEASE REAL PROPERTY DEEMED NECESSARY IN THE ADMINISTRATION OF SPECIFIED LAW.

S 1110, **S 1111**, **S 1112**, and **S 1113** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 128, by Local Government Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 114, by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 90 and **H 91**, by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

HCR 11, by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

H 170, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 104, **H 136**, and **H 157**, by Judiciary, Rules, and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1100, by Resources and Environment Committee, was read the second time at length and filed for third reading.

S 1004 and **S 1054**, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

S 1088, by Education Committee, was read the second time at length and filed for third reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:05 a.m. until the hour of 10 a.m., Monday, March 2, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIFTIETH LEGISLATIVE DAY
MONDAY, MARCH 2, 2015

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senator McKenzie, absent and formally excused by the Chair; and Senators Davis and Lodge, absent and excused. [District 17 seat is temporarily vacant.]

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Lydia Deatherage, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 27, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 115
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE REGARDING FEDERAL LANDS, REQUESTING THE DEPARTMENT OF LANDS TO PERFORM CERTAIN DUTIES WITH THE FEDERAL GOVERNMENT REGARDING FEDERAL LANDS AND TO PROVIDE FOR PERIODIC REPORTS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the First Regular Session of the Sixty-second Idaho Legislature adopted House Concurrent Resolutions 21 and 22, which authorized the formation of an interim study committee to study the feasibility of the transfer of certain federal lands within the State of Idaho to the State of Idaho;

WHEREAS, the interim study committee met frequently in 2013 and 2014 and heard testimony throughout the state on this topic;

WHEREAS, the committee prepared and approved a committee report on this topic incorporating various ideas and testimony;

WHEREAS, that committee report includes various recommendations; and

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature recommends the following:

The Legislature seek the assistance of Idaho's congressional delegation in asking the federal government to develop an economic model that allows the federal lands in Idaho to be self-sustaining economically in order to provide acceptable standards and management practices on a consistent basis;

That in the event there is transfer of all or any part of federal lands that such title transfers specifically exclude national parks, national monuments, federally designated recreational areas, federal electric power generation facilities, and the Department of Energy, Department of Defense, Indian reservations and Indian trust lands;

That any lands transferred or managed under this resolution not be sold by the state, except as specifically provided for in Section 8, Article IX, of the Constitution of the State of Idaho;

That public access be maintained and, where possible, expanded on lands managed by the state under any state-federal cooperative land management agreement;

That the State of Idaho, through the Department of Lands, develop a "trust model" management plan by which the state would enter into long-term trust agreements with federal agencies for the management of appropriate federal lands within Idaho.

BE IT FURTHER RESOLVED that the Department of Lands is requested to establish an internal working group to meet with federal land management agencies and to identify specific parcels of federal lands suitable for long-term lease management arrangements by the state.

BE IT FURTHER RESOLVED that in considering parcels for possible state management, the working group shall consider such factors as proximity, natural resources production, economic viability, minimization of environmental impact and other factors.

BE IT FURTHER RESOLVED that the parcels agreed upon for trust management by the state shall be considered under the "maximum long-term financial return" standard, and that the economic return objectives outlined in any trust agreements be specifically identified, project by project.

BE IT FURTHER RESOLVED that the Department of Lands shall report to the Legislature and to the federal agencies, as appropriate, at least annually, as to the lease arrangements arrived at and under consideration, the progress of the lease management and the revenue generated therefrom.

SCR 115 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 2, 2015

The JUDICIARY AND RULES Committee reports that **SCR 113**, **SCR 114**, **S 1110**, **S 1111**, **S 1112**, and **S 1113** have been correctly printed.

LODGE, Chairman

SCR 113 and **SCR 114** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1110 was referred to the Finance Committee.

S 1111 and S 1112 were referred to the State Affairs Committee.

S 1113 was referred to the Agricultural Affairs Committee.

Senator McKenzie was recorded present at this order of business.

February 27, 2015

The JUDICIARY AND RULES Committee reports that SCR 101 has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled SCR 101 and ordered it transmitted to the House for the signature of the Speaker.

February 27, 2015

The JUDICIARY AND RULES Committee reports that Enrolled S 1018 was delivered to the Office of the Governor at 11:30 a.m., February 27, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 2, 2015

The STATE AFFAIRS Committee reports out S 1030 and S 1104 with the recommendation that they do pass.

MCKENZIE, Chairman

S 1030 and S 1104 were filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 27, 2015

Dear Mr. President:

I transmit herewith Enrolled H 34, H 36, H 44, H 42, H 4, H 5, H 6, H 7, H 8, H 9, H 23, H 24, H 25, and H 52 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 34, H 36, H 44, H 42, H 4, H 5, H 6, H 7, H 8, H 9, H 23, H 24, H 25, and H 52 and ordered them returned to the House.

February 27, 2015

Dear Mr. President:

I return herewith Enrolled S 1028, which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled S 1028 was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of John McCreedy was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Buckner-Webb, seconded by President Pro Tempore Hill, the Gubernatorial reappointment of John McCreedy as a member of the Board of Environmental Quality was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Thomas P. Baskin was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Lee, the Gubernatorial reappointment of Thomas P. Baskin as a member of the Idaho Industrial Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Ken Edmunds was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heider, seconded by Senator Lakey, the Gubernatorial reappointment of Ken Edmunds as the Director of the Department of Labor was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Dr. David Hill retained its place on the calendar for Tuesday, March 3, 2015.

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of Wendy Lively retained its place on the calendar for Wednesday, March 4, 2015.

On request by Senator Winder, granted by unanimous consent, HCR 3 retained its place on the calendar for Tuesday, March 3, 2015.

Senators Davis and Lodge were recorded present at this order of business.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Dennis Johnson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

Pursuant to Senate Rule 39(H), Senator Cameron disclosed a possible conflict of interest under applicable law.

On motion by Senator McKenzie, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Dennis Johnson as a member of the Treasurer's Investment Advisory Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that SCR 112 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Keough, seconded by Senator Cameron, SCR 112 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that SCR 109 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Heider, seconded by Senator Burgoyne, SCR 109 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that SCR 110 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Lee, SCR 110 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that HCR 5 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Heider, seconded by Senator Lakey, HCR 5 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1114
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DIVISION OF HUMAN RESOURCES FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1115
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2015; AND DECLARING AN EMERGENCY.

S 1114 and S 1115 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1001, S 1046, S 1047, S 1063, and S 1078, by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

H 70, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

H 33, by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 68, by Local Government Committee, was read the second time at length and filed for third reading.

H 95, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

S 1109, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, S 1025 retained its place on the Third Reading Calendar for Thursday, March 5, 2015.

On request by Senator Davis, granted by unanimous consent, S 1056 was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Mortimer, granted by unanimous consent, S 1070 was referred to the Fourteenth Order of Business, General Calendar.

H 15, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate.

On request by Senator Nonini, granted by unanimous consent, H 15, as amended in the Senate, retained its place on the Third Reading Calendar for Thursday, March 5, 2015.

S 1035 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1035** passed, title was approved, and the bill ordered transmitted to the House.

S 1086, having been held, having previously been read the third time at length and debate having previously been opened, was before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and reopened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1086** passed, title was approved, and the bill ordered transmitted to the House.

S 1087 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Siddoway, Souza, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 27.

NAYS–Buckner-Webb, Burgoyne, Johnson, Lacey, Rice, Schmidt, Stennett. Total - 7.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1087** passed, title was approved, and the bill ordered transmitted to the House.

S 1074 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1074** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, **S 1097** and **S 1066** retained their place on the Third Reading Calendar for one legislative day.

S 1091 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1091** passed, title was approved, and the bill ordered transmitted to the House.

H 76 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **H 76** passed, title was approved, and the bill ordered returned to the House.

H 85 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **H 85** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, **S 1109** retained its place on the Third Reading Calendar beneath **S 1025** for Thursday, March 5, 2015.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:10 p.m. until the hour of 10 a.m., Tuesday, March 3, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIFTY-FIRST LEGISLATIVE DAY
TUESDAY, MARCH 3, 2015

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Davis, absent and formally excused by the Chair; and Senators Brackett, Den Hartog, Nonini, Nuxoll, Patrick, Rice, Siddoway, and Vick, absent and excused. [District 17 seat is temporarily vacant.]

Prayer was offered by Acting Chaplain Rajan Zed, President, Universal Society of Hinduism, Reno, Nevada.

The Pledge of Allegiance was led by Savannah Martin, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 2, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senators Den Hartog, Nonini, Nuxoll, Patrick, Rice, Siddoway, and Vick were recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 3, 2015

The JUDICIARY AND RULES Committee reports that **SCR 115**, **S 1114**, and **S 1115** have been correctly printed.

LODGE, Chairman

SCR 115 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1114 and **S 1115** were referred to the Finance Committee.

March 2, 2015

The JUDICIARY AND RULES Committee reports that Enrolled **S 1028** was delivered to the Office of the Governor at 10:42 a.m., March 2, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 2, 2015

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Janet Gallimore as the State Historic Preservation Officer, term to expire January 7, 2019.

Kristine Sasser to the Public Utilities Commission, term to expire January 13, 2021.

MCKENZIE, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 2, 2015

The FINANCE Committee reports out **S 1110** with the recommendation that it do pass.

CAMERON, Chairman

S 1110 was filed for second reading.

March 2, 2015

The RESOURCES AND ENVIRONMENT Committee reports out **H 48** and **H 49** with the recommendation that they do pass.

BAIR, Chairman

H 48 and **H 49** were filed for second reading.

March 2, 2015

The HEALTH AND WELFARE Committee reports it has had under consideration the Gubernatorial reappointment listed below and the Committee recommends that said reappointment be confirmed by the Senate:

Jim V. Giuffre to the State Board of Health and Welfare, term to expire January 7, 2019.

HEIDER, Chairman

The Gubernatorial reappointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 2, 2015

The EDUCATION Committee reports out **S 1072** with the recommendation that it do pass.

MORTIMER, Chairman

S 1072 was filed for second reading.

March 2, 2015

The JUDICIARY AND RULES Committee reports out **H 82** and **S 1095** with the recommendation that they do pass.

LODGE, Chairman

H 82 and **S 1095** were filed for second reading.

March 2, 2015

The JUDICIARY AND RULES Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Sara Thomas to the State Public Defense Commission, term to expire July 1, 2017.

LODGE, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Brackett was recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 2, 2015

Dear Mr. President:

I transmit herewith **H 154**, **H 160**, **H 163**, **H 116**, **H 117**, **H 58**, **H 67**, **H 172**, and **H 126**, which have passed the House.

ALEXANDER, Chief Clerk

H 154, **H 160**, **H 163**, **H 116**, **H 117**, **H 58**, **H 67**, **H 172**, and **H 126** were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced that the Education Committee report relative to the Gubernatorial appointment of Dr. David Hill was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Den Hartog, the Gubernatorial appointment of Dr. David Hill as a member of the State Board of Education was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that **HCR 3** was before the Senate for final consideration.

Moved by Senator Thayn, seconded by Senator Keough, that **HCR 3** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 32.

NAYS–None.

Absent and excused–Cameron, Davis. Total - 2.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared **HCR 3** adopted, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that **SCR 113** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Rice, seconded by Senator Bayer, **SCR 113** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that **SCR 114** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Rice, seconded by Senator Bayer, **SCR 114** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1116
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2015; AND DECLARING AN EMERGENCY.

S 1117
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING LEGISLATIVE INTENT.

S 1118
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE COMMISSION ON THE ARTS FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1119
BY FINANCE COMMITTEE
AN ACT
RELATING TO COMMISSIONER SALARIES; AMENDING SECTION 61-215, IDAHO CODE, TO INCREASE THE SALARIES OF THE PUBLIC UTILITIES COMMISSIONERS; AMENDING SECTION 63-102, IDAHO CODE, TO INCREASE THE SALARIES OF THE STATE TAX COMMISSIONERS; AMENDING SECTION 72-503, IDAHO CODE, TO INCREASE THE SALARIES OF THE INDUSTRIAL COMMISSIONERS; APPROPRIATING ADDITIONAL MONEYS TO THE PUBLIC UTILITIES COMMISSION FOR FISCAL YEAR 2016; APPROPRIATING ADDITIONAL MONEYS TO THE STATE TAX COMMISSION FOR FISCAL YEAR 2016; AND APPROPRIATING ADDITIONAL MONEYS TO THE INDUSTRIAL COMMISSION FOR FISCAL YEAR 2016.

S 1120
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO DRIVER'S TRAINING; AMENDING SECTION 49-307, IDAHO CODE, TO PROVIDE THAT PART OF A DRIVER'S TRAINING COURSE FEE BE DEPOSITED IN THE OCCUPATIONAL LICENSES FUND OR THE DRIVER TRAINING ACCOUNT DEPENDING UPON THE SELECTED DRIVER'S TRAINING PROGRAM, TO PROVIDE A METHOD FOR CALCULATING THE FEES THAT SHALL BE DEPOSITED IN THE OCCUPATIONAL LICENSES FUND AND TO MAKE TECHNICAL CORRECTIONS.

S 1121
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO THE IMMUNIZATION REGISTRY; AMENDING SECTION 39-4803, IDAHO CODE, TO PROVIDE THAT CERTAIN INFORMATION MAY BE SHARED WITH THE IDAHO HEALTH DATA EXCHANGE, TO REVISE LANGUAGE RELATING TO REMOVAL OF INFORMATION, TO PROVIDE THAT INFORMATION MAY ONLY BE DISCLOSED IN ACCORDANCE WITH CERTAIN LAWS AND TO MAKE A TECHNICAL CORRECTION.

S 1116, **S 1117**, **S 1118**, **S 1119**, **S 1120**, and **S 1121** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 154 and **H 67**, by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 160 and **H 163**, by Judiciary, Rules, and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 116 and **H 117**, by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 58, by Environment, Energy, and Technology Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 172, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 126, 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 1030 and **S 1104**, 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 1097 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared **S 1097** passed, title was approved, and the bill ordered transmitted to the House.

S 1066 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, Cameron, Davis, Den Hartog, Hagedorn, Heider, Hill, Keough, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Souza, Tippets, Vick, Winder. Total - 23.

NAYS–Buckner-Webb, Burgoyne, Guthrie, Johnson, Lacey, Lee, Schmidt, Siddoway, Stennett, Thayn, Ward-Engelking. Total - 11.

Paired and voting included in roll call:
AYE - Davis NAY - Buckner-Webb

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President Pro Tempore declared **S 1066** passed, title was approved, and the bill ordered transmitted to the House.

S 1100 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 Little assumed the Chair.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1100** passed, title was approved, and the bill ordered transmitted to the House.

S 1004 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1004** passed, title was approved, and the bill ordered transmitted to the House.

S 1054 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1054** passed, title was approved, and the bill ordered transmitted to the House.

S 1088 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1088** passed, title was approved, and the bill ordered transmitted to the House.

S 1001 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Keough disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 30.

NAYS–Nonini, Nuxoll, Souza. Total - 3.

Absent and excused–Davis. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1001** passed, title was approved, and the bill ordered transmitted to the House.

S 1046 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1046** passed, title was approved, and the bill ordered transmitted to the House.

S 1047 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1047** passed, title was approved, and the bill ordered transmitted to the House.

S 1063 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 32.

NAYS–Johnson. Total - 1.

Absent and excused–Davis. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1063** passed, title was approved, and the bill ordered transmitted to the House.

S 1078 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1078** passed, title was approved, and the bill ordered transmitted to the House.

H 55 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **H 55** passed, title was approved, and the bill ordered returned to the House.

H 43 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Burgoyne, Cameron, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 28.

NAYS–Den Hartog, Nuxoll, Souza, Vick. Total - 4.

Absent and excused–Buckner-Webb, Davis. Total - 2.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **H 43** passed, title was approved, and the bill ordered returned to the House.

H 96 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Davis. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **H 96** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 10 a.m., Wednesday, March 4, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIFTY-SECOND LEGISLATIVE DAY
WEDNESDAY, MARCH 4, 2015

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except President Pro Tempore Hill and Senators Buckner-Webb, Lakey, Lodge, McKenzie, Siddoway, Stennett, and Winder, absent and excused. [District 17 seat is temporarily vacant.]

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Christopher Miller, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 3, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 4, 2015

The JUDICIARY AND RULES Committee reports that S 1116, S 1117, S 1118, S 1119, S 1120, and S 1121 have been correctly printed.

LODGE, Chairman

S 1116, S 1117, S 1118, and S 1119 were referred to the Finance Committee.

S 1120 was referred to the Transportation Committee.

S 1121 was referred to the Health and Welfare Committee.

March 3, 2015

The AGRICULTURAL AFFAIRS Committee reports out H 72 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

RICE, Chairman

There being no objection, H 72 was referred to the Fourteenth Order of Business, General Calendar.

March 3, 2015

The FINANCE Committee reports out S 1114 and S 1115 with the recommendation that they do pass.

CAMERON, Chairman

S 1114 and S 1115 were filed for second reading.

March 3, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1075 and S 1077 with the recommendation that they do pass.

TIPPETS, Chairman

S 1075 and S 1077 were filed for second reading.

March 3, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports it has had under consideration the Gubernatorial reappointment listed below and the Committee recommends that said reappointment be confirmed by the Senate:

Joy Fisher to the Public Employee Retirement System of Idaho Board, term to expire July 1, 2019.

TIPPETS, Chairman

The Gubernatorial reappointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 3, 2015

The TRANSPORTATION Committee reports out SCR 102 with the recommendation that it do pass.

BRACKETT, Chairman

SCR 102 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 3, 2015

The TRANSPORTATION Committee reports out S 1108 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, S 1108 was referred to the Fourteenth Order of Business, General Calendar.

March 3, 2015

The HEALTH AND WELFARE Committee reports out SCR 111 with the recommendation that it do pass.

HEIDER, Chairman

SCR 111 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 3, 2015

The EDUCATION Committee reports out H 122 with the recommendation that it do pass.

MORTIMER, Chairman

H 122 was filed for second reading.

March 4, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 133 and S 1107 with the recommendation that they do pass.

SIDDOWAY, Chairman

H 133 and S 1107 were filed for second reading.

March 4, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Elliot Werk to the State Tax Commission, term to expire March 8, 2015.

Elliot Werk to the State Tax Commission, term to expire March 8, 2021.

SIDDOWAY, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 3, 2015

Dear Mr. President:

I transmit herewith H 169, H 132, H 147, H 142, H 73, H 189, H 177, H 158, H 159, H 162, H 161, H 166, H 194, H 167, H 149, H 150, and H 100, which have passed the House.

ALEXANDER, Chief Clerk

H 169, H 132, H 147, H 142, H 73, H 189, H 177, H 158, H 159, H 162, H 161, H 166, H 194, H 167, H 149, H 150, and H 100 were filed for first reading.

March 3, 2015

Dear Mr. President:

I transmit herewith Enrolled HJM 2 and HCR 4 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled HJM 2 and HCR 4 and ordered them returned to the House.

March 3, 2015

Dear Mr. President:

I return herewith Enrolled SCR 101, which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled SCR 101 was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1122
BY FINANCE COMMITTEE
AN ACT

RELATING TO STATE AGENCY RECEIPT OF FEDERAL FUNDS; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 67-1917, IDAHO CODE, TO REVISE REPORTING REQUIREMENTS BY STATE AGENCIES THAT RECEIVE FEDERAL FUNDS AND TO DEFINE "FEDERAL FUNDS"; AMENDING SECTION 67-3502, IDAHO CODE, TO ESTABLISH THAT BUDGET REQUESTS PROVIDE A REPORT THAT DISCLOSES ANY KNOWN FUTURE REDUCTIONS OR ELIMINATIONS OF FEDERAL FUNDS AND AN AGENCY'S PLAN FOR OPERATING IF CERTAIN CIRCUMSTANCES OCCUR AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-3506, IDAHO CODE, TO PROVIDE THAT THE BUDGET DOCUMENT SHALL CONSIST OF FOUR PARTS; AMENDING SECTION 67-3507, IDAHO CODE, TO PROVIDE THAT PART IV OF THE BUDGET DOCUMENT SHALL CONSIST OF FEDERAL FUNDING REPORTS AND CERTAIN DISCLOSURES AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-3513, IDAHO CODE, TO PROVIDE FOR LEGISLATIVE COMMITTEE CONSIDERATION OF A REPORT REGARDING FEDERAL FUNDS.

S 1122 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 169, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 132 and H 147, by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

H 142, by Local Government Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 73, by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 189, H 177, and H 150, by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 158, H 159, and H 162, by Judiciary, Rules, and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 161, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 166, by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 194, by State Affairs Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 167, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 149, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 100, by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Senators Lakey and Buckner-Webb were recorded present at this order of business.

S 1110, by Finance Committee, was read the second time at length and filed for third reading.

H 48 and **H 49**, by Resources and Conservation Committee, were read the second time at length and filed for third reading.

S 1072, by Education Committee, was read the second time at length and filed for third reading.

H 82, by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

S 1095, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

President Pro Tempore Hill and Senators Lodge, McKenzie, Stennett, Winder, and Siddoway were recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out **H 29**, **S 1040**, **S 1080**, **S 1059**, **S 1071**, **S 1056**, and **S 1070**, without recommendation, amended as follows:

SENATE AMENDMENT TO H 29

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 32, delete "2013" and insert: "2013~~3~~5"; in line 38, delete "and"; also in line 38, delete "~~a~~ one (1) or" and insert: "a"; delete lines 39 and 40, and insert: "relationship described in section 267 of the Internal Revenue Code, as defined in section 63-3004, Idaho Code."; and on page 2, delete lines 1 through 5.

SENATE AMENDMENT TO S 1040

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 23, delete "a remitter" and insert: "the final remittitur"; also in line 23, delete ", unless the"; and delete line 24, and insert: "from which no further proceedings except issuance of a death warrant are ordered.".

AMENDMENT TO THE BILL

On page 3, following line 7, insert:

"SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval, and shall apply to any cases where an appellant's brief in the unified appeal has not been filed with the Idaho Supreme Court.".

CORRECTION TO TITLE

On page 1, in line 4, following "IMPOSED" insert: "; AND DECLARING AN EMERGENCY AND PROVIDING APPLICATION".

SENATE AMENDMENT TO S 1080

AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 47, delete "and". On page 3, in line 4, delete "." and insert: "; and"; following line 4, insert:

"(5) Any person who holds a license to practice medicine and surgery, osteopathic medicine and surgery, or osteopathic medicine under chapter 18, title 54, Idaho Code, provided that he does not represent himself as a licensed genetic counselor."; in line 7, delete "engage in the practice of, or"; and also in line 7, following "as" delete ",".

SENATE AMENDMENT TO S 1059

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 19 through 28, and insert: "TIES. Notwithstanding any provision of title 43, Idaho Code, to the contrary, an irrigation district may determine that it is necessary to impose a special assessment to pay for physical structures or other work necessary to protect its facilities from harm caused by irrigation runoff or drainage from individual lands within the district that are on the district's assessment book prepared under section 43-701, Idaho Code. The district may issue a special assessment on such lands to perform such protective work only if the district has adopted a bylaw or resolution authorizing a special assessment for protection of district facilities from irrigation runoff or drainage from such individual lands, after notice to the landowner. When an assessment for such protective work has been authorized, the district shall assess such individual lands that are the source of irrigation runoff or drainage, the cost of".

CORRECTION TO TITLE

On page 1, in line 6, delete "A CONDITION" and insert: "CONDITIONS"; and in line 8, delete "RUNOFF" and insert: "IRRIGATION RUNOFF".

SENATE AMENDMENT TO S 1071

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 10, delete "SECONDARY SCHOOL GRADUATION RE-" and insert: "CIVICS TEST"; in line 11, delete "QUIREMENT"; delete lines 35 through 39; and in line 40, delete "from a secondary school" and insert:

"(7) Starting with the 2016-2017 school year, all secondary pupils must show they have met the state civics and government standards for such instruction through the successful completion of the civics test or alternate path established by the local school district or charter school that shows the student has met the standards. Assessment of standards shall be included as part of the course at the secondary level".

CORRECTION TO TITLE

On page 1, delete lines 3 through 5, and insert: "TO PROVIDE THAT SECONDARY PUPILS MUST SUCCESSFULLY COMPLETE A CIVICS TEST TO SHOW THAT THE STUDENT HAS MET CERTAIN STANDARDS, TO PROVIDE FOR DOCUMENTATION, TO ALLOW SCHOOL DISTRICTS TO ADMINISTER THE CIVICS TEST, TO ALLOW PUPILS TO RETAKE THE CIVICS TEST AND TO DEFINE A TERM.".

SENATE AMENDMENT TO S 1056

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 19, following "by a" insert: "written"; in line 20, following "the" insert: "written"; in line 22, following "by" insert: "written"; in line 25, following "the" insert: "written"; in line 26, delete "Said" and insert: "The"; and in line 28, following "A" insert: "written".

SENATE AMENDMENT TO S 1070

AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 36 through 38.

CORRECTION TO TITLE

On page 1, in line 4, delete "; AND DECLARING AN EMERGENCY".

The Committee also has S 1033, S 1041, and S 1053 under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

S 1040, as amended, S 1080, as amended, S 1059, as amended, S 1071, as amended, S 1056, as amended, and S 1070, as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

H 29, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Stennett, granted by unanimous consent, SCR 115 was referred to the State Affairs Committee.

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Wendy Lively was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Mortimer, seconded by Senator Burgoyne, the Gubernatorial reappointment of Wendy Lively as a member of the Bingo-Raffle Advisory Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Janet Gallimore was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Lee, the Gubernatorial reappointment of Janet Gallimore as the State Historic Preservation Officer was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Kristine Sasser was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Burgoyne, seconded by Senator Winder, the Gubernatorial appointment of Kristine Sasser as a member of the Public Utilities Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Jim V. Giuffre was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Martin, seconded by Senator Lacey, the Gubernatorial reappointment of Jim V. Giuffre as a member of the State Board of Health and Welfare was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Sara Thomas was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Burgoyne, the Gubernatorial appointment of Sara Thomas as a member of the State Public Defense Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1030 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared S 1030 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 4, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to H 29, S 1040, S 1080, S 1059, S 1071, S 1056, and S 1070 have been correctly printed.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 4, 2015

The JUDICIARY AND RULES Committee reports that S 1040, as amended, S 1080, as amended, S 1059, as amended, S 1071, as amended, S 1056, as amended, and S 1070, as amended, have been correctly engrossed.

LODGE, Chairman

S 1040, as amended, S 1080, as amended, S 1059, as amended, S 1071, as amended, S 1056, as amended, and S 1070, as amended, were filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 29, as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

S 1040, as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

S 1080, as amended, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

S 1059, as amended, by Resources and Environment Committee, was read the first time at length and filed for second reading.

S 1071, as amended, by Education Committee, was read the first time at length and filed for second reading.

S 1056, as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

S 1070, as amended, by Education Committee, was read the first time at length and filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the Senate went at ease and resolved itself into the Committee for the Idaho Day Service.

The Idaho Day Service was presented to the members of the Senate with Chairman Burgoyne providing opening remarks. The prayer was offered by Senator Den Hartog.

"Idaho's In Me" was performed by Paul Pugmire, accompanied by the Horizon Elementary School Fourth Grade Choir. "Here We Have Idaho" was performed by the Horizon Elementary School Fourth Grade Choir.

Closing remarks were provided by Senator Lakey. He extended gratitude to all who helped with the program and the Idaho Day Service was dissolved.

President Little called Senator Cameron to the Chair.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:55 a.m. until the hour of 10 a.m., Thursday, March 5, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIFTY-THIRD LEGISLATIVE DAY
THURSDAY, MARCH 5, 2015

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Burgoyne, Cameron, and Lodge, absent and excused. [District 17 seat is temporarily vacant.]

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Samantha Mooney, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 4, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senator Burgoyne was recorded present at this order of business.

March 5, 2015

The JUDICIARY AND RULES Committee reports that **S 1122** has been correctly printed.

LODGE, Chairman

S 1122 was referred to the Finance Committee.

March 4, 2015

The JUDICIARY AND RULES Committee reports that Enrolled **SCR 101** was delivered to the Office of the Secretary of State at 2:04 p.m., March 4, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 3, 2015

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial reappointment listed below and the Committee recommends that said reappointment be confirmed by the Senate:

Jeff Anderson as the Director of the State Liquor Division, term to expire January 5, 2018.

MCKENZIE, Chairman

The Gubernatorial reappointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 4, 2015

The FINANCE Committee reports out **S 1116**, **S 1117**, **S 1118**, and **S 1119** with the recommendation that they do pass.

CAMERON, Chairman

S 1116, **S 1117**, **S 1118**, and **S 1119** were filed for second reading.

March 4, 2015

The RESOURCES AND ENVIRONMENT Committee reports out **H 50** and **H 94** with the recommendation that they do pass.

BAIR, Chairman

H 50 and **H 94** were filed for second reading.

March 4, 2015

The JUDICIARY AND RULES Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Kimber Ricks to the State Public Defense Commission, term to expire July 1, 2017.

LODGE, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 4, 2015

The JUDICIARY AND RULES Committee reports out **S 1069** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, **S 1069** was referred to the Fourteenth Order of Business, General Calendar.

March 4, 2015

The EDUCATION Committee reports out **S 1096** with the recommendation that it do pass.

MORTIMER, Chairman

S 1096 was filed for second reading.

March 4, 2015

The HEALTH AND WELFARE Committee reports out H 108 and S 1121 with the recommendation that they do pass.

HEIDER, Chairman

H 108 and S 1121 were filed for second reading.

March 4, 2015

The RESOURCES AND ENVIRONMENT Committee reports it has had under consideration the Gubernatorial reappointment listed below and the Committee recommends that said reappointment be confirmed by the Senate:

Sid Cellan to the Oil and Gas Commission, term to expire July 1, 2018.

BAIR, Chairman

The Gubernatorial reappointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 5, 2015

The AGRICULTURAL AFFAIRS Committee reports out H 114 and S 1113 with the recommendation that they do pass.

RICE, Chairman

H 114 and S 1113 were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 4, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jerry Edgington of Boise, Idaho, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing February 24, 2015, and expiring April 10, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

March 4, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1018 and S 1028

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 4, 2015

Dear Mr. President:

I transmit herewith HCR 15, H 156, H 148, H 129, H 143, H 153, H 178, H 99, H 53, as amended, H 120, as amended, and H 137, as amended, which have passed the House.

ALEXANDER, Chief Clerk

HCR 15, H 156, H 148, H 129, H 143, H 153, H 178, H 99, H 53, as amended, H 120, as amended, and H 137, as amended, were filed for first reading.

March 4, 2015

Dear Mr. President:

I transmit herewith Enrolled HCR 5, H 76, and H 85 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled HCR 5, H 76, and H 85 and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, SCR 102 retained its place on the calendar for Monday, March 9, 2015.

On request by Senator Davis, granted by unanimous consent, SCR 111 retained its place on the calendar for Friday, March 6, 2015.

Senator Cameron was recorded present at this order of business.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Joy Fisher was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Schmidt, seconded by Senator Tippets, the Gubernatorial reappointment of Joy Fisher as a member of the Public Employee Retirement System of Idaho Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Local Government and Taxation Committee report relative to the Gubernatorial appointments of Elliot Werk was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Stennett, seconded by Senator Davis, the Gubernatorial appointment of Elliot Werk as a member of the State Tax Commission 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 appointments confirmations for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1123
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO THE INDIGENT SICK; AMENDING SECTION 31-3502, IDAHO CODE, TO DEFINE TERMS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-3503A, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE POWERS AND DUTIES OF THE BOARD OF THE CATASTROPHIC HEALTH CARE COST PROGRAM; AMENDING SECTION 31-3503B, IDAHO CODE, TO REVISE PROVISIONS REGARDING RECIPROCAL AGREEMENTS AND OUT-OF-STATE PROVIDERS AND TO REMOVE A CODE REFERENCE; AMENDING SECTION 31-3504, IDAHO CODE, TO REVISE PROVISIONS REGARDING APPLICATIONS FOR FINANCIAL ASSISTANCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-3505, IDAHO CODE, TO REVISE PROVISIONS REGARDING APPLICATIONS FOR FINANCIAL ASSISTANCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-3505A, IDAHO CODE, TO REVISE PROVISIONS REGARDING INVESTIGATIONS OF CERTAIN APPLICATIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-3505C, IDAHO CODE, TO REVISE PROVISIONS REGARDING DECISIONS ON CERTAIN APPLICATIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-3505D, IDAHO CODE, TO REVISE PROVISIONS REGARDING APPEALS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-3505E, IDAHO CODE, TO REVISE PROVISIONS REGARDING APPEAL HEARINGS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-3505G, IDAHO CODE, TO REVISE PROVISIONS REGARDING PETITIONS FOR JUDICIAL REVIEW AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-3508, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-3508A, IDAHO CODE, TO REVISE PROVISIONS REGARDING PAYMENTS MADE BY AN OBLIGATED COUNTY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-3511, IDAHO CODE, TO REVISE PROVISIONS REGARDING VIOLATIONS AND PENALTIES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-3517, IDAHO CODE, TO PROVIDE THAT COUNTY COMMISSIONER MEMBERS OF THE BOARD SHALL BE REIMBURSED FROM THE CATASTROPHIC HEALTH CARE COST ACCOUNT AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 67-7903, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION.

S 1124
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO JUVENILE CORRECTIONS; AMENDING SECTION 20-507, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AMENDING SECTION 20-511, IDAHO CODE, TO PROVIDE THAT CERTAIN FILES AND REFERENCES SHALL BE SEALED UPON COMPLETION OF DIVERSION; AND AMENDING SECTION 20-525A, IDAHO CODE, TO REVISE TERMINOLOGY, TO PROVIDE THAT A JUVENILE MAY PETITION FOR SEALING RECORDS FOR A CERTAIN MISDEMEANOR, TO PROVIDE A CODE REFERENCE, TO PROVIDE FOR AN ORDER OF SEALING RECORDS ON A CHARGE INVOLVING A STATUS OFFENSE, TO REMOVE REFERENCE TO A HEARING, TO PROVIDE FOR SEALING RECORDS WHERE THE JUVENILE IS FOUND NOT TO HAVE COMMITTED AN OFFENSE, TO REVISE PROVISIONS RELATING TO CRIMES FOR WHICH A COURT MAY NOT SEAL A JUVENILE'S RECORD, TO REVISE PROVISIONS RELATING TO THE PROCESS OF DETERMINING IF RECORDS SHALL BE SEALED, TO REVISE PROVISIONS RELATING TO WHICH RECORDS SHALL BE SEALED, TO PROVIDE THAT ONLY CERTAIN PERSONS MAY VIEW THE SPECIAL INDEX OF THE SEALING PROCEEDINGS, TO PROVIDE FOR INQUIRIES INTO A SEALED JUVENILE RECORD, TO PROVIDE THAT ONLY CERTAIN PERSONS MAY VIEW THE RECORDS OF A JUVENILE WHOSE RECORD WAS SEALED, TO PROVIDE NOTICE OF THE RIGHT TO SEAL RECORDS TO CERTAIN INDIVIDUALS AND TO DEFINE A TERM.

S 1125
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE SECRETARY OF STATE FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1126
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF FINANCE FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING LEGISLATIVE INTENT FOR THE MORTGAGE RECOVERY FUND.

S 1127
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE STATE LIQUOR DIVISION FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

S 1128
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE OFFICE OF SPECIES CONSERVATION FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1129
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE STATE INDEPENDENT LIVING COUNCIL FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1130
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE IDAHO STATE LOTTERY FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING LEGISLATIVE INTENT.

S 1131
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE OFFICE OF THE LIEUTENANT GOVERNOR FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS.

S 1132
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE REGULATORY BOARDS FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1133
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1123, **S 1124**, **S 1125**, **S 1126**, **S 1127**, **S 1128**, **S 1129**, **S 1130**, **S 1131**, **S 1132**, and **S 1133** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

HCR 15, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

H 156, by Local Government Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 148, by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 129, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 143, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 153 and **H 178**, by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 99, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 53, as amended, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 120, as amended, by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 137, as amended, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1114 and **S 1115**, by Finance Committee, were read the second time at length and filed for third reading.

S 1075 and **S 1077**, by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

H 122, by Education Committee, was read the second time at length and filed for third reading.

H 133, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

S 1107, by State Affairs Committee, was read the second time at length and filed for third reading.

H 29, as amended in the Senate, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

S 1040, as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1080, as amended, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

S 1059, as amended, by Resources and Environment Committee, was read the second time at length and filed for third reading.

S 1071, as amended, by Education Committee, was read the second time at length and filed for third reading.

S 1056, as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1070, as amended, by Education Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Senator Lodge was recorded present at this order of business.

S 1025 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared S 1025 passed, title was approved, and the bill ordered transmitted to the House.

S 1109 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared S 1109 passed, title was approved, and the bill ordered transmitted to the House.

S 1104 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared S 1104 passed, title was approved, and the bill ordered transmitted to the House.

S 1110 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared S 1110 passed, title was approved, and the bill ordered transmitted to the House.

S 1072 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate.

On request by Senator Souza, granted by unanimous consent, S 1072 retained its place on the Third Reading Calendar for Monday, March 9, 2015.

On request by Senator Davis, granted by unanimous consent, H 15, as amended in the Senate, retained its place on the Third Reading Calendar for Monday, March 9, 2015.

S 1095 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate.

On request by Senator Hagedorn, granted by unanimous consent, S 1095 retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:30 a.m. until the hour of 10 a.m., Friday, March 6, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIFTY-FOURTH LEGISLATIVE DAY
FRIDAY, MARCH 6, 2015

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Brackett, Cameron, Lodge, and Nuxoll, absent and excused. [District 17 seat is temporarily vacant.]

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Joshua Price, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 5, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 116
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE DOCKET OF THE IDAHO STATE DEPARTMENT OF AGRICULTURE RELATING TO RULES GOVERNING THE IMPORTATION OF ANIMALS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Idaho State Department of Agriculture relating to Rules Governing the Importation of Animals is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 02.04.21, Idaho State Department of Agriculture, Rules Governing the Importation of Animals, adopted as a pending rule under Docket Number 02-0421-1401, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

SCR 117
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND RECOGNIZING AND HONORING JOHN J. GROSSENBACHER FOR HIS YEARS OF SERVICE TO THE STATE OF IDAHO AS DIRECTOR OF IDAHO NATIONAL LABORATORY.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, John Grossenbacher came to Idaho in 2005 to merge elements of the Idaho National Engineering and Environmental Laboratory with Argonne National Laboratory-West to create Idaho National Laboratory (INL); and

WHEREAS, serving as laboratory director, John Grossenbacher confirmed and enhanced INL's credibility and reputation as the national nuclear laboratory; and

WHEREAS, John Grossenbacher dramatically expanded and improved INL's nuclear technology, national and homeland security, and nonnuclear energy and environmental capabilities; and

WHEREAS, these investments in capabilities resulted in INL winning 18 Research and Development 100 Awards, achieving a breakthrough in gas reactor fuel development, conducting extraordinary demonstrations in control systems cybersecurity, producing four space batteries to power the Mars Science Laboratory and other NASA missions, converting 49 research reactors to a more proliferation-resistant nuclear fuel, removing or securing 17 tons of highly enriched uranium and plutonium from the former Soviet Union, and supporting the U.S. Navy and nuclear researchers throughout the United States by conducting 44 experiment cycles of the Advanced Test Reactor; and

WHEREAS, under John Grossenbacher's leadership, INL created three national scientific user facilities, making the lab's capabilities accessible to researchers around the world; and

WHEREAS, John Grossenbacher was instrumental in the creation and shaping of Idaho's Leadership in Nuclear Energy (LINE) Commission, which has demonstrated to Idahoans that INL is an institution of great importance to the state, as the INL Site Environmental Cleanup nears completion and creates a framework focused on a positive INL future; and

WHEREAS, John Grossenbacher has been a trusted advisor to three governors, three U.S. senators, five congressmen, the Idaho Legislature, the Attorney General, the State Department of Environmental Quality and State Office of Energy Resources; and

WHEREAS, John Grossenbacher has led and managed INL with distinction, investing in its people and developing their skills at INL, representing those people and their work candidly and transparently, and strengthening public trust and confidence in the performance of the high-hazard work at INL; and

WHEREAS, John Grossenbacher has been steadfast in his commitment and tireless in his energy for 10 years, building an institution at INL of which the State of Idaho and the nation can be proud.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we recognize and honor John J. Grossenbacher for his work as director of Idaho National Laboratory and the significance of his work to the State of Idaho.

SCR 116 and SCR 117 were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senator Brackett was recorded present at this order of business.

March 6, 2015

The JUDICIARY AND RULES Committee reports that S 1123, S 1124, S 1125, S 1126, S 1127, S 1128, S 1129, S 1130, S 1131, S 1132, and S 1133 have been correctly printed.

LODGE, Chairman

S 1123 was referred to the Health and Welfare Committee.

S 1124 was referred to the Judiciary and Rules Committee.

S 1125, S 1126, S 1127, S 1128, S 1129, S 1130, S 1131, S 1132, and S 1133 were referred to the Finance Committee.

Senator Lodge was recorded present at this order of business.

March 5, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1076 with the recommendation that it do pass.

TIPPETS, Chairman

S 1076 was filed for second reading.

March 5, 2015

The TRANSPORTATION Committee reports out H 147 and S 1120 with the recommendation that they do pass.

BRACKETT, Chairman

H 147 and S 1120 were filed for second reading.

March 5, 2015

The TRANSPORTATION Committee reports out H 17 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, H 17 was referred to the Fourteenth Order of Business, General Calendar.

March 5, 2015

The HEALTH AND WELFARE Committee reports out H 177 with the recommendation that it do pass.

HEIDER, Chairman

H 177 was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 5, 2015

Dear Mr. President:

I transmit herewith H 152, H 206, H 207, H 190, HJM 6, HJM 5, HJM 7, HJM 3, HJM 8, and HCR 14, which have passed the House.

ALEXANDER, Chief Clerk

H 152, H 206, H 207, H 190, HJM 6, HJM 5, HJM 7, HJM 3, HJM 8, and HCR 14 were filed for first reading.

March 5, 2015

Dear Mr. President:

I return herewith S 1020, S 1036, S 1042, S 1043, S 1079, and S 1081, which have passed the House.

ALEXANDER, Chief Clerk

S 1020, S 1036, S 1042, S 1043, S 1079, and S 1081 were referred to the Judiciary and Rules Committee for enrolling.

March 5, 2015

Dear Mr. President:

I transmit herewith Enrolled HCR 3, H 55, H 43, and H 96 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled HCR 3, H 55, H 43, and H 96 and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Heider, granted by unanimous consent, SCR 111 was recommitted to the Health and Welfare Committee.

Senator Nuxoll was recorded present at this order of business.

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Jeff Anderson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by President Pro Tempore Hill, the Gubernatorial reappointment of Jeff Anderson as the Director of the State Liquor Division was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Kimber Ricks was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by President Pro Tempore Hill, seconded by Senator Burgoyne, the Gubernatorial appointment of Kimber Ricks as a member of the State Public Defense Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Sid Cellan was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Tippets, seconded by Senator Burgoyne, the Gubernatorial reappointment of Sid Cellan as a member of the Oil and Gas Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1134
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO A PUBLIC LANDS OFFICE; AMENDING TITLE 58, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 10, TITLE 58, IDAHO CODE, TO CREATE THE OFFICE OF PUBLIC LANDS, TO PROVIDE FOR APPOINTMENT OF AN ADMINISTRATOR AND TO PROVIDE POWERS AND DUTIES OF THE OFFICE.

S 1134 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 152, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 206 and **H 207**, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 190, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

HJM 6 and **HCR 14**, by Agricultural Affairs Committee, were introduced, read at length, and referred to the Agricultural Affairs Committee.

HJM 5, by Resources and Conservation Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

HJM 7, by Ways and Means Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

HJM 3, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

HJM 8, by State Affairs Committee, was introduced, read at length, and referred to the Transportation Committee.

Senator Cameron was recorded present at this order of business.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1116, **S 1117**, **S 1118**, and **S 1119**, by Finance Committee, were read the second time at length and filed for third reading.

H 50 and **H 94**, by Resources and Conservation Committee, were read the second time at length and filed for third reading.

S 1096, by Education Committee, was read the second time at length and filed for third reading.

H 108, by Health and Welfare Committee, was read the second time at length and filed for third reading.

S 1121, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

H 114, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

S 1113, by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, **H 70** was placed before the Senate for consideration at this time.

H 70 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Keough disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **H 70** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Hagedorn, granted by unanimous consent, **S 1095** was referred to the Fourteenth Order of Business, General Calendar.

S 1114 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1114** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Mortimer, granted by unanimous consent, **S 1072** was referred to the Fourteenth Order of Business, General Calendar.

S 1115 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 31.

NAYS–Nuxoll, Siddoway, Vick. Total - 3.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1115** passed, title was approved, and the bill ordered transmitted to the House.

S 1075 was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1075** passed, title was approved, and the bill ordered transmitted to the House.

S 1077 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1077** passed, title was approved, and the bill ordered transmitted to the House.

S 1107 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared **S 1107** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Brackett, granted by unanimous consent, **H 15**, as amended in the Senate, was recommitted to the Transportation Committee.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:05 a.m. until the hour of 10 a.m., Monday, March 9, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIFTY-SEVENTH LEGISLATIVE DAY
MONDAY, MARCH 9, 2015

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Cameron, and McKenzie, absent and excused. [District 17 seat is temporarily vacant.]

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Molly Ashby, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 6, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 9, 2015

The JUDICIARY AND RULES Committee reports that **SCR 116**, **SCR 117**, and **S 1134** have been correctly printed.

LODGE, Chairman

SCR 116 and **SCR 117** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1134 was referred to the Resources and Environment Committee.

March 6, 2015

The JUDICIARY AND RULES Committee reports that **S 1020**, **S 1036**, **S 1042**, **S 1043**, **S 1079**, and **S 1081** have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled **S 1020**, **S 1036**, **S 1042**, **S 1043**, **S 1079**, and **S 1081** and ordered them transmitted to the House for the signature of the Speaker.

March 6, 2015

The FINANCE Committee reports out **S 1125**, **S 1126**, **S 1127**, **S 1128**, **S 1129**, **S 1130**, **S 1131**, **S 1132**, **S 1133**, **H 206**, and **H 207** with the recommendation that they do pass.

CAMERON, Chairman

S 1125, **S 1126**, **S 1127**, **S 1128**, **S 1129**, **S 1130**, **S 1131**, **S 1132**, **S 1133**, **H 206**, and **H 207** were filed for second reading.

Senator McKenzie was recorded present at this order of business.

March 6, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 39** and **H 75** with the recommendation that they do pass.

SIDDOWAY, Chairman

H 39 and **H 75** were filed for second reading.

March 6, 2015

The RESOURCES AND ENVIRONMENT Committee reports out **H 47**, **H 124**, **H 125**, **H 161**, and **HCR 10** with the recommendation that they do pass.

BAIR, Chairman

H 47, **H 124**, **H 125**, and **H 161** were filed for second reading.

HCR 10 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 6, 2015

The RESOURCES AND ENVIRONMENT Committee reports it has had under consideration the Gubernatorial reappointment listed below and the Committee recommends that said reappointment be confirmed by the Senate:

Jim Yost to the Northwest Power and Conservation Council, term to expire January 15, 2018.

BAIR, Chairman

The Gubernatorial reappointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 6, 2015

The JUDICIARY AND RULES Committee reports out **H 61**, **H 62**, and **H 64** with the recommendation that they do pass.

LODGE, Chairman

H 61, **H 62**, and **H 64** were filed for second reading.

March 6, 2015

The JUDICIARY AND RULES Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Darrell Bolz to the State Public Defense Commission, term to expire July 1, 2017.

LODGE, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 6, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have appointed Maryanne Jordan of Boise, Idaho, to the office of State Senator for Legislative District 17, Ada County, State of Idaho.

This appointment is effective Monday, March 9, 2015 and will continue until the next general election when the term of office expires.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents, that pursuant to the provisions of Section 59-904A, *Idaho Code*, the District 17 Legislative Committee of the Democratic Party has submitted a list of three names for consideration in filling a vacancy in the Idaho State Senate.

NOW, THEREFORE, I, C.L. "Butch" Otter, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Maryanne Jordan of Boise, Idaho, to the office of State Senator, District 17, for a term commencing March 9, 2015, and continuing until the next general election when the term of office expires.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho in Boise on this 6th day of March, in the year of our Lord two thousand and fifteen and of the Independence of the United States of America, the two hundred thirty-ninth and of the Statehood of Idaho the one hundred twenty-sixth.

/s/ BY THE GOVERNOR C.L. "BUTCH" OTTER
/s/ SECRETARY OF STATE LAWERENCE DENNEY

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President Pro Tempore announced that the Oath of Office had been administered previously to Senator Jordan, and she was recorded present at this order of business.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 6, 2015

Dear Mr. President:

I transmit herewith **H 205**, **H 210**, **H 211**, **H 179**, **HCR 16**, and **HCR 13**, which have passed the House.

ALEXANDER, Chief Clerk

H 205, **H 210**, **H 211**, **H 179**, **HCR 16**, and **HCR 13** were filed for first reading.

March 6, 2015

Dear Mr. President:

I return herewith **S 1037**, **S 1031**, **S 1045**, **S 1015**, as amended, **S 1016**, **S 1024**, **S 1050**, **S 1006**, and **S 1009**, which have passed the House.

ALEXANDER, Chief Clerk

S 1037, **S 1031**, **S 1045**, **S 1015**, as amended, **S 1016**, **S 1024**, **S 1050**, **S 1006**, and **S 1009** were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the following changes were made in Standing Committee Appointments:

Senator Lacey's assignment to the Health and Welfare Committee was withdrawn and he was assigned to the Resources and Environment Committee. Senator Jordan was assigned to the Health and Welfare Committee and the Judiciary and Rules Committee. Senator Stennett was assigned to the Local Government and Taxation Committee.

The President Pro Tempore announced that **SCR 102** was before the Senate for final consideration.

Moved by Senator Brackett, seconded by Senator Nonini, that **SCR 102** be adopted. The question being, "Shall the resolution be adopted?"

Senator Cameron was recorded present at this order of business.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared **SCR 102** adopted, title was approved, and the resolution ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1135
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO CLAIMS OF LIEN; AMENDING SECTION 45-507, IDAHO CODE, TO PROVIDE THAT FOR A CLAIM OF LIEN AN OWNER OR REPUTED OWNER DOES NOT INCLUDE A TRUSTEE OF A DEED OF TRUST.

S 1136
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO PAROLE; AMENDING SECTION 20-229B, IDAHO CODE, TO PROVIDE THAT HEARING OFFICERS SHALL HAVE CERTAIN POWERS AND DUTIES WHEN A PAROLE VIOLATION OCCURS.

S 1135 and **S 1136** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 205, **H 210**, and **H 211**, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 179, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

HCR 16, by Health and Welfare Committee, was introduced, read at length, and referred to the State Affairs Committee.

HCR 13, by State Affairs Committee, was introduced, read at length, and referred to the Judiciary and Rules Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1076, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

H 147, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

S 1120, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

H 177, by Health and Welfare Committee, was read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President Pro Tempore declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President Pro Tempore called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out **H 72**, **S 1108**, **S 1069**, and **S 1072**, without recommendation, amended as follows:

SENATE AMENDMENT TO H 72
AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 41 and 42; and on page 2, delete lines 1 and 2.

SENATE AMENDMENT TO S 1108
AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 24 through 28, and insert: "testing shall submit to the department proof of general commercial liability and motor vehicle liability insurance in the amount of one million dollars ($1,000,000).".

On page 2, delete lines 1 and 2; in line 3, delete "(5)" and insert: "(4)"; in line 5, delete "(6)" and insert: "(5)"; delete lines 15 through 30, and insert:

"(a) Capable of being operated in compliance with the applicable motor vehicle laws and traffic laws of the state; and

(b) Equipped with a separate mechanism to capture and store the vehicle's technology sensor data for at least the thirty (30) seconds before a collision occurs between the autonomous vehicle operating in autonomous mode and another vehicle, object or natural person. The technology sensor data shall be captured and stored in a read-only format and shall be preserved for three (3) years after the date of a collision.";

and delete lines 39 through 41, and insert: "autonomous driven vehicle testing unless designated as closed due to public safety or other concerns. The state or any political subdivision, that has administrative ju-".

SENATE AMENDMENT TO S 1069
AMENDMENT TO THE BILL

On page 1 of the printed bill, following line 12, insert:

"SECTION 2. That Section 5-215, Idaho Code, be, and the same is hereby amended to read as follows:

5-215. ACTION ON JUDGMENT OR FOR MESNE PROFITS OF REAL PROPERTY. Within ~~six~~ eleven (~~6~~11) years:

(1~~.~~) An action upon a judgment or decree of any court of the United States, or of any state or territory within the United States.

(2~~.~~) An action for mesne profits of real property.

SECTION 3. That Section 10-1110, Idaho Code, be, and the same is hereby amended to read as follows:

10-1110. FILING TRANSCRIPT OF JUDGMENTS – LIEN ACQUIRED. A transcript or abstract of any judgment or decree of any court of this state or any court of the United States the enforcement of which has not been stayed as provided by law, if rendered within this state, certified by the clerk having custody thereof, may be recorded with the recorder of any county of this state, who shall immediately record and docket the same as by law provided, and from the time of such recording, and not before, the judgment so recorded becomes a lien upon all real property of the judgment debtor in the county, not exempt from execution, owned by him at the time or acquired afterwards at any time prior to the expiration of the lien; provided that where a transcript or abstract is recorded of any judgment or decree of divorce or separate maintenance making provision for installment or periodic payment of sums for maintenance of children or alimony or allowance for wife's support, such judgment or decree shall be a lien only in an amount for payments so provided, delinquent or not made when due. The lien resulting from recording of a judgment other than

for support of a child continues ~~five~~ ten (~~5~~10) years from the date of the judgment, unless the judgment be previously satisfied, or unless the enforcement of the judgment be stayed upon an appeal as provided by law. A lien arising from the delinquency of a payment due under a judgment for support of a child issued by an Idaho court continues until ~~five~~ ten (~~5~~10) years after the death or emancipation of the last child for whom support is owed under the judgment unless the underlying judgment is renewed, is previously satisfied or the enforcement of the judgment is stayed upon an appeal as provided by law. The transcript or abstract above mentioned shall contain the title of the court and cause and number of action, names of judgment creditors and debtors, time of entry and amount of judgment.

SECTION 4. That Section 45-510, Idaho Code, be, and the same is hereby amended to read as follows:

45-510. DURATION OF LIEN. No lien provided for in this chapter binds any building, mining claim, improvement or structure for a longer period than six (6) months after the claim has been filed, unless proceedings be commenced in a proper court within that time to enforce such lien; or unless a payment on account is made, or extension of credit given with expiration date thereof, and such payment or credit and expiration date, is endorsed on the record of the lien, then six (6) months after the date of such payment or expiration of extension. The lien of a final judgment obtained on any lien provided for in this chapter shall cease ~~five~~ ten (~~5~~10) years from the date the judgment becomes final~~, but if such period of five (5) years has expired or will expire before September 1, 1947, the owner of such judgment lien shall have until September 1, 1947, within which to levy execution under such judgment~~.";
and in line 13, delete "2" and insert: "5".

CORRECTION TO TITLE

On page 1, in line 3, following "ENFORCED;" insert: "AMENDING SECTION 5-215, IDAHO CODE, TO INCREASE THE NUMBER OF YEARS WHEN ACTION ON A JUDGMENT OR FOR MESNE PROFITS OF REAL PROPERTY MUST BE COMMENCED AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 10-1110, IDAHO CODE, TO INCREASE THE TIME A CERTAIN LIEN RESULTING FROM RECORDING OF A JUDGMENT CONTINUES OR LIEN ARISING FROM THE DELINQUENCY OF A PAYMENT DUE UNDER A JUDGMENT CONTINUES; AMENDING SECTION 45-510, IDAHO CODE, TO INCREASE THE TIME PRIOR TO WHEN A LIEN OF FINAL JUDGMENT SHALL CEASE AND TO REMOVE ARCHAIC LANGUAGE CONCERNING WHEN A LIEN OF A FINAL JUDGMENT SHALL EXPIRE;".

SENATE AMENDMENT TO S 1072

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 21, following "trustees" insert: ", except for elections of trustees in a school district that has fewer than five hundred (500) students".

AMENDMENT TO THE BILL

On page 1, delete lines 28 through 30.

CORRECTION TO TITLE

On page 1, in line 4, following "TRUSTEES" insert: ", TO PROVIDE AN EXCEPTION"; and in line 5, delete "; AND DECLARING AN EMERGENCY".

The Committee also has **S 1033**, **S 1041**, **S 1053**, **H 17**, and **S 1095** under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

S 1108, as amended, **S 1069**, as amended, and **S 1072**, as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

H 72, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

S 1040, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Tippets arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared **S 1040**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1080, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Hagedorn, Heider, Hill, Jordan, Keough, Lacey, Lee, Lodge, Martin, Mortimer, Patrick, Schmidt, Stennett, Tippets, Ward-Engelking, Winder. Total - 21.

NAYS–Bair, Bayer, Den Hartog, Guthrie, Johnson, Lakey, McKenzie, Nonini, Nuxoll, Rice, Siddoway, Souza, Thayn, Vick. Total - 14.

Total - 35.

Whereupon the President Pro Tempore declared **S 1080**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1059, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared **S 1059**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1071, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 29.

NAYS–Buckner-Webb, Johnson, Lacey, McKenzie, Schmidt, Stennett. Total - 6.

Total - 35.

Whereupon the President Pro Tempore declared **S 1071**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1056, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared **S 1056**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1070, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared **S 1070**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 9, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to **H 72**, **S 1108**, **S 1069**, and **S 1072** have been correctly printed.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 9, 2015

The JUDICIARY AND RULES Committee reports that **S 1108**, as amended, **S 1069**, as amended, and **S 1072**, as amended, have been correctly engrossed.

LODGE, Chairman

S 1108, as amended, **S 1069**, as amended, and **S 1072**, as amended, were filed for first reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 72, as amended in the Senate, by Agricultural Affairs Committee, was read the first time at length and filed for second reading.

S 1108, as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

S 1069, as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

S 1072, as amended, by Education Committee, was read the first time at length and filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 10 a.m., Tuesday, March 10, 2015.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIFTY-EIGHTH LEGISLATIVE DAY
TUESDAY, MARCH 10, 2015

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Bayer, Cameron, Lodge, Stennett, and Thayn, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Samuel Cahoon, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 9, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senator Stennett was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 10, 2015

The JUDICIARY AND RULES Committee reports that **S 1135** and **S 1136** have been correctly printed.

LODGE, Chairman

S 1135 and **S 1136** were referred to the Judiciary and Rules Committee.

March 9, 2015

The JUDICIARY AND RULES Committee reports that **S 1037**, **S 1031**, **S 1045**, **S 1015**, as amended, **S 1016**, **S 1024**, **S 1050**, **S 1006**, and **S 1009** have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled **S 1037**, **S 1031**, **S 1045**, **S 1015**, as amended, **S 1016**, **S 1024**, **S 1050**, **S 1006**, and **S 1009** and ordered them transmitted to the House for the signature of the Speaker.

March 9, 2015

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

George Eskridge to the Idaho Energy Resources Authority, term to expire June 30, 2019.

MCKENZIE, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 9, 2015

The FINANCE Committee reports out **H 205**, **H 210**, and **H 211** with the recommendation that they do pass.

CAMERON, Chairman

H 205, **H 210**, and **H 211** were filed for second reading.

March 9, 2015

The RESOURCES AND ENVIRONMENT Committee reports out **H 31**, **H 58**, **H 123**, **H 166**, and **HCR 7** with the recommendation that they do pass.

BAIR, Chairman

H 31, **H 58**, **H 123**, and **H 166** were filed for second reading.

HCR 7 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senators Bayer and Thayn were recorded present at this order of business.

March 9, 2015

The RESOURCES AND ENVIRONMENT Committee reports it has had under consideration the Gubernatorial reappointment listed below and the Committee recommends that said reappointment be confirmed by the Senate:

Marc Brinkmeyer to the Lake Pend Oreille Basin Commission, term to expire July 24, 2017.

BAIR, Chairman

The Gubernatorial reappointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Cameron was recorded present at this order of business.

March 9, 2015

The HEALTH AND WELFARE Committee reports out **H 150** and **H 189** with the recommendation that they do pass.

HEIDER, Chairman

H 150 and **H 189** were filed for second reading.

March 9, 2015

The EDUCATION Committee reports out H 169 with the recommendation that it do pass.

MORTIMER, Chairman

H 169 was filed for second reading.

March 9, 2015

The JUDICIARY AND RULES Committee reports out H 136, H 138, and H 139 with the recommendation that they do pass.

LODGE, Chairman

H 136, H 138, and H 139 were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 9, 2015

Dear Mr. President:

I transmit herewith H 155, H 184, H 218, H 185, H 195, H 183, HCR 12, H 220, H 223, H 224, H 225, H 226, H 227, H 228, H 229, H 230, H 231, H 232, H 209, H 208, and H 197, which have passed the House.

ALEXANDER, Chief Clerk

H 155, H 184, H 218, H 185, H 195, H 183, HCR 12, H 220, H 223, H 224, H 225, H 226, H 227, H 228, H 229, H 230, H 231, H 232, H 209, H 208, and H 197 were filed for first reading.

March 9, 2015

Dear Mr. President:

I return herewith S 1026, S 1027, S 1029, SJM 101, and SCR 104, which have passed the House.

ALEXANDER, Chief Clerk

S 1026, S 1027, S 1029, SJM 101, and SCR 104 were referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1137
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO ELECTRIC UTILITIES; AMENDING SECTION 61-328, IDAHO CODE, TO REVISE PROVISIONS RELATING TO REQUISITE FINDINGS OF THE PUBLIC UTILITIES COMMISSION IN REGARD TO A MERGER, SALE, LEASE, ASSIGN OR TRANSFER OF PROPERTY BY AN ELECTRIC PUBLIC UTILITY OR ELECTRICAL CORPORATION, TO PROVIDE THAT THE PROVISIONS OF SPECIFIED LAW SHALL NOT APPLY TO SALES UNDER CERTAIN CONDITIONS AND TO MAKE A TECHNICAL CORRECTION; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR APPLICABILITY.

S 1138
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DIVISION OF FINANCIAL MANAGEMENT FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

S 1139
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF INSURANCE FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1140
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE INDUSTRIAL COMMISSION FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1141
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DIVISION OF BUILDING SAFETY FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1142
BY FINANCE COMMITTEE
AN ACT
RELATING TO APPROPRIATIONS FOR THE LEGISLATIVE BRANCH; APPROPRIATING MONEYS TO THE LEGISLATIVE SERVICES OFFICE FOR FISCAL YEAR 2016; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES TO THE LEGISLATIVE SERVICES OFFICE; EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS FOR THE LEGISLATIVE SERVICES OFFICE; APPROPRIATING MONEYS TO THE OFFICE OF PERFORMANCE EVALUATIONS FOR FISCAL YEAR 2016; AND EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS FOR THE OFFICE OF PERFORMANCE EVALUATIONS.

S 1143
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE EXECUTIVE OFFICE OF THE GOVERNOR FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND EXEMPTING APPROPRIATION OBJECT AND PROGRAM TRANSFER LIMITATIONS.

S 1137, S 1138, S 1139, S 1140, S 1141, S 1142, and S 1143 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 155, H 184, and H 185, by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 218, H 223, H 224, H 225, H 226, H 227, H 228, H 229, H 230, H 231, and H 232, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 195, by State Affairs Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 183, by State Affairs Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

HCR 12, by Health and Welfare Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

H 220, H 209, and H 208, by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 197, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1125, S 1126, S 1127, S 1128, S 1129, S 1130, S 1131, S 1132, and S 1133, by Finance Committee, were read the second time at length and filed for third reading.

H 206 and H 207, by Appropriations Committee, were read the second time at length and filed for third reading.

H 39 and H 75, by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

H 47, H 124, and H 125, by Resources and Conservation Committee, were read the second time at length and filed for third reading.

H 161, H 61, H 62, and H 64, by Judiciary, Rules, and Administration Committee, were read the second time at length and filed for third reading.

H 72, as amended in the Senate, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

S 1108, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1069, as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1072, as amended, by Education Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Mortimer, granted by unanimous consent, S 1096 was referred to the Fourteenth Order of Business, General Calendar.

S 1116 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Senator Lodge was recorded present at this order of business.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared S 1116 passed, title was approved, and the bill ordered transmitted to the House.

S 1117 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared S 1117 passed, title was approved, and the bill ordered transmitted to the House.

S 1118 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Schmidt, Siddoway, Stennett, Thayn, Ward-Engelking. Total - 26.

NAYS–Martin, Nonini, Nuxoll, Rice, Souza, Tippets, Vick, Winder. Total - 8.

Absent and excused–Patrick. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1118 passed, title was approved, and the bill ordered transmitted to the House.

S 1119 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared S 1119 passed, title was approved, and the bill ordered transmitted to the House.

S 1121 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Patrick, Rice, Schmidt, Siddoway, Stennett, Tippets, Ward-Engelking, Winder. Total - 25.

NAYS–Bayer, Den Hartog, Johnson, Lakey, Mortimer, Nonini, Nuxoll, Souza, Thayn, Vick. Total - 10.

Total - 35.

Whereupon the President Pro Tempore declared S 1121 passed, title was approved, and the bill ordered transmitted to the House.

S 1113 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared S 1113 passed, title was approved, and the bill ordered transmitted to the House.

H 29, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 29, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

H 110 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

President Little assumed the Chair.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared H 110 passed, title was approved, and the bill ordered returned to the House.

H 33 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared H 33 passed, title was approved, and the bill ordered returned to the House.

H 68 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared H 68 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, H 95 retained its place on the Third Reading Calendar for one legislative day.

H 48 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared H 48 passed, title was approved, and the bill ordered returned to the House.

H 49 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Siddoway. Total - 1.

Total - 35.

Whereupon the President declared **H 49** passed, title was approved, and the bill ordered returned to the House.

H 82 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 82** passed, title was approved, and the bill ordered returned to the House.

H 122 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 31.

NAYS–Bayer, Nonini, Nuxoll, Vick. Total - 4.

Total - 35.

Whereupon the President declared **H 122** passed, title was approved, and the bill ordered returned to the House.

H 133 was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Siddoway, Brackett, Nuxoll, Rice, Guthrie, and Lodge disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 133** passed, title was approved, and the bill ordered returned to the House.

H 50 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Thayn, Tippets, Vick, Winder. Total - 30.

NAYS–Buckner-Webb, Burgoyne, Jordan, Stennett, Ward-Engelking. Total - 5.

Total - 35.

Whereupon the President declared **H 50** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, **H 95** was placed at the head of the Third Reading Calendar, followed by Senate bills, followed by House bills amended in the Senate, followed by all remaining House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 10 a.m., Wednesday, March 11, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIFTY-NINTH LEGISLATIVE DAY
WEDNESDAY, MARCH 11, 2015

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Lakey, absent and formally excused by the Chair; and Senator Thayn, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Tim Bush, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 10, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 118
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND DECLARING MARCH 20 OF EACH YEAR AS "YMCA DAY" TO RECOGNIZE THE CONTRIBUTIONS OF THE YMCA TO THE CITIZENS OF IDAHO.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Idaho State Alliance of YMCAs has strengthened the foundations of local communities through programs and services that foster youth development, healthy living and social responsibility since the first Idaho YMCA was established in 1891; and

WHEREAS, more than 110,000 people of all ages, races, faiths, abilities and economic backgrounds benefit each year from the YMCA's extensive programming designed to nurture the potential of children, to improve health and well-being and to provide support for those in need; and

WHEREAS, no one is turned away for inability to pay, the Idaho YMCAs provide more than $6 million in financial assistance to enable individuals, children and families to participate in programming that enhances educational opportunities and health and well-being; and

WHEREAS, over 60,000 youth in Idaho are involved in afterschool enrichment programs, early learning child care with an emphasis on numeracy and literacy, resident summer camps, engineering and robotics, youth sports focusing on character development, child abuse prevention, summer learning loss, swim lessons and water safety, teen leadership development, arts education, Youth Government and college advising; and

WHEREAS, programs such as arthritis aquatics, physical therapy, "Moving for Better Balance," "Artist in Residence," disease prevention, "Delay the Disease Parkinson's Program" and cancer survivorship are available to the community; and

WHEREAS, YMCAs are charitable organizations and community assets whose ability to accomplish their objectives depends on the more than 6,500 volunteers, making the Idaho State Alliance of YMCAs the largest volunteer led and driven organizations in the state, with each YMCA governed by a local volunteer board of directors who generously give of their time, expertise and resources to strengthen our communities by addressing local needs; and

WHEREAS, the YMCA's programs are made possible because of community support through partnerships with local city and county officials, local school districts, the United Way, St. Luke's Health System, Saint Alphonsus Regional Medical Center, Healthwise, the Lee Pesky Learning Center and the Idaho Children's Trust Fund.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we declare March 20 of each year as "YMCA Day" for the purpose of recognizing the Idaho State Alliance of YMCAs for their contributions to the citizens of Idaho.

SCR 118 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 11, 2015

The JUDICIARY AND RULES Committee reports that **S 1137**, **S 1138**, **S 1139**, **S 1140**, **S 1141**, **S 1142**, and **S 1143** have been correctly printed.

LODGE, Chairman

S 1137 was referred to the State Affairs Committee.

S 1138, **S 1139**, **S 1140**, **S 1141**, **S 1142**, and **S 1143** were referred to the Finance Committee.

March 10, 2015

The JUDICIARY AND RULES Committee reports that **S 1026**, **S 1027**, **S 1029**, **SJM 101**, and **SCR 104** have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled **S 1026**, **S 1027**, **S 1029**, **SJM 101**, and **SCR 104** and ordered them transmitted to the House for the signature of the Speaker.

March 10, 2015

The FINANCE Committee reports out H 218, H 223, H 224, H 225, H 226, H 227, H 228, H 229, H 230, H 231, and H 232 with the recommendation that they do pass.

CAMERON, Chairman

H 218, H 223, H 224, H 225, H 226, H 227, H 228, H 229, H 230, H 231, and H 232 were filed for second reading.

March 10, 2015

The TRANSPORTATION Committee reports out HJM 8 with the recommendation that it do pass.

BRACKETT, Chairman

HJM 8 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 10, 2015

The TRANSPORTATION Committee reports out H 15, as amended in the Senate, with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, H 15, as amended in the Senate, was referred to the Fourteenth Order of Business, General Calendar.

March 10, 2015

The HEALTH AND WELFARE Committee reports out H 178 with the recommendation that it do pass.

HEIDER, Chairman

H 178 was filed for second reading.

March 10, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 156 with the recommendation that it do pass.

SIDDOWAY, Chairman

H 156 was filed for second reading.

March 10, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 142 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SIDDOWAY, Chairman

There being no objection, H 142 was referred to the Fourteenth Order of Business, General Calendar.

March 10, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out H 30, H 46, H 78, and H 81 with the recommendation that they do pass.

TIPPETS, Chairman

H 30, H 46, H 78, and H 81 were filed for second reading.

March 10, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1062 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

TIPPETS, Chairman

There being no objection, S 1062 was referred to the Fourteenth Order of Business, General Calendar.

March 10, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Jerry Edgington to the Idaho Health Insurance Exchange Board, term to expire April 10, 2017.

TIPPETS, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 10, 2015

The JUDICIARY AND RULES Committee reports out S 1067 with the recommendation that it do pass.

LODGE, Chairman

S 1067 was filed for second reading.

March 10, 2015

The JUDICIARY AND RULES Committee reports out H 157 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, H 157 was referred to the Fourteenth Order of Business, General Calendar.

March 11, 2015

The STATE AFFAIRS Committee reports out S 1092 and S 1112 with the recommendation that they do pass.

MCKENZIE, Chairman

S 1092 and S 1112 were filed for second reading.

March 11, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Candace Sweigart to the Idaho Health Insurance Exchange Board, term to expire April 10, 2017.

TIPPETS, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 10, 2015

Dear Mr. President:

I transmit herewith **H 181**, which has passed the House.

ALEXANDER, Chief Clerk

H 181 was filed for first reading.

March 10, 2015

Dear Mr. President:

I transmit herewith Enrolled **H 70** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 70** and ordered it returned to the House.

March 10, 2015

Dear Mr. President:

I return herewith Enrolled **S 1020**, **S 1036**, **S 1042**, **S 1043**, **S 1079**, and **S 1081**, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1020**, **S 1036**, **S 1042**, **S 1043**, **S 1079**, and **S 1081** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senator Thayn was recorded present at this order of business.

The President announced that **SCR 116** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

Pursuant to Senate Rule 39(H), Senator Siddoway disclosed a possible conflict of interest under applicable law.

On motion by Senator Ward-Engelking, seconded by Senator Den Hartog, **SCR 116** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that **SCR 117** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Davis, seconded by Senator Mortimer, **SCR 117** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that **HCR 10** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Vick, seconded by Senator Lacey, **HCR 10** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that **HCR 7** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Stennett, seconded by Senator Bair, **HCR 7** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Jim Yost was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Cameron, seconded by Senator Lacey, the Gubernatorial reappointment of Jim Yost as a member of the Northwest Power and Conservation Council was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Darrell Bolz was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Rice, the Gubernatorial appointment of Darrell Bolz as a member of the State Public Defense Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of George Eskridge was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Keough, seconded by Senator Burgoyne, the Gubernatorial appointment of George Eskridge as a member of the Idaho Energy Resources Authority was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Marc Brinkmeyer was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Keough, seconded by Senator Lacey, the Gubernatorial reappointment of Marc Brinkmeyer as a member of the Lake Pend Oreille Basin Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1144
BY FINANCE COMMITTEE
AN ACT

RELATING TO APPROPRIATIONS, DISTRIBUTIONS AND TRANSFERS OF IDAHO MILLENNIUM FUNDS; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE IDAHO ACADEMY OF FAMILY PHYSICIANS FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE AMERICAN LUNG ASSOCIATION OF IDAHO FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE IDAHO PUBLIC HEALTH DISTRICTS FOR THE PUBLIC HEALTH DISTRICT MILLENNIUM FUND CESSATION PROGRAM FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE IDAHO ASSOCIATION OF COUNTIES FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE AMERICAN CANCER SOCIETY CANCER ACTION NETWORK FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE IDAHO YOUTH RANCH FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE SUPPORTIVE HOUSING AND INNOVATIVE PARTNERSHIPS INC. OF IDAHO FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE IDAHO DRUG FREE YOUTH FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE FOUNDATION FOR THE IDAHO CONFERENCE ON ALCOHOL AND DRUG DEPENDENCY INC. FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE COMMUNITY COALITIONS OF IDAHO FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE BOYS AND GIRLS CLUB OF IDAHO FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE IDAHO METH PROJECT FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE IDAHO STATE POLICE FOR TOBACCO PERMITTEE COMPLIANCE INSPECTIONS FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE IDAHO DEPARTMENT OF JUVENILE CORRECTIONS FOR THE YOUTH PREVENTION AND CESSATION PROGRAMS FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE PHYSICAL HEALTH SERVICES PROGRAM FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO THE IDAHO DEPARTMENT OF CORRECTION FOR THE COMMUNITY-BASED SUBSTANCE ABUSE TREATMENT SERVICES PROGRAM FOR FISCAL YEAR 2016; APPROPRIATING MONEYS TO BOISE STATE UNIVERSITY FOR THE INSTITUTE FOR THE STUDY OF ADDICTION FOR FISCAL YEAR 2016; APPROPRIATING AND TRANSFERRING MONEYS TO THE IDAHO MILLENNIUM PERMANENT ENDOWMENT FUND FOR FISCAL YEAR 2016; PROVIDING THAT CERTAIN UNEXPENDED AND UNENCUMBERED BALANCE OF MONEYS SHALL REVERT TO THE IDAHO MILLENNIUM INCOME FUND AT THE END OF FISCAL YEAR 2016; AND TRANSFERRING ANY REMAINING UNEXPENDED AND UNENCUMBERED BALANCE OF MONEYS IN THE IDAHO MILLENNIUM INCOME FUND TO THE IDAHO MILLENNIUM PERMANENT ENDOWMENT FUND AT THE END OF FISCAL YEAR 2016.

S 1145
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE PUBLIC DEFENSE COMMISSION FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1146
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO CONTROLLED SUBSTANCES; AMENDING SECTION 37-2701, IDAHO CODE, TO REVISE THE DEFINITION OF "MARIJUANA," TO DEFINE "CANNABIDIOL OIL" AND TO PROVIDE AN AFFIRMATIVE DEFENSE; AND DECLARING AN EMERGENCY.

S 1147
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO MUNICIPAL CORPORATIONS; AMENDING SECTION 50-1019, IDAHO CODE, TO AUTHORIZE THE ISSUANCE OF CERTAIN BONDS TO PROVIDE FOR THE PROTECTION OF PUBLIC SAFETY BY THE ESTABLISHMENT OF FIRE AND POLICE DEPARTMENTS AND BY THE PURCHASE OF BUILDING SITES, BUILDINGS AND EQUIPMENT AND APPARATUS NECESSARY TO PROVIDE POLICE PROTECTION AND TO CLARIFY A CODE REFERENCE; AND DECLARING AN EMERGENCY.

S 1144, **S 1145**, **S 1146**, and **S 1147** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 181, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 205, **H 210**, and **H 211**, by Appropriations Committee, were read the second time at length and filed for third reading.

H 31, by Resources and Conservation Committee, was read the second time at length and filed for third reading.

H 58, by Environment, Energy, and Technology Committee, was read the second time at length and filed for third reading.

H 123 and **H 166**, by Resources and Conservation Committee, were read the second time at length and filed for third reading.

H 150 and **H 189**, by Health and Welfare Committee, were read the second time at length and filed for third reading.

H 169, by Education Committee, was read the second time at length and filed for third reading.

H 136, H 138, and H 139, by Judiciary, Rules, and Administration Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Rice, granted by unanimous consent, H 95 retained its place on the Third Reading Calendar for Wednesday, March 18, 2015.

S 1076 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Lakey. Total - 1.

Total - 35.

Whereupon the President declared S 1076 passed, title was approved, and the bill ordered transmitted to the House.

S 1120 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Tippets arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Lakey. Total - 1.

Total - 35.

Whereupon the President declared S 1120 passed, title was approved, and the bill ordered transmitted to the House.

S 1125 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Lakey. Total - 1.

Total - 35.

Whereupon the President declared S 1125 passed, title was approved, and the bill ordered transmitted to the House.

S 1126 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Cameron and Mortimer disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Heider, Hill, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Schmidt, Siddoway, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 25.

NAYS–Bayer, Den Hartog, Guthrie, Hagedorn, Johnson, Nuxoll, Rice, Souza, Vick. Total - 9.

Absent and excused–Lakey. Total - 1.

Total - 35.

Whereupon the President declared S 1126 passed, title was approved, and the bill ordered transmitted to the House.

S 1127 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 29.

NAYS–Bayer, Nuxoll, Rice, Souza. Total - 4.

Absent and excused–Davis, Lakey. Total - 2.

Total - 35.

Whereupon the President declared S 1127 passed, title was approved, and the bill ordered transmitted to the House.

S 1128 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Lakey. Total - 1.

Total - 35.

Whereupon the President declared S 1128 passed, title was approved, and the bill ordered transmitted to the House.

S 1129 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Lakey. Total - 1.

Total - 35.

Whereupon the President declared S 1129 passed, title was approved, and the bill ordered transmitted to the House.

S 1130 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Guthrie disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Lakey. Total - 1.

Total - 35.

Whereupon the President declared S 1130 passed, title was approved, and the bill ordered transmitted to the House.

S 1131 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Lakey. Total - 1.

Total - 35.

Whereupon the President declared S 1131 passed, title was approved, and the bill ordered transmitted to the House.

S 1132 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Lakey. Total - 1.

Total - 35.

Whereupon the President declared S 1132 passed, title was approved, and the bill ordered transmitted to the House.

S 1133 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Lakey. Total - 1.

Total - 35.

Whereupon the President declared S 1133 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 10 a.m., Thursday, March 12, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SIXTIETH LEGISLATIVE DAY
THURSDAY, MARCH 12, 2015

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Cameron, and Mortimer, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Kayla Christensen, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 11, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 12, 2015

The JUDICIARY AND RULES Committee reports that **SCR 118**, **S 1144**, **S 1145**, **S 1146**, and **S 1147** have been correctly printed.

LODGE, Chairman

SCR 118 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1144 and **S 1145** were referred to the Finance Committee.

S 1146 was referred to the State Affairs Committee.

S 1147 was referred to the Local Government and Taxation Committee.

March 11, 2015

The JUDICIARY AND RULES Committee reports that Enrolled **S 1020**, **S 1036**, **S 1042**, **S 1043**, **S 1079**, and **S 1081** were delivered to the Office of the Governor at 11:30 a.m., March 11, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 11, 2015

The FINANCE Committee reports out **S 1138**, **S 1139**, **S 1140**, **S 1141**, **S 1142**, and **S 1143** with the recommendation that they do pass.

CAMERON, Chairman

S 1138, **S 1139**, **S 1140**, **S 1141**, **S 1142**, and **S 1143** were filed for second reading.

March 11, 2015

The STATE AFFAIRS Committee reports out **H 90** and **H 91** with the recommendation that they do pass.

MCKENZIE, Chairman

H 90 and **H 91** were filed for second reading.

March 11, 2015

The RESOURCES AND ENVIRONMENT Committee reports out **HJM 5** and **HJM 7** with the recommendation that they do pass.

BAIR, Chairman

HJM 5 and **HJM 7** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 11, 2015

The HEALTH AND WELFARE Committee reports out **H 107**, **H 153**, **HCR 9**, and **HCR 11** with the recommendation that they do pass.

HEIDER, Chairman

H 107 and **H 153** were filed for second reading.

HCR 9 and **HCR 11** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 11, 2015

The EDUCATION Committee reports out **H 126** and **H 190** with the recommendation that they do pass.

MORTIMER, Chairman

H 126 and **H 190** were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 11, 2015

Dear Mr. President:

I transmit herewith **H 212**, **H 213**, and **H 202**, which have passed the House.

ALEXANDER, Chief Clerk

H 212, **H 213**, and **H 202** were filed for first reading.

March 11, 2015

Dear Mr. President:

I return herewith S 1034, S 1051, S 1052, S 1007, S 1008, S 1010, S 1023, S 1057, S 1058, and S 1099, which have passed the House.

ALEXANDER, Chief Clerk

S 1034, S 1051, S 1052, S 1007, S 1008, S 1010, S 1023, S 1057, S 1058, and S 1099 were referred to the Judiciary and Rules Committee for enrolling.

March 11, 2015

Dear Mr. President:

I transmit herewith Enrolled H 33, H 48, H 49, H 50, H 68, H 82, H 110, H 122, and H 133 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 33, H 48, H 49, H 50, H 68, H 82, H 110, H 122, and H 133 and ordered them returned to the House.

March 11, 2015

Dear Mr. President:

I return herewith Enrolled S 1037, S 1031, S 1045, S 1015, as amended, S 1016, S 1024, S 1050, S 1006, and S 1009, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled S 1037, S 1031, S 1045, S 1015, as amended, S 1016, S 1024, S 1050, S 1006, and S 1009 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1148
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE COMMISSION ON HISPANIC AFFAIRS FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1149
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO IDAHO PUBLIC TELEVISION FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1148 and S 1149 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 212 and H 213, by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 202, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 218, H 223, H 224, H 225, H 226, H 227, H 228, H 229, H 230, H 231, and H 232, by Appropriations Committee, were read the second time at length and filed for third reading.

H 178, by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 156, by Local Government Committee, was read the second time at length and filed for third reading.

H 30, by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

H 46, by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 78, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

H 81, by Business Committee, was read the second time at length and filed for third reading.

S 1067, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1092, by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

S 1112, by State Affairs Committee, was read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

Senators Cameron and Mortimer were recorded present at this order of business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out S 1041, S 1053, H 17, S 1095, S 1096, H 15, as amended in the Senate, H 142, and S 1062, without recommendation, amended as follows:

SENATE AMENDMENT TO S 1041
AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 14, following "senate." insert: "Present members shall continue to serve for the balance of their initial terms of appointment. Thereafter, any member appointed or reappointed shall serve for a term of three (3) years."; delete lines 18 through 22, and insert:

"~~(2) The terms of the members shall expire as follows: three (3) members on January 1, 2014; three (3) members on January 1, 2015; and three (3) members on January 1, 2016.~~

~~Thereafter, any person appointed a member of the board shall hold office for three (3) years.~~";
in line 23, delete "3" and insert: "~~3~~2"; and in line 26, delete "4" and insert: "4~~3~~".

On page 2, in line 10, delete "5" and insert: "~~5~~4"; in line 14, delete "6" and insert: "~~6~~5"; in line 17, delete "7" and insert: "~~7~~6"; in line 18, delete "8" and insert: "~~8~~7"; and in line 19, delete "9" and insert: "~~9~~8".

CORRECTION TO TITLE

On page 1, in line 5, following "EXAMINATION" insert: "AND TO REVISE PROVISIONS CONCERNING THE TERMS OF MEMBERS".

SENATE AMENDMENT TO S 1053

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 10, delete "(1)" and insert: "~~(1)~~"; in line 15, delete "2" and insert: "~~2~~1"; in line 19, delete "3" and insert: "~~3~~2"; in line 23, delete "4" and insert: "4~~3~~"; and in line 31, delete "5" and insert: "~~5~~4".

AMENDMENT TO SECTION 2

On page 1, in line 38, delete "(1)" and insert: "~~(1)~~".

On page 2, in line 3, delete "2" and insert: "~~2~~1"; in line 7, delete "3" and insert: "~~3~~2"; and in line 11, delete "4" and insert: "4~~3~~".

SENATE AMENDMENT TO H 17

AMENDMENT TO SECTION 1

On page 3 of the printed bill, in line 5, delete "three (3) wheeled motorcycle on which the"; and delete lines 6 through 9, and insert: "motor vehicle designed to travel on not more than three (3) wheels in contact with the ground that has a steering wheel and seating that does not require the operator to straddle or sit astride.".

AMENDMENT TO SECTION 4

On page 5, in line 10, following "to" insert: "completely enclosed".

AMENDMENT TO SECTION 5

On page 5, delete lines 25 and 26.

AMENDMENT TO THE BILL

On page 5, following line 26, insert:

"SECTION 6. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval.".

CORRECTION TO TITLE

On page 1, in line 6, following "FOR" insert: "COMPLETELY ENCLOSED"; also in line 6, delete "AND"; in line 9, delete "," and insert: "AND"; and delete lines 11 through 13, and insert: "OPERATING AUTOCYCLES; AND DECLARING AN EMERGENCY.".

SENATE AMENDMENT TO S 1095

AMENDMENT TO SECTION 4

On page 8 of the printed bill, in line 40, delete "-eight"; and in line 41, delete "88" and insert: "80".

SENATE AMENDMENT TO S 1095

AMENDMENT TO THE BILL

On page 2 of the printed bill, delete lines 2 through 47; on page 3, delete lines 1 through 50; on page 4, delete lines 1 through 48; and renumber sections accordingly.

AMENDMENT TO SECTION 18

On page 29, delete lines 17 through 19, and insert:

"SECTION 17. Sections 1 through 5 and Sections 8 through 16 of this act shall be in full force and effect on and after July 1, 2016. Sections 6 and 7 of this act shall be in full force and effect on and after July 1, 2017.".

CORRECTION TO TITLE

On page 1, in line 2, delete "AMENDING SECTION 9-340B, IDAHO"; and delete line 3.

SENATE AMENDMENT TO S 1096

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 26 through 31, and insert:

"(c) A process by which parents who object to any learning material or activity on the basis that it harms the child or impairs the parents' firmly held beliefs, values or principles, may withdraw their child from the activity, class or program in which the material is used.".

SENATE AMENDMENT TO SENATE AMENDMENT TO H 15

AMENDMENT TO THE AMENDMENT

On page 1 of the printed amendment, delete lines 2 through 20.

On page 1 of the printed bill, delete lines 17 through 42; and on page 2, delete lines 1 through 19 and insert:

"SECTION 1. That Chapter 5, Title 49, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 49-523A, Idaho Code, and to read as follows:

49-523A. TITLE STOP WHEN OWNERSHIP OF VEHICLE DISPUTED. (1) Whenever a party claims an interest in a vehicle subject to a title, the party may request a title stop be placed upon the title record of the vehicle.

(2) The request for title stop shall be provided to the department, together with documentation supporting the request and the fee required pursuant to the provisions of section 49-202(2)(i), Idaho Code.

(3) A verbal request to the department for a title stop may be placed on the title record for up to five (5) business days upon advising the requestor of the requirements and giving the requestor time to send the written request. Failure to send the written request shall terminate the request at the end of the five (5) business days.

(4) Upon receipt of the request for title stop, the department may place a stop on the title record of the subject vehicle if it appears from the documentation provided that there exists a reasonable dispute as to the ownership of the vehicle.

(5) Notwithstanding the placement of a stop or the filing of a stop request, the department shall process an application for title accompanied by a properly completed affidavit of repossession, or to record a lien or encumbrance, unless the requestor of the stop has provided the department with a court order restraining the issuance of title. In all other applications for title, the department shall place or maintain a stop and shall notify the title applicant that a stop is in place.

(6) Once the title stop is placed by the department, the requesting party shall provide evidence of a judicial filing relating to the subject vehicle within thirty (30) days of the title stop becoming effective. Failure to provide such evidence shall result in the department's cancellation of the title stop.

(a) Upon receipt of a written request for a title stop and the required fee, the department shall send notice of the title stop to the titled owners and any other party with recorded interest or lienholder recorded on the title records of the department.

(b) Upon receipt by the department of satisfactory evidence of a judicial filing, the title stop shall remain in place until a final order of the judicial proceeding is received, the requesting party has instructed the department to remove the stop, the requesting party has failed to respond to notice under paragraph (c) of this subsection or for one (1) year, unless renewed by the requestor, whichever comes first.

(c) Except as provided in subsection (5) of this section, if a person files evidence with the department that the person has acquired title to the vehicle for which a title stop has been placed, then the department shall send notice to the original requesting party providing ten (10) business days from the date notice was mailed to object to the release of the title stop. If the department does not receive timely response from the requesting party or if the requesting party instructs the department to remove the stop, then the title stop shall be immediately released.

(7) During the pendency of the title stop, no title applications for the vehicle to which the stop pertains shall be processed by the department except as otherwise provided in this section.

(8) Title stops requested by a governmental agency shall be exempt from the provisions of subsection (6) of this section. Such title stop shall be valid for two (2) years, unless renewed by the governmental agency requesting the stop. Governmental agencies shall be exempt from the fee required in section 49-202(2)(i), Idaho Code.

(9) The provisions of this section shall be effective for any title stop received on and after July 1, 2015.".

CORRECTION TO TITLE

On page 1, delete lines 2 through 15, and insert:

"RELATING TO MOTOR VEHICLES; AMENDING CHAPTER 5, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-523A, IDAHO CODE, TO PROVIDE FOR TITLE STOP REQUESTS WHEN OWNERSHIP OF A VEHICLE IS DISPUTED, TO PROVIDE A PROCEDURE, TO PROVIDE FOR A FEE, TO PROVIDE FOR VERBAL REQUESTS, TO AUTHORIZE THE IDAHO TRANSPORTATION DEPARTMENT TO PLACE A STOP ON THE TITLE RECORD OF A VEHICLE UNDER CERTAIN CONDITIONS, TO PROVIDE THAT THE DEPARTMENT SHALL PROCESS AN APPLICATION FOR A TITLE OR RECORD A LIEN OR ENCUMBRANCE EXCEPT UNDER CERTAIN CIRCUMSTANCES, TO REQUIRE THE REQUESTING PARTY TO PROVIDE CERTAIN EVIDENCE ONCE THE TITLE STOP IS PLACED BY THE DEPARTMENT, TO PROVIDE FOR CANCELLATION OF A TITLE STOP IN THE EVENT EVIDENCE IS NOT PROVIDED, TO PROVIDE FOR NOTICE, TO PROVIDE FOR THE DURATION OF THE TITLE STOP, TO PROVIDE THAT A PERSON MAY FILE EVIDENCE THAT THE PERSON HAS ACQUIRED TITLE TO A VEHICLE FOR WHICH A TITLE STOP HAS BEEN PLACED, TO PROVIDE FOR NOTICE, TO PROVIDE FOR THE RELEASE OF A TITLE STOP UNDER CERTAIN CONDITIONS, TO PROVIDE THAT NO TITLE APPLICATIONS FOR THE VEHICLE SHALL BE PROCESSED DURING THE PENDENCY OF THE TITLE STOP, TO PROVIDE FOR TITLE STOPS REQUESTED BY GOVERNMENTAL AGENCIES AND TO PROVIDE FOR APPLICABILITY.".

SENATE AMENDMENT TO H 142

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 41, following "city" insert: "with a population of one thousand five hundred (1,500) or more"; and in line 42, following "cities" insert: "with a population of one thousand five hundred (1,500) or more".

SENATE AMENDMENT TO S 1062

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 12 through 38; delete pages 2 and 3, and insert:

"SECTION 1. That Title 39, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW CHAPTER, to be known and designated as Chapter 92, Title 39, Idaho Code, and to read as follows:

CHAPTER 92

IDAHO DIRECT PRIMARY CARE ACT

39-9201. SHORT TITLE. This chapter shall be known and may be cited as the "Idaho Direct Primary Care Act."

39-9202. PUBLIC POLICY. It is the policy of the state of Idaho to promote personal responsibility for health care and the cost-effective delivery of medical services by encouraging innovative use of direct patient-provider practices for primary medical care. Direct patient-provider practices utilize a model of periodic fees for provider access and medical management over time, rather than simply a fee for visit or procedure service model. Some patients and individual primary care providers may wish to establish direct agreements with one another as an alternative to traditional fee-for-service care financed through health insurance. The purpose of this act is to confirm that direct patient-provider agreements that satisfy the provisions of this chapter do not constitute insurance.

39-9203. DEFINITIONS. For purposes of this chapter, the following definitions apply:

(1) "Direct fee" means an agreed-upon fee charged by a primary care provider as consideration for providing and being available to provide direct primary care services described in a direct primary care agreement.

(2) "Direct primary care agreement" means a written contract between a primary care provider and an individual patient or a patient's representative in which the primary care provider agrees to provide direct primary care services to the patient over a specified period of time for payment of a direct fee.

(3) "Direct primary care services" means those services that a primary care provider is licensed or otherwise legally authorized to provide and may include, but are not limited to, such services as screening, assessment, diagnosis and treatment for the purpose of promoting health; detection, management and care of disease or injury; or routine preventive or diagnostic dental treatment. Such services may be provided in a primary care provider's office, the patient's home or other locations where a patient visit with the primary care provider needs to occur.

(4) "Patient" means a person who is entitled to receive direct primary care services under a direct care agreement.

(5) "Patient's representative" means a person identified in section 39-4504(1)(a) through (g), Idaho Code.

(6) "Primary care provider" means a natural person licensed or otherwise legally authorized to provide health care services in the state of Idaho in the field of pediatrics, family medicine, internal medicine or dentistry, who provides such

services either alone or in professional association with others in a form and within a scope permitted by such licensure or legal authorization for the provision of such services, and who enters into a direct primary care agreement.

39-9204. DIRECT PRIMARY CARE AGREEMENT PROVISIONS. (1) A direct primary care agreement shall identify:

(a) The primary care provider and the patient;

(b) The general scope of services as well as the specific services to be provided by the primary care provider;

(c) The location or locations where services are to be provided;

(d) The amount of the direct fee and the time interval at which it is to be paid; and

(e) The term of the agreement and the conditions upon which it may be terminated by the primary care provider. The agreement shall be terminable at will by written notice from the patient to the primary care provider.

(2) If a party provides written notice of termination of the direct primary care agreement, the primary care provider shall refund to the patient all unearned direct fees within thirty (30) days following the notice of termination.

39-9205. INSURANCE BILLING PROHIBITED. Neither the patient nor the primary care provider shall submit a bill to an insurer for the services provided under a direct primary care agreement.

39-9206. AGREEMENTS NOT CLASSIFIED AS INSURANCE. Direct primary care agreements are not subject to regulation as insurance under title 41, Idaho Code.

39-9207. DISCLAIMER. A direct primary care agreement shall include the following disclaimer: "This agreement does not provide health insurance coverage, including the minimal essential coverage required by applicable federal law. It provides only the services described herein. It is recommended that health care insurance be obtained to cover medical services not provided for under this direct primary care agreement."

39-9208. RESTRICTIONS ON TRANSFER. A direct primary care agreement may not be sold or transferred by the primary care provider without the written consent of the patient and may be transferred only to another primary care provider. A direct primary care agreement may not be sold to a group, employer or group of subscribers because it is an individual agreement between a primary care provider and a patient. These limitations do not prohibit the presentation of marketing materials to groups of potential patients or their representatives but said marketing materials are subject to chapter 6, title 48, Idaho Code.".

CORRECTION TO TITLE

On page 1, delete lines 2 through 10, and insert:

"RELATING TO HEALTH CARE; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 92, TITLE 39, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DECLARE PUBLIC POLICY AND TO PROVIDE THAT DIRECT PRIMARY CARE AGREEMENTS DO NOT CONSTITUTE INSURANCE, TO DEFINE TERMS, TO SPECIFY THAT DIRECT PRIMARY CARE AGREEMENTS INCLUDE CERTAIN PROVISIONS, TO PROHIBIT DIRECT PRIMARY CARE PROVIDERS FROM BILLING INSURERS FOR DIRECT PRIMARY CARE, TO PROVIDE THAT DIRECT PRIMARY CARE AGREEMENTS SHALL NOT BE REGULATED AS INSURANCE, TO PROVIDE THAT DIRECT PRIMARY CARE AGREEMENTS INCLUDE A DISCLAIMER AND TO RESTRICT SALES OR TRANSFERS OF DIRECT PRIMARY CARE AGREEMENTS.".

The Committee also has **S 1033** and **H 157** under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

S 1041, as amended, **S 1053**, as amended, **S 1095**, as amended, **S 1096**, as amended, and **S 1062**, as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

H 17, as amended in the Senate, **H 15**, as amended in the Senate, as amended in the Senate, and **H 142**, as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Tenth Order of Business.

Motions and Resolutions

The President announced that **HJM 8** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Brackett, seconded by Senator Den Hartog, **HJM 8** was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Jerry Edgington was before the Senate for final consideration, the question being, "Shall the report be adopted?"

Pursuant to Senate Rule 39(H), Senator Cameron disclosed a possible conflict of interest under applicable law.

On motion by Senator Martin, seconded by Senator Jordan, the Gubernatorial appointment of Jerry Edgington as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Candace Sweigart was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Keough, the Gubernatorial appointment of Candace Sweigart as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1108, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Keough, Lacey, Lakey, Nonini, Nuxoll, Patrick, Siddoway, Souza, Vick, Winder. Total - 18.

NAYS–Buckner-Webb, Burgoyne, Cameron, Davis, Johnson, Jordan, Lee, Lodge, Martin, McKenzie, Mortimer, Rice, Schmidt, Stennett, Thayn, Tippets, Ward-Engelking. Total - 17.

Total - 35.

Whereupon the President declared S 1108, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1069, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate.

On request by Senator Davis, granted by unanimous consent, S 1069, as amended, was referred to the Fourteenth Order of Business, General Calendar.

S 1072, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Souza, Thayn, Vick, Ward-Engelking, Winder. Total - 24.

NAYS–Bair, Buckner-Webb, Cameron, Johnson, Lacey, McKenzie, Rice, Schmidt, Siddoway, Stennett, Tippets. Total - 11.

Total - 35.

Whereupon the President declared S 1072, as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12 noon until the hour of 4:30 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., pursuant to recess, President Pro Tempore Hill presiding.

Roll call showed all members present except Senators Brackett, Davis, Heider, and Lodge, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 12, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to S 1041, S 1053, H 17, S 1095, S 1096, H 15, as amended in the Senate, H 142, and S 1062 have been correctly printed.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 12, 2015

The JUDICIARY AND RULES Committee reports that S 1041, as amended, S 1053, as amended, S 1095, as amended, S 1096, as amended, and S 1062, as amended, have been correctly engrossed.

LODGE, Chairman

S 1041, as amended, S 1053, as amended, S 1095, as amended, S 1096, as amended, and S 1062, as amended, were filed for first reading.

March 12, 2015

The AGRICULTURAL AFFAIRS Committee reports out H 148, HCR 14, and HJM 6 with the recommendation that they do pass.

RICE, Chairman

H 148 was filed for second reading.

HCR 14 and HJM 6 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Brackett was recorded present at this order of business.

March 12, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out H 59, H 120, as amended, H 143, and HCR 6 with the recommendation that they do pass.

TIPPETS, Chairman

H 59, H 120, as amended, and H 143 were filed for second reading.

HCR 6 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 12, 2015

The TRANSPORTATION Committee reports out H 194 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, H 194 was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 17, as amended in the Senate, and H 15, as amended in the Senate, as amended in the Senate, by Transportation and Defense Committee, were read the first time at length and filed for second reading.

H 142, as amended in the Senate, by Local Government Committee, was read the first time at length and filed for second reading.

Senators Lodge and Davis were recorded present at this order of business.

S 1041, as amended, S 1053, as amended, and S 1095, as amended, by Judiciary and Rules Committee, were read the first time at length and filed for second reading.

S 1096, as amended, by Education Committee, was read the first time at length and filed for second reading.

S 1062, as amended, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

On request by Senator Winder, granted by unanimous consent, S 1062, as amended, was referred to the Fourteenth Order of Business, General Calendar.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

H 72, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Heider. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 72, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Siddoway, granted by unanimous consent, H 94 retained its place on the Third Reading Calendar for Wednesday, March 18, 2015.

President Little assumed the Chair.

Senator Heider was recorded present at this order of business.

H 108 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Tippets arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared H 108 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Patrick, granted by unanimous consent, H 114 retained its place on the Third Reading Calendar for one legislative day.

H 147 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Buckner-Webb arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared H 147 passed, title was approved, and the bill ordered returned to the House.

H 177 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Patrick, Schmidt, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 23.

NAYS–Bair, Bayer, Guthrie, Hill, McKenzie, Mortimer, Nonini, Nuxoll, Rice, Siddoway, Souza, Vick. Total - 12.

Total - 35.

Whereupon the President declared H 177 passed, title was approved, and the bill ordered returned to the House.

H 206 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 206** passed, title was approved, and the bill ordered returned to the House.

H 207 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 207** passed, title was approved, and the bill ordered returned to the House.

H 39 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bayer, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lodge, Martin, Nonini, Nuxoll, Patrick, Souza, Thayn, Tippets, Vick. Total - 21.

NAYS–Bair, Brackett, Cameron, Davis, Hill, Lee, McKenzie, Mortimer, Rice, Schmidt, Siddoway, Stennett, Ward-Engelking, Winder. Total - 14.

Total - 35.

Whereupon the President declared **H 39** passed, title was approved, and the bill ordered returned to the House.

H 75 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Tippets disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bayer, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Johnson, Jordan, Keough, Martin, Nonini, Nuxoll, Patrick, Souza, Stennett, Tippets, Vick, Ward-Engelking. Total - 18.

NAYS–Bair, Brackett, Cameron, Davis, Heider, Hill, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Rice, Schmidt, Siddoway, Thayn, Winder. Total - 17.

Total - 35.

Whereupon the President declared **H 75** passed, title was approved, and the bill ordered returned to the House.

H 47 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Heider, Hill, Johnson, Jordan, Lacey, Lee, Lodge, Martin, McKenzie, Nuxoll, Patrick, Schmidt, Stennett, Thayn, Tippets, Vick, Ward-Engelking. Total - 24.

NAYS–Cameron, Guthrie, Hagedorn, Keough, Lakey, Mortimer, Nonini, Rice, Siddoway, Souza, Winder. Total - 11.

Total - 35.

Whereupon the President declared **H 47** passed, title was approved, and the bill ordered returned to the House.

H 124 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 32.

NAYS–Burgoyne, Jordan, Stennett. Total - 3.

Total - 35.

Whereupon the President declared **H 124** passed, title was approved, and the bill ordered returned to the House.

H 125 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared **H 125** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Lakey, granted by unanimous consent, **H 161** retained its place on the Third Reading Calendar for one legislative day.

H 61 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 61** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 6:05 p.m. until the hour of 9:30 a.m., Friday, March 13, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SIXTY-FIRST LEGISLATIVE DAY
FRIDAY, MARCH 13, 2015

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Cameron, Johnson, and Lee, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Nolan Cole, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 12, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Lakey, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 119
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE DOCKET OF THE STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION RELATING TO RULES GOVERNING UNIFORMITY.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the State Board of and State Department of Education relating to Rules Governing Uniformity is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 08.02.02, the State Board of and State Department of Education, Rules Governing Uniformity, adopted as a pending rule under Docket Number 08-0202-1401, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

SCR 120
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION RELATING TO RULES GOVERNING UNIFORMITY.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule of the State Board of and State Department of Education relating to Rules Governing Uniformity is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 08.02.02, the State Board of and State Department of Education, Rules Governing Uniformity, Section 028., all of Subsection 04., only, adopted as a pending rule under Docket Number 08-0202-1403, be, and the same is hereby rejected and declared null, void and of no force and effect.

SCR 121
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION RELATING TO RULES GOVERNING THOROUGHNESS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule of the State Board of and State Department of Education relating to Rules Governing Thoroughness is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 08.02.03, the State Board of and State Department of Education, Rules Governing Thoroughness, Section 105., Subsection 06., only, adopted as a pending rule under Docket Number 08-0203-1401, be, and the same is hereby rejected and declared null, void and of no force and effect.

SCR 122
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN RULES OF THE STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION RELATING TO RULES GOVERNING THOROUGHNESS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the State Board of and State Department of Education relating to Rules Governing Thoroughness are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 08.02.03, the State Board of and State Department of Education, Rules Governing Thoroughness, Section 111., Subsections 04.c. and 06.l., only, adopted as pending rules under Docket Number 08-0203-1403, be, and the same are hereby rejected and declared null, void and of no force and effect.

SCR 119, **SCR 120**, **SCR 121**, and **SCR 122** were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 13, 2015

The JUDICIARY AND RULES Committee reports that **S 1148** and **S 1149** have been correctly printed.

LODGE, Chairman

S 1148 and **S 1149** were referred to the Finance Committee.

March 12, 2015

The JUDICIARY AND RULES Committee reports that Enrolled **S 1037**, **S 1031**, **S 1045**, **S 1015**, as amended, **S 1016**, **S 1024**, **S 1050**, **S 1006**, and **S 1009** were delivered to the Office of the Governor at 11:40 a.m., March 12, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 12, 2015

The JUDICIARY AND RULES Committee reports that **S 1034**, **S 1051**, **S 1052**, **S 1007**, **S 1008**, **S 1010**, **S 1023**, **S 1057**, **S 1058**, and **S 1099** have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled **S 1034**, **S 1051**, **S 1052**, **S 1007**, **S 1008**, **S 1010**, **S 1023**, **S 1057**, **S 1058**, and **S 1099** and ordered them transmitted to the House for the signature of the Speaker.

March 12, 2015

The FINANCE Committee reports out **S 1144** and **S 1145** with the recommendation that they do pass.

CAMERON, Chairman

S 1144 and **S 1145** were filed for second reading.

March 13, 2015

The STATE AFFAIRS Committee reports out **H 128** with the recommendation that it do pass.

MCKENZIE, Chairman

H 128 was filed for second reading.

March 13, 2015

The STATE AFFAIRS Committee reports out **H 113** and **S 1146** with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, **H 113** and **S 1146** were referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Lakey, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 12, 2015

Dear Mr. President:

I transmit herewith **H 214**, **H 240**, and **H 221**, which have passed the House.

ALEXANDER, Chief Clerk

H 214, **H 240**, and **H 221** were filed for first reading.

March 12, 2015

Dear Mr. President:

I return herewith **S 1115**, which has failed to pass the House.

ALEXANDER, Chief Clerk

S 1115 was ordered filed in the office of the Secretary of the Senate.

March 12, 2015

Dear Mr. President:

I return herewith **S 1110**, **S 1114**, **S 1097**, and **S 1100**, which have passed the House.

ALEXANDER, Chief Clerk

S 1110, **S 1114**, **S 1097**, and **S 1100** were referred to the Judiciary and Rules Committee for enrolling.

March 12, 2015

Dear Mr. President:

I transmit herewith Enrolled **HCR 7** and **HCR 10** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **HCR 7** and **HCR 10** and ordered them returned to the House.

March 12, 2015

Dear Mr. President:

I return herewith Enrolled **S 1026**, **S 1027**, and **S 1029**, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1026**, **S 1027**, and **S 1029** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 12, 2015

Dear Mr. President:

I return herewith Enrolled SJM 101 and SCR 104, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled SJM 101 and SCR 104 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senator Lee was recorded present at this order of business.

The President announced that SCR 118 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Winder, SCR 118 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

Senator Johnson was recorded present at this order of business.

The President announced that HJM 5 was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Stennett, seconded by Senator Thayn, HJM 5 was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The President announced that HJM 7 was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Heider, seconded by Senator Stennett, HJM 7 was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The President announced that HCR 9 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Burgoyne, HCR 9 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

On request by Senator Lakey, granted by unanimous consent, HCR 11 retained its place on the calendar for Monday, March 16, 2015.

The President announced that HCR 14 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Heider, seconded by Senator Bair, HCR 14 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that HJM 6 was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

Pursuant to Senate Rule 39(H), Senator Patrick disclosed a possible conflict of interest under applicable law.

On motion by Senator Rice, seconded by Senator Winder, HJM 6 was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

Senator Cameron was recorded present at this order of business.

The President announced that HCR 6 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Patrick, seconded by Senator Burgoyne, HCR 6 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 214, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 240, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 221, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1138, S 1139, S 1140, S 1141, S 1142, and S 1143, by Finance Committee, were read the second time at length and filed for third reading.

H 90 and H 91, by State Affairs Committee, were read the second time at length and filed for third reading.

H 107 and H 153, by Health and Welfare Committee, were read the second time at length and filed for third reading.

H 126 and H 190, by Education Committee, were read the second time at length and filed for third reading.

H 148, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

H 59, by Business Committee, was read the second time at length and filed for third reading.

H 120, as amended, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

H 143, H 17, as amended in the Senate, and H 15, as amended in the Senate, as amended in the Senate, by Transportation and Defense Committee, were read the second time at length and filed for third reading.

H 142, as amended in the Senate, by Local Government Committee, was read the second time at length and filed for third reading.

S 1041, as amended, S 1053, as amended, and S 1095, as amended, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

S 1096, as amended, by Education Committee, was read the second time at length and filed for third reading.

On request by Senator Lakey, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out S 1069, as amended, H 194, and S 1062, as amended, without recommendation, amended as follows:

SENATE AMENDMENT TO S 1069, As Amended

AMENDMENT TO SECTION 5

On page 2 of the engrossed bill, in line 34, delete "This act shall be in full force and effect on and after July"; and delete lines 35 and 36, and insert: "This act shall be in full force and effect on and after July 1, 2015, and shall apply only to judgments issued on and after July 1, 2015, by a court of competent jurisdiction.".

SENATE AMENDMENT TO H 194

AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 4, delete "or pro-"; and in line 5, delete "cessed".

AMENDMENT TO SECTION 2

On page 4, in line 15, following "posts" insert: ", wood chips".

AMENDMENT TO SECTION 3

On page 6, in line 3, delete "~~unprocessed~~" and insert: "unprocessed".

AMENDMENT TO SECTION 4

On page 9, in line 24, delete "~~unprocessed~~" and insert: "unprocessed".

AMENDMENT TO SECTION 5

On page 10, in line 20, delete "~~unprocessed~~" and insert: "unprocessed".

AMENDMENT TO THE BILL

On page 14, following line 42, insert:

"SECTION 9. That Section 49-1001, Idaho Code, be, and the same is hereby amended to read as follows:

49-1001. ALLOWABLE GROSS LOADS. The gross load imposed on the highway by any vehicle or combination of vehicles shall not exceed the limits in this section. The maximum single axle gross weight shall be twenty thousand (20,000) pounds, the maximum single wheel gross weight shall be ten thousand (10,000) pounds and the maximum gross vehicle or combination weight shall be one hundred five thousand five hundred (105,500) pounds, provided that maximum gross vehicle or combination weight on United States federal interstate and defense highways of this state shall not exceed eighty thousand (80,000) pounds, except as permitted under the provisions of section 49-1004, Idaho Code.

(1) The total gross weight imposed on the highway by any group of consecutive axles shall be determined by the following formula:

$$W=500((LN/N-1)+12N+36)$$

Where W is the maximum weight in pounds (to the nearest 500 pounds) carried on any group of two (2) or more consecutive axles. L is the distance in feet between the extremes of any group of two (2) or more consecutive axles, and N is the number of axles under consideration.

The formula is modified as illustrated in the following table:

Distance in feet between the extremes of any group of 2 or more consecutive axles	Maximum load in pounds carried on any group of 2 or more consecutive axles											
axles	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles	10 axles	11 axles	12 axles	13 axles
4	34,000											
5	34,000			WHEN NO ALLOWABLE WEIGHT IS								
6	34,000			LISTED FOR ANY AXLE SPACING,								
7	34,000			APPLY THE ALLOWABLE WEIGHT								
8	34,000			AS LISTED IN THE FIRST COLUMN								
8+	38,000	42,000		TO THE LEFT								
9	39,000	42,500										
10	40,000	43,500										
11		44,000										
12		45,000	50,000									
13		45,500	50,500									
14		46,500	51,500									
15		47,000	52,000									
16		48,000	52,500	58,000								
17		48,500	53,500	58,500								
18		49,500	54,000	59,000								
19		50,000	54,500	60,000								
20		51,000	55,500	60,500	66,000							
21		51,500	56,000	61,000	66,500							
22		52,500	56,500	61,500	67,000							
23		53,000	57,500	62,500	68,000							
24		54,000	58,000	63,000	68,500	74,000						
25		54,500	58,500	63,500	69,000	74,500						
26		55,500	59,500	64,000	69,500	75,000						
27		56,000	60,000	65,000	70,000	75,500						
28		57,000	60,500	65,500	71,000	76,500	82,000					

Distance in feet between the extremes of any group of 2 or more consecutive axles	Maximum load in pounds carried on any group of 2 or more consecutive axles											
axles	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles	10 axles	11 axles	12 axles	13 axles
29		57,500	61,500	66,000	71,500	77,000	82,500					
30		58,500	62,000	66,500	72,000	77,500	83,000					
31		59,000	62,500	67,500	72,500	78,000	83,500					
32		60,000	63,500	68,000	73,000	78,500	84,500	90,000				
33			64,000	68,500	74,000	79,000	85,000	90,500				
34			64,500	69,000	74,500	80,000	85,500	91,000				
35			65,500	70,000	75,000	80,500	86,000	91,500				
36			66,000	70,500	75,500	81,000	86,500	92,000	98,000			
37			66,500	71,000	76,000	81,500	87,000	93,000	98,500			
38			67,500	71,500	77,000	82,000	87,500	93,500	99,000			
39			68,000	72,500	77,500	82,500	88,500	94,000	99,500			
40			68,500	73,000	78,000	83,500	89,000	94,500	100,000	106,000		
41			69,500	73,500	78,500	84,000	89,500	95,000	100,500	106,500		
42			70,000	74,000	79,000	84,500	90,000	95,500	101,000	107,000		
43			70,500	75,000	80,000	85,000	90,500	96,000	102,000	107,500		
44			71,500	75,500	80,500	85,500	91,000	96,500	102,500	108,000	114,000	
45			72,000	76,000	81,000	86,000	91,500	97,500	103,000	108,500	114,500	
46			72,500	76,500	81,500	87,000	92,500	98,000	103,500	109,000	115,000	
47			73,500	77,500	82,000	87,500	93,000	98,500	104,000	110,000	115,500	
48			74,000	78,000	83,000	88,000	93,500	99,000	104,500	110,500	116,000	122,000
49			74,500	78,500	83,500	88,500	94,000	99,500	105,000	111,000	116,500	122,500
50			75,500	79,000	84,000	89,000	94,500	100,000	105,500	111,500	117,000	123,000
51			76,000	80,000	84,500	89,500	95,000	100,500	106,000	112,000	118,000	123,500
52			76,500	80,500	85,000	90,500	95,500	101,000	107,000	112,500	118,500	124,000
53			77,500	81,000	86,000	91,000	96,500	102,000	107,500	113,000	119,000	124,500
54			78,000	81,500	86,500	91,500	97,000	102,500	108,000	113,500	119,500	125,000

Distance in feet between the extremes of any group of 2 or more consecutive axles	Maximum load in pounds carried on any group of 2 or more consecutive axles											
axles	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles	10 axles	11 axles	12 axles	13 axles
55			78,500	82,500	87,000	92,000	97,500	103,000	108,500	114,000	120,000	125,500
56			79,500	83,000	87,500	92,500	98,000	103,500	109,000	115,000	120,500	126,000
57			80,000	83,500	88,000	93,000	98,500	104,000	109,500	115,500	121,000	127,000
58				84,000	89,000	94,000	99,000	104,500	110,000	116,000	121,500	127,500
59				85,000	89,500	94,500	99,500	105,000	110,500	116,500	122,000	128,000
60				85,500	90,000	95,000	100,500	105,500	111,000	117,000	122,500	128,500
61				86,000	90,500	95,500	101,000	106,000	112,000	117,500	123,000	129,000
62				87,000	91,000	96,000	101,500	107,000	112,500	118,000	124,000	
63				87,500	92,000	96,500	102,000	107,500	113,000	118,500	124,500	
64				88,000	92,500	97,500	102,500	108,000	113,500	119,000	125,000	
65				88,500	93,000	98,000	103,000	108,500	114,000	119,500	125,500	
66				89,500	93,500	98,500	103,500	109,000	114,500	120,000	126,000	
67				90,000	94,000	99,000	104,500	109,500	115,000	121,000	126,500	
68				90,500	95,000	99,500	105,000	110,000	115,500	121,500	127,000	
69				91,000	95,500	100,000	105,500	111,000	116,000	122,000	127,500	
70				92,000	96,000	101,000	106,000	111,500	117,000	122,500	128,000	
71				92,500	96,500	101,500	106,500	112,000	117,500	123,000	128,500	
72				93,000	97,000	102,000	107,000	112,500	118,000	123,500	129,000	
73				93,500	98,000	102,500	107,500	113,000	118,500	124,000		
74				94,500	98,500	103,000	108,000	113,500	119,000	124,500		
75				95,000	99,000	103,500	109,000	114,000	119,500	125,000		
76				95,500	99,500	104,500	109,500	114,500	120,000	126,000		
77				96,000	100,000	105,000	110,000	115,000	120,500	126,500		
78				97,000	101,000	105,500	110,500	116,000	121,000	127,000		
79				97,500	101,500	106,000	111,000	116,500	122,000	127,500		
80				98,000	102,000	106,500	111,500	117,000	122,500	128,000		

Distance in feet between the extremes of any group of 2 or more consecutive axles	Maximum load in pounds carried on any group of 2 or more consecutive axles											
axles	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles	10 axles	11 axles	12 axles	13 axles
81				98,500	102,500	107,000	112,000	117,500	123,000	128,500		
82				99,000	103,000	108,000	113,000	118,000	123,500	129,000		
83				100,000	104,000	108,500	113,500	118,500	124,000			
84					104,500	109,000	114,000	119,000	124,500			
85					105,000	109,500	114,500	120,000	125,000			
86					105,500	110,000	115,000	120,500	125,500			
87					106,000	111,000	115,500	121,000	126,000			
88					107,000	111,500	116,000	121,500	127,000			
89					107,500	112,000	117,000	122,000	127,500			
90					108,000	112,500	117,500	122,500	128,000			
91					108,500	113,000	118,000	123,000	128,500			
92					109,000	113,500	118,500	123,500	129,000			
93					110,000	114,000	119,000	124,000				
94					110,500	115,000	119,500	125,000				
95					111,000	115,500	120,000	125,500				
96					111,500	116,000	121,000	126,000				
97					112,000	116,500	121,500	126,500				
98					113,000	117,000	122,000	127,000				
99					113,500	118,000	122,500	127,500				
100					114,000	118,500	123,000	128,000				
101					114,500	119,000	123,500	129,000				

(a) A public highway agency may limit the application of the weights authorized in this section as to certain highways within its jurisdiction which it determines have limited structural capacity of pavements, bridges, or other appurtenances. In designating such highways, it may specify a minimum wheelbase for combinations to be operated thereon. It may also designate specific highways or portions on which operation of a combination of vehicles with seven (7) through thirteen (13) axles will be subject to specified lesser allowable gross weights.

(b) Notwithstanding the figures shown in the table in this subsection (1), two (2) consecutive sets of tandem axles may carry a gross load of thirty-four thousand (34,000) pounds each, providing the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six (36) feet or more.

(c) Vehicles may operate with reducible loads at gross weights greater than one hundred five thousand five hundred (105,500) pounds but not exceeding one hundred twenty-nine thousand (129,000) pounds on noninterstate highways in accordance with the provisions of section 49-1004, Idaho Code, provided such vehicles are in compliance with the weight formula specified in this subsection (1) of this section, have registered and have paid the registration fees as specified in section 49-434, Idaho Code, and are in compliance with the length restrictions set forth in section 49-1010(7), Idaho Code.

(2) The weight limitations set forth in the table in subsection (1) of this section shall not apply to any vehicle, or combination of vehicles when a greater allowed weight in pounds would be permitted such vehicles under the table provided in this subsection, except that with regard to transportation on the United States federal interstate and defense highways of this state, the following table of allowable weights shall apply only to vehicles engaged in the transportation of logs, pulp wood, stull, rough lumber, poles or piling; or to any such vehicle engaged in the transportation of ores, concentrates, sand and gravel and aggregates thereof, in bulk; or to any such vehicle engaged in the transportation of agricultural commodities, including livestock:

Distance in feet between the extremes of any group of 2 or more consecutive axles	Allowed Load in Pounds	
	Vehicles with Three or Four axles	Vehicles with Five or more axles
3 through 12	37,800	37,800
13	56,470	56,470
14	57,940	57,940
15	59,400	59,400
16	60,610	60,610
17	61,820	61,820
18	63,140	63,140
19	64,350	64,350
20	65,450	65,450
21	66,000	66,330
22	66,000	67,250
23	66,000	67,880
24	66,000	68,510
25	66,000	69,150
26	66,000	69,770
27	66,000	70,400
28	66,000	70,950
29	66,000	71,500
30	66,000	72,050
31		72,600
32		73,150
33		73,700
34		74,250
35		74,800
36		75,350
37		75,900
38		76,450
39		77,000
40		77,550
41		78,100
42		78,650
43 and over		79,000

The weight allowances provided in this subsection do not apply if the total gross weight of a vehicle or combination of vehicles is intended to exceed seventy-nine thousand (79,000) pounds as declared by the operator. When the provisions of this subsection are applicable to a vehicle or combination of vehicles, it shall be a violation of the provisions of this subsection if that vehicle or combination of vehicles exceeds the weights specified in this table.

(3) In determining the gross weight of a vehicle or the gross weight of any two (2) or more consecutive axles under subsection (1) or (2) or (9) of this section, the total gross weight of the vehicle or combination of vehicles or the gross weight of any two (2) or more consecutive axles shall be the sum of the axle weights.

For the purposes of this chapter the gross weight of a vehicle or the gross weight of any two (2) or more consecutive axles may be determined by accumulatively adding the separate weights of individual axles and tandem axles or groups of axles to determine gross weight. The results of any weighing at a temporary or permanent port of entry and the records relating to the calibration and accuracy of any scale at a temporary or permanent port of entry shall be admissible in any proceeding in this state. In order to prove a violation of the provisions of this section the state must show that:

(a) The sum of the axle weights exceeds what is allowable under the provisions of subsection (1) or (2) or (9) of this section;

(b) The scale involved in the weighing was at the time of weighing calibrated in conformity with and met the

accuracy requirements of the standards for the enforcement of traffic and highway laws as set forth in the latest edition of handbook 44 of the national institute of standards and technology;

(c) Weights of individual axles or axles within a commonly suspended group of axles supported by a mechanical system designed to distribute equal wheel loads to individual axles in the group were utilized only to determine gross weights of that group of axles, and that any further evaluation of gross weights of combinations of axles considered only the accumulated gross weight of each such commonly suspended group of axles.

(4) In applying the weight limitations imposed in this section, a vehicle or combination of vehicles must comply exclusively with the weight limitations in either subsection (1) or (2) or (9) of this section.

(5) In applying the weight limitations imposed in this section, the distance between axles shall be measured to the nearest even foot. When a fraction is exactly one-half (1/2) foot the next larger whole number shall be used.

(6) The limitations imposed in this section are in addition and supplemental to all other laws imposing limitations upon the size and weight of vehicles. Further, single axles within groups of axles are subject to the provisions and limitations of this chapter. Single axles within groups of axles may be weighed and evaluated separately.

(7) Notwithstanding the other provisions of this chapter, no vehicle, motor vehicle, trailer and/or semitrailer, or combination thereof, may be operated on the public highways of the state under loads which would result in the withholding of funds by operation of controlling federal law as provided in the Federal Aid Highway Act of 1956, as amended.

(8) Except as provided herein, no vehicle or combination of vehicles may proceed past the place of weighing at temporary or permanent ports of entry or checking stations when: the weight of a single axle exceeds the maximum limitations set forth herein by two thousand (2,000) pounds or more; the weight of a combination of axles, or gross vehicle weight exceeds the maximum allowable weight as set forth herein by seven percent (7%) or more. Vehicles or combinations of vehicles which exceed the weight limitations set forth herein shall be required to be brought into compliance with applicable weight limitations contained within this subsection at the place of weighing prior to continuing, except those vehicles or combinations of vehicles which are transporting loads which, in the determination of the board or other proper authorities in charge of or having jurisdiction over a highway, are deemed unsafe or impractical to bring into compliance at the place of weighing, and except those vehicles which do not exceed fifteen percent (15%) over maximum axle and axle group weights set forth in this section. Vehicles or combinations of vehicles transporting loads in this latter category shall obtain a travel authorization to the nearest place of safe unloading, load adjustment or other means of legalization.

(a) Neither the state of Idaho or its employees, nor any authority and its employees in charge of or having jurisdiction over a highway, shall be held liable for personal injury or property damage resulting from the requirements of section 49-1001(8), Idaho Code.

(b) The fee for a travel authorization as set forth above shall be fifty dollars ($50.00) and shall be on a form prescribed by the board or other proper authorities, and shall not be construed as contributing to a reduction in the penalties prescribed in section 49-1013, Idaho Code.

(c) The board or other proper authorities in charge of or having jurisdiction over a highway shall adopt and enforce administrative rules as may be necessary to carry out the provisions of this section.

(9) For vehicles on all highways except the United States federal interstate and defense highways of this state, the following table shall apply:

Distance in feet between the extremes of any group of 2 or more consecutive axles	Allowed Load in Pounds	
	Vehicles with Three or Four axles	Vehicles with Five or more axles
3 through 12	37,800	37,800
13	56,470	56,470
14	57,940	57,940
15	59,400	59,400
16	60,610	60,610
17	61,820	61,820
18	63,140	63,140
19	64,350	64,350
20	65,450	65,450
21	66,000	66,330
22	66,000	67,250
23	66,000	67,880
24	66,000	68,510
25	66,000	69,150
26	66,000	69,770
27	66,000	70,400
28	66,000	70,950
29	66,000	71,500
30	66,000	72,050
31		72,600
32		73,150
33		73,700
34		74,250
35		74,800
36		75,350
37		75,900
38		76,450
39		77,000
40		77,550
41		78,100
42		78,650
43 and over		80,000

The weight allowances provided in this subsection do not apply if the total gross weight of a vehicle or combination of vehicles is intended to exceed eighty thousand (80,000) pounds as declared by the operator. When the provisions of this subsection are

applicable to a vehicle or combination of vehicles, it shall be a violation of the provisions of this subsection if that vehicle or combination of vehicles exceeds the weights specified in this table.

(10) ~~When owned by or under contract to or under authority of a city, county, or state agency, refuse/sanitation trucks transporting refuse may be operated on public highways in accordance with the weights allowed in subsection (9) of this section, except that such trucks equipped with single rear axles are allowed twenty-four thousand (24,000) pounds on that single rear axle when specifically authorized by the public highway agency governing the highways over which the refuse/sanitation truck is operating and provided the following conditions are met:~~

~~(a) The weight allowances provided for in this subsection shall not apply to the United States federal interstate and defense highways of the state; and~~

~~(b) The owner or operator has paid an annual operating fee for a permit, not to exceed fifty dollars ($50.00) per refuse/sanitation truck to each public agency governing the public highways over which the refuse/sanitation truck operates. The permit shall be carried in the refuse/sanitation truck. The permit fee may be waived by a public agency for refuse/sanitation trucks operated over public highways under that agency's jurisdiction.~~

~~(11)~~ Variable load suspension axles shall meet the following criteria in order to be included in the computation of gross vehicle or axle weight limits for vehicles under the provisions of this section:

(a) The deployment control switch for such axles may be located inside of the driver's compartment but the pressure regulator valve for the operation of pressure on the pavement shall be located outside of and inaccessible to the driver's compartment.

(b) The manufacturer's gross axle weight rating of each such axle must not be less than the actual loading of the axle.

(c) All variable load suspension axles shall be designed to be self-steering; provided however, variable load suspension axles that are within sixty (60) inches of a drive axle or are within sixty (60) inches of a trailer axle, need not be self-steering.

(d) The manufacturer's gross tire weight rating of each tire must not be less than the actual loading of the tire.

(e) Variable load suspension axles must be fully deployed or fully raised. For applicable definitions, see sections 49-117 and 49-123, Idaho Code.

(1~~2~~1) Any person who operates a motor vehicle with a variable load suspension axle in violation of the provisions of this section shall be subject to the penalties provided in section 49-1013, Idaho Code.";

and renumber sections accordingly.

CORRECTION TO TITLE

On page 1, in line 12, following ";" insert: "AMENDING SECTION 49-1001, IDAHO CODE, TO REMOVE LANGUAGE RELATING TO THE OPERATION OF REFUSE OR SANITATION TRUCKS;".

SENATE AMENDMENT TO S 1062, As Amended

AMENDMENT TO SECTION 1

On page 3 of the engrossed bill, following line 12, insert:

"39-9209. EFFECT OF THIS CHAPTER. This chapter does not prohibit health care providers who are not primary care providers from entering into agreements with patients to the extent such agreements do not violate the provisions of title 41, Idaho Code.".

CORRECTION TO TITLE

On page 1, in line 10, following "DISCLAIMER" insert: ","; also in line 10, delete "AND"; and in line 11, following "AGREEMENTS" insert: "AND TO CLARIFY THE EFFECT OF THIS CHAPTER".

The Committee also has **S 1033** and **H 157** under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

S 1069, as amended, as amended, and **S 1062**, as amended, as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

H 194, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Lakey, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 13, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to **S 1069**, as amended, **H 194**, and **S 1062**, as amended, have been correctly printed.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 13, 2015

The JUDICIARY AND RULES Committee reports that **S 1069**, as amended, as amended, and **S 1062**, as amended, as amended, have been correctly engrossed.

LODGE, Chairman

S 1069, as amended, as amended, and **S 1062**, as amended, as amended, were filed for first reading.

On request by Senator Lakey, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 194, as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

S 1069, as amended, as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

S 1062, as amended, as amended, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

On request by Senator Lakey, granted by unanimous consent, **H 194**, as amended in the Senate, was referred to the Fourteenth Order of Business, General Calendar.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Lakey, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Lakey, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Lakey, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:10 a.m. until the hour of 10 a.m., Monday, March 16, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SIXTY-FOURTH LEGISLATIVE DAY
MONDAY, MARCH 16, 2015

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Lodge, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Lydia Deatherage, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 13, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 123
BY JUDICIARY AND RULES COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND CREATING A TASK FORCE TO STUDY ISSUES RELATING TO FAMILY CAREGIVERS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, family caregivers are an essential part of Idaho's health care system, providing uncompensated support and care to ill or disabled family members or loved ones; and

WHEREAS, family caregivers are valued community members who are the backbone of Idaho's long-term care system; and

WHEREAS, the State Healthcare Innovation Plan is focused on redesigning Idaho's health care delivery system to evolve from a fee-for-service, volume-based system to a value-based system of care based on improved health outcomes; and

WHEREAS, uncompensated family caregivers in Idaho are an essential part of the medical neighborhood, the medical neighborhood being the array of services that are available to patients beyond the scope of a patient-centered medical home; and

WHEREAS, the State Healthcare Innovation Plan envisions better connection of the patient-centered medical home to the rest of the medical neighborhood in order to improve care coordination and care quality and reduce costs and duplication of services; and

WHEREAS, half of Idaho's 44 counties are frontier, with fewer than seven persons per square mile, resulting in areas that lack access to many levels of health care, including access to caregiving resources; and

WHEREAS, the population of the state that is 65 years or older is projected to reach 370,000 in 2032, a significant increase from 2012, and this demographic represents the fastest-growing population in the state; and

WHEREAS, Idaho has 137,099 veterans, with an estimated 19,041 who suffer disabilities, including 1,645 who are completely disabled; and

WHEREAS, an estimated 53,280 Idaho children have a special health care need, and an estimated 18,820 have a serious emotional disorder; and

WHEREAS, providing services and support to Idahoans in their homes and communities is generally less expensive than institutional care; and

WHEREAS, individuals who receive care at home are less likely to need public assistance; and

WHEREAS, at any time during the year an estimated 307,000 adults in Idaho provide care to adult relatives or friends, which equates to an estimated 201 million hours per year and an estimated value of $2 billion per year; and

WHEREAS, approximately two-thirds of Idaho's unpaid caregivers are employed or looking for work, and their caregiving responsibilities therefore have an economic impact on families and employers in Idaho; and

WHEREAS, more than half of care recipients are under the age of 75, and almost one-third are under the age of 50, thus indicating that caregiving is a multigenerational issue in family life that also impacts a broad spectrum of individuals with chronic illnesses that necessitate family caregiving throughout the lifespan; and

WHEREAS, approximately 22,000 Idahoans are living with Alzheimer's disease or a related disorder, and an estimated 77,000 individuals, many of whom are unpaid, provide caregiving responsibilities for people with Alzheimer's disease or a related disorder; and

WHEREAS, to successfully address the surging population of older adults and people with disabilities who have significant needs for long-term services and support, the state must develop methods that both encourage and support individuals who assist family members and must also develop ways to recruit and retain a qualified, responsive in-home care workforce.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Idaho Caregiver Alliance convene a task force to coordinate and develop a comprehensive set of recommendations to inform stakeholders regarding innovative solutions to support uncompensated family caregivers in Idaho and to provide information to those who may serve as a caregiver in the future.

BE IT FURTHER RESOLVED that the Idaho Caregiver Alliance recruit members to the task force who represent a broad array of caregiving stakeholders.

BE IT FURTHER RESOLVED that any advisors to the task force who are not legislative members shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges.

BE IT FURTHER RESOLVED that the task force hold an organizational meeting by May 31, 2015, and at such meeting

elect a chair or co-chairs and adopt any rules or procedures that are necessary to conduct its business.

BE IT FURTHER RESOLVED that the task force identify policies, resources and programs available for family caregivers and methods to support family caregivers and integrate this component of Idaho's health care system into the State Healthcare Innovation Plan medical neighborhood model.

BE IT FURTHER RESOLVED that the task force compile an inventory of the resources available to family caregivers in Idaho.

BE IT FURTHER RESOLVED that the task force report its findings and recommendations to the Second Regular Session of the Sixty-third Idaho Legislature.

SCR 124
BY JUDICIARY AND RULES COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT AN INTERIM COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF POTENTIAL APPROACHES TO THE APPOINTMENT OF ADMINISTRATIVE HEARING OFFICERS FOR CONTESTED CASES.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, state agencies and members of the public are often opposing parties in a contested case administrative hearing; and

WHEREAS, an order issued in such a contested case can determine legal rights, duties, privileges, immunities and other legal interests; and

WHEREAS, administrative hearing officers in contested cases play an integral role in determining the outcome of contested cases and any orders that are issued; and

WHEREAS, hearing officers should have the independence and expertise to conduct a fair and thorough hearing; and

WHEREAS, allowing agencies to hire hearing officers in contested cases where the agency is a party is contrary to and does not promote independence of the hearing officers; and

WHEREAS, having an available pool of qualified hearing officers with consistent contract terms, and who are assigned randomly and independent of the agency involved in the contested case, will promote and preserve impartiality and due process for the citizens of Idaho; and

WHEREAS, current contested case procedures, including those pertaining to discovery, are uneven and inconsistent; and

WHEREAS, significant issues exist as to whether current standards for judicial review of contested case proceedings are adequate.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of contested case procedures, judicial review of contested case proceedings and potential approaches to appointing administrative hearing officers including, but not limited to: creating a viable pool of candidates to serve as impartial hearing officers; determining which cases and state agencies may require a pool of candidates with special technical expertise; and determining model contract terms for all hearing officers. The committee shall consist of ten legislators, with five from the Senate and five from the House of Representatives. The Legislative Council shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that the cochairmen of the committee are authorized to appoint advisors with technical expertise in the area of contested case administrative hearings and hearing officers and are expected to receive input from stakeholders in various state agencies.

BE IT FURTHER RESOLVED that any advisors to the committee who are not legislative members shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges.

BE IT FURTHER RESOLVED that the committee shall report its findings, recommendations and proposed legislation, if any, to the Second Regular Session of the Sixty-third Idaho Legislature.

SCR 123 and **SCR 124** were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 16, 2015

The JUDICIARY AND RULES Committee reports that **SCR 119**, **SCR 120**, **SCR 121**, and **SCR 122** have been correctly printed.

LODGE, Chairman

SCR 119, **SCR 120**, **SCR 121**, and **SCR 122** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 13, 2015

The JUDICIARY AND RULES Committee reports that **S 1110**, **S 1114**, **S 1097**, and **S 1100** have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled **S 1110**, **S 1114**, **S 1097**, and **S 1100** and ordered them transmitted to the House for the signature of the Speaker.

March 13, 2015

The JUDICIARY AND RULES Committee reports that Enrolled **S 1026**, **S 1027**, and **S 1029** were delivered to the Office of the Governor at 10:09 a.m., March 13, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 13, 2015

The JUDICIARY AND RULES Committee reports that Enrolled **SJM 101** and **SCR 104** were delivered to the Office of the Secretary of State at 10:11 a.m., March 13, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

Senator Lodge was recorded present at this order of business.

March 13, 2015

The JUDICIARY AND RULES Committee reports out **H 101**, **H 102**, **H 121**, **H 159**, and **S 1136** with the recommendation that they do pass.

LODGE, Chairman

H 101, **H 102**, **H 121**, **H 159**, and **S 1136** were filed for second reading.

March 13, 2015

The FINANCE Committee reports out **H 240**, **S 1148**, and **S 1149** with the recommendation that they do pass.

CAMERON, Chairman

H 240, **S 1148**, and **S 1149** were filed for second reading.

March 13, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 172** and **H 209** with the recommendation that they do pass.

SIDDOWAY, Chairman

H 172 and **H 209** were filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 11, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Celia Gould of Boise, Idaho, was appointed as a member of the Public Employee Retirement System of Idaho Board to serve a term commencing March 11, 2015, and expiring July 1, 2018.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

March 11, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Rod Higgins of Boise, Idaho, was reappointed as a member of the State Insurance Fund Board to serve a term commencing April 3, 2014, and expiring April 3, 2018.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Commerce and Human Resources Committee.

March 11, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Suzanne Budge of Boise, Idaho, was reappointed as a member of the Hazardous Waste Facility Siting License Application Review Panel to serve a term commencing March 6, 2015, and expiring March 6, 2018.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Health and Welfare Committee.

March 11, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Mark Von Lindern of Lewiston, Idaho, was reappointed as a member of the Hazardous Waste Facility Siting License Application Review Panel to serve a term commencing March 6, 2015, and expiring March 6, 2018.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Health and Welfare Committee.

March 11, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Max Black of Boise, Idaho, was reappointed as a member of the State Insurance Fund Board to serve a term commencing April 3, 2014, and expiring April 3, 2018.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Commerce and Human Resources Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 13, 2015

Dear Mr. President:

I transmit herewith **H 247**, **H 248**, **H 249**, **H 250**, **H 251**, and **H 204**, which have passed the House.

ALEXANDER, Chief Clerk

H 247, **H 248**, **H 249**, **H 250**, **H 251**, and **H 204** were filed for first reading.

March 13, 2015

Dear Mr. President:

I return herewith **S 1046**, **S 1063**, **S 1004**, **S 1014**, **S 1035**, **S 1054**, **S 1082**, **S 1001**, **S 1116**, **S 1117**, and **S 1119**, which have passed the House.

ALEXANDER, Chief Clerk

S 1046, **S 1063**, **S 1004**, **S 1014**, **S 1035**, **S 1054**, **S 1082**, **S 1001**, **S 1116**, **S 1117**, and **S 1119** were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that **HCR 11** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lee, seconded by Senator Schmidt, **HCR 11** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1150
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2016; AND EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS.

S 1151
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DIVISION OF PROFESSIONAL-TECHNICAL EDUCATION FOR FISCAL YEAR 2016; EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS FOR THE POSTSECONDARY PROGRAM; AND PROVIDING NON-GENERAL FUND REAPPROPRIATION FOR FISCAL YEAR 2015.

S 1152
BY FINANCE COMMITTEE
AN ACT
RELATING TO STATE AGENCY RECEIPT OF FEDERAL FUNDS; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 67-1917, IDAHO CODE, TO REVISE REPORTING REQUIREMENTS BY STATE AGENCIES THAT RECEIVE FEDERAL FUNDS, TO PROVIDE AN EXCEPTION FOR HIGHER EDUCATIONAL INSTITUTIONS AND TO DEFINE "FEDERAL FUNDS"; AMENDING SECTION 67-3502, IDAHO CODE, TO ESTABLISH THAT BUDGET REQUESTS PROVIDE A REPORT THAT DISCLOSES ANY KNOWN FUTURE REDUCTIONS OR ELIMINATIONS OF FEDERAL FUNDS AND AN AGENCY'S PLAN FOR OPERATING IF CERTAIN CIRCUMSTANCES OCCUR AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-3506, IDAHO CODE, TO PROVIDE THAT THE BUDGET DOCUMENT SHALL CONSIST OF FOUR PARTS; AMENDING SECTION 67-3507, IDAHO CODE, TO PROVIDE THAT PART IV OF THE BUDGET DOCUMENT SHALL CONSIST OF FEDERAL FUNDING REPORTS AND CERTAIN DISCLOSURES AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-3513, IDAHO CODE, TO PROVIDE FOR LEGISLATIVE COMMITTEE CONSIDERATION OF A REPORT REGARDING FEDERAL FUNDS.

S 1153
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO INDIGENT SICK; AMENDING SECTION 31-3501, IDAHO CODE, TO REVISE THE DECLARATION OF POLICY RELATING TO WHO IS ELIGIBLE FOR THE COUNTY MEDICALLY INDIGENT PROGRAM AND CATASTROPHIC HEALTH CARE COST PROGRAM; AMENDING SECTION 31-3502, IDAHO CODE, TO DEFINE A TERM AND TO REVISE A DEFINITION; AMENDING SECTION 67-7903, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND PROVIDING AN EFFECTIVE DATE.

S 1154
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO CRIMINAL HISTORY RECORDS; AMENDING CHAPTER 30, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-3014, IDAHO CODE, TO PROVIDE APPLICABILITY, TO PROVIDE THAT A VICTIM OF HUMAN TRAFFICKING MAY PETITION FOR EXPUNGEMENT OF A CRIMINAL HISTORY RECORD UNDER CERTAIN CONDITIONS, TO PROVIDE WHEN A PETITION SHALL BE FILED, TO PROVIDE FOR DENIAL OF A PETITION, TO PROVIDE FOR INFORMATION REQUIRED IN A PETITION, TO PROVIDE FOR SERVICE OF A PETITION, TO PROVIDE WHEN PRETRIAL FOR A PETITION SHALL BE SET, TO PROVIDE FOR CONSIDERATION OF EVIDENCE, TO PROVIDE FOR THE GRANTING OF A PETITION, TO PROVIDE THAT RECORDS AND INFORMATION IN CONNECTION WITH A PETITION SHALL BE SEALED AND USED TO PROSECUTE HUMAN TRAFFICKERS, TO PROVIDE THAT THE STATE OF IDAHO SHALL NOT BE SUBJECT TO CIVIL LIABILITY AND TO DEFINE TERMS.

S 1150, S 1151, S 1152, S 1153, and S 1154 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 247, H 248, H 249, H 250, and H 251, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 204, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1144 and S 1145, by Finance Committee, were read the second time at length and filed for third reading.

H 128, by Local Government Committee, was read the second time at length and filed for third reading.

S 1069, as amended, as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1062, as amended, as amended, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Winder, granted by unanimous consent, S 1067 retained its place on the Third Reading Calendar for one legislative day.

S 1092 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bayer, Brackett, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippets, Vick, Winder. Total - 25.

NAYS–Bair, Buckner-Webb, Burgoyne, Jordan, Keough, Lacey, Mortimer, Schmidt, Stennett, Ward-Engelking. Total - 10.

Total - 35.

Whereupon the President declared S 1092 passed, title was approved, and the bill ordered transmitted to the House.

S 1112 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared S 1112 passed, title was approved, and the bill ordered transmitted to the House.

S 1138 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared S 1138 passed, title was approved, and the bill ordered transmitted to the House.

S 1139 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 30.

NAYS–Bayer, Den Hartog, Nonini, Souza, Vick. Total - 5.

Total - 35.

Whereupon the President declared S 1139 passed, title was approved, and the bill ordered transmitted to the House.

S 1140 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared S 1140 passed, title was approved, and the bill ordered transmitted to the House.

S 1141 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared S 1141 passed, title was approved, and the bill ordered transmitted to the House.

S 1142 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared S 1142 passed, title was approved, and the bill ordered transmitted to the House.

S 1143 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared S 1143 passed, title was approved, and the bill ordered transmitted to the House.

S 1041, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared S 1041, as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, S 1053, as amended, retained its place on the Third Reading Calendar for one legislative day.

S 1095, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate.

On request by Senator Hagedorn, granted by unanimous consent, S 1095, as amended, retained its place on the Third Reading Calendar for one legislative day.

S 1096, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Under the provisions of Joint Rule 18, Senator Johnson challenged the fiscal note on **S 1096**, as amended.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Lakey, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippets, Vick, Winder. Total - 23.

NAYS–Buckner-Webb, Burgoyne, Cameron, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Schmidt, Stennett, Ward-Engelking. Total - 12.

Total - 35.

Whereupon the President declared S 1096, as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:20 p.m. until the hour of 9 a.m., Tuesday, March 17, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SIXTY-FIFTH LEGISLATIVE DAY
TUESDAY, MARCH 17, 2015

Senate Chamber

President Little called the Senate to order at 9 a.m.

Roll call showed all members present except Senator Den Hartog, absent and formally excused by the Chair; and Senators Bair, Cameron, Guthrie, Johnson, Keough, Lacey, Mortimer, Nuxoll, and Schmidt, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Savannah Martin, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 16, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 17, 2015

The JUDICIARY AND RULES Committee reports that **SCR 123**, **SCR 124**, **S 1150**, **S 1151**, **S 1152**, **S 1153**, and **S 1154** have been correctly printed.

LODGE, Chairman

SCR 123 and **SCR 124** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1150, **S 1151**, and **S 1152** were referred to the Finance Committee.

S 1153 was referred to the Health and Welfare Committee.

S 1154 was referred to the Judiciary and Rules Committee.

March 16, 2015

The JUDICIARY AND RULES Committee reports that **S 1046**, **S 1063**, **S 1004**, **S 1014**, **S 1035**, **S 1054**, **S 1082**, **S 1001**, **S 1116**, **S 1117**, and **S 1119** have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled **S 1046**, **S 1063**, **S 1004**, **S 1014**, **S 1035**, **S 1054**, **S 1082**, **S 1001**, **S 1116**, **S 1117**, and **S 1119** and ordered them transmitted to the House for the signature of the Speaker.

March 16, 2015

The STATE AFFAIRS Committee reports out **H 154** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, **H 154** was referred to the Fourteenth Order of Business, General Calendar.

March 16, 2015

The FINANCE Committee reports out **H 247**, **H 248**, **H 249**, **H 250**, and **H 251** with the recommendation that they do pass.

CAMERON, Chairman

H 247, **H 248**, **H 249**, **H 250**, and **H 251** were filed for second reading.

March 16, 2015

The JUDICIARY AND RULES Committee reports out **H 104**, **H 158**, **H 160**, **H 163**, and **HCR 13** with the recommendation that they do pass.

LODGE, Chairman

H 104, **H 158**, **H 160**, and **H 163** were filed for second reading.

HCR 13 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 16, 2015

The JUDICIARY AND RULES Committee reports out **S 1135** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, **S 1135** was referred to the Fourteenth Order of Business, General Calendar.

March 16, 2015

The HEALTH AND WELFARE Committee reports out **H 181** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

HEIDER, Chairman

There being no objection, **H 181** was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 16, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1020, S 1036, S 1042, S 1043, S 1079, and S 1081

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 16, 2015

Dear Mr. President:

I transmit herewith H 242, H 253, H 254, H 238, H 236, and H 237, which have passed the House.

ALEXANDER, Chief Clerk

H 242, H 253, H 254, H 238, H 236, and H 237 were filed for first reading.

March 16, 2015

Dear Mr. President:

I return herewith S 1044, which has passed the House.

ALEXANDER, Chief Clerk

S 1044 was referred to the Judiciary and Rules Committee for enrolling.

Senator Bair was recorded present at this order of business.

March 16, 2015

Dear Mr. President:

I transmit herewith Enrolled H 39, H 47, H 61, H 75, H 108, H 124, H 125, H 147, H 177, H 206, H 207, and HJM 8 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 39, H 47, H 61, H 75, H 108, H 124, H 125, H 147, H 177, H 206, H 207, and HJM 8 and ordered them returned to the House.

March 16, 2015

Dear Mr. President:

I return herewith Enrolled S 1034, S 1051, S 1052, S 1007, S 1008, S 1010, S 1023, S 1057, S 1058, and S 1099, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled S 1034, S 1051, S 1052, S 1007, S 1008, S 1010, S 1023, S 1057, S 1058, and S 1099 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

Senator Mortimer was recorded present at this order of business.

S 1155
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO FLAGS FLOWN AT HALF-STAFF; AMENDING SECTION 67-820, IDAHO CODE, TO PROVIDE THAT THE GOVERNOR, UNLESS PROHIBITED BY THE UNITED STATES FLAG CODE, MAY DIRECT THAT THE FLAG OF THE UNITED STATES BE FLOWN AT HALF-STAFF AT CERTAIN MONUMENTS, TO PROVIDE FOR THE DURATION AND RENEWAL OF THE DIRECTIVE AND TO PROVIDE THAT THE GOVERNOR MAY REQUEST THE TIME, MANNER AND CONDITION OF SUCH DIRECTION IN KEEPING WITH THE TRADITIONS OF THE UNITED STATES FLAG CODE.

S 1156
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO INVESTIGATIONAL DRUGS; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1056, IDAHO CODE, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND WELFARE TO ENTER INTO CERTAIN AGREEMENTS CONCERNING INVESTIGATIONAL DRUGS.

S 1157
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE COMMISSION FOR PARDONS AND PAROLE FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

S 1158
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; EXEMPTING THE DEPARTMENT FROM CERTAIN TRANSFER LIMITATIONS; PROVIDING REAPPROPRIATION AUTHORITY FOR CERTAIN BALANCES; AND TRANSFERRING MONEYS TO THE HARRIMAN STATE PARK TRUST FUND.

S 1159
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE SUPREME COURT FOR FISCAL YEAR 2016; AND EXEMPTING APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS.

S 1155, S 1156, S 1157, S 1158, and S 1159 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senators Schmidt, Lacey, and Guthrie were recorded present at this order of business.

H 242, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 253 and H 254, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 238, by State Affairs Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 236 and H 237, by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 101, H 102, H 121, and H 159, by Judiciary, Rules, and Administration Committee, were read the second time at length and filed for third reading.

S 1136, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

H 240, by Appropriations Committee, was read the second time at length and filed for third reading.

S 1148 and S 1149, by Finance Committee, were read the second time at length and filed for third reading.

H 172 and H 209, by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

Senator Nuxoll was recorded present at this order of business.

On request by Senator Hagedorn, granted by unanimous consent, H 194, as amended in the Senate, was filed for second reading.

Senators Cameron, Johnson, and Keough were recorded present at this order of business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out S 1033 and H 157, without recommendation, amended as follows:

SENATE AMENDMENT TO S 1033
AMENDMENT TO SECTION 2

On page 2 of the printed bill, delete lines 36 through 39, and insert:

"authorized purposes. The bureau shall submit such fingerprints to the federal bureau of investigation central fingerprint database for completion of a criminal background check and report. Once complete, the federal bureau of investigation shall provide the criminal background check report to the bureau, and the bureau shall transmit the report to the appropriate authorized agency or entity.

(2) The bureau shall retain fingerprints submitted pursuant to subsection (1) of this section in the state central fingerprint database following the initial criminal background check for purposes of notification to those agencies or entities authorized by law and choosing to participate in the rap back service and for criminal justice purposes.

(a) Each agency or entity receiving a notification under the rap back service shall provide a copy of any notification to the individual who is the subject of the notification prior to taking any adverse action against such individual.

(b) An individual fingerprinted for a noncriminal justice purpose shall have his fingerprints expunged by the bureau:

(i) When he is no longer in a position or no longer holds a license subject to criminal background checks and notifications in the rap back service; or

(ii) Upon any withdrawal of the agency or entity from participation in the rap back service.

(c) The bureau shall provide notice to an individual fingerprinted for a noncriminal justice purpose of his right to expunge when he is initially fingerprinted and when the rap back service is no longer applicable to him for any reason.

(d) No fee shall be charged to an individual for expungement of his fingerprints.";

and in line 40, delete "2" and insert: "~~2~~3".

On page 3, in line 17, delete "3" and insert: "~~3~~4"; in line 19, delete "4" and insert: "~~4~~5"; in line 25, delete "5" and insert: "~~5~~6"; in line 29, delete "6" and insert: "~~6~~7"; in line 34, delete "7" and insert: "~~7~~8"; and following line 36, insert:

"(9) For purposes of this section, "criminal justice purpose" means biometric matching to arrest fingerprints, to unidentified or missing person fingerprints or to latent or unknown fingerprints from criminal or suspected events.".

CORRECTION TO TITLE

On page 1, in line 5, following "STANCES" insert: ", TO PROVIDE NOTICE TO CERTAIN INDIVIDUALS WHO ARE FINGERPRINTED, TO PROVIDE THAT NO FEE SHALL BE CHARGED FOR EXPUNGEMENT OF FINGERPRINTS AND TO DEFINE A TERM".

SENATE AMENDMENT TO H 157
AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 48, delete "for" and insert: "to reimburse"; also in line 48, delete "to" and insert: "for"; in line 49, delete "provide"; and also in line 49, following "services" insert: "provided".

On page 3, in line 1, following "services" insert: "or resources".

The Committee also has H 113 and S 1146 under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

S 1033, as amended, was referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

H 157, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Burgoyne, granted by unanimous consent, S 1067 retained its place on the Third Reading Calendar for Friday, March 20, 2015.

S 1053, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared S 1053, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1095, as amended, having been held, having previously been read the third time at length and debate having previously been opened, was before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and reopened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Hagedorn, Heider, Hill, Jordan, Lakey, Lee, Lodge, Martin, McKenzie, Patrick, Rice, Stennett, Tippets, Ward-Engelking, Winder. Total - 20.

NAYS–Bair, Cameron, Guthrie, Johnson, Keough, Lacey, Mortimer, Nonini, Nuxoll, Schmidt, Siddoway, Souza, Thayn, Vick. Total - 14.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared S 1095, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1144 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared S 1144 passed, title was approved, and the bill ordered transmitted to the House.

S 1145 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared S 1145 passed, title was approved, and the bill ordered transmitted to the House.

S 1069, as amended, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 32.

NAYS–Mortimer. Total - 1.

Absent and excused–Den Hartog, Vick. Total - 2.

Total - 35.

Whereupon the President declared S 1069, as amended, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1062, as amended, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared S 1062, as amended, as amended, passed, title was approved, and the bill ordered transmitted to the House.

H 17, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 17**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

H 15, as amended in the Senate, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 15**, as amended in the Senate, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

H 142, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 142**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

H 114 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 29.

NAYS–Buckner-Webb, Burgoyne, Jordan, Schmidt, Stennett. Total - 5.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 114** passed, title was approved, and the bill ordered returned to the House.

H 161 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 161** passed, title was approved, and the bill ordered returned to the House.

H 62 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Tippets arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 62** passed, title was approved, and the bill ordered returned to the House.

H 64 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared H 64 passed, title was approved, and the bill ordered returned to the House.

H 205 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 31.

NAYS–Nonini, Nuxoll, Vick. Total - 3.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared H 205 passed, title was approved, and the bill ordered returned to the House.

H 210 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Cameron disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 28.

NAYS–Bayer, Mortimer, Nonini, Nuxoll, Souza, Vick. Total - 6.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared H 210 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 17, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to S 1033 and H 157 have been correctly printed.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 17, 2015

The JUDICIARY AND RULES Committee reports that S 1033, as amended, has been correctly engrossed.

LODGE, Chairman

S 1033, as amended, was filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 157, as amended in the Senate, by Judiciary, Rules, and Administration Committee, was read the first time at length and filed for second reading.

S 1033, as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 194, as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:05 p.m. until the hour of 4:30 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senator Den Hartog, absent and formally excused by the Chair; and Senator Cameron, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 17, 2015

The FINANCE Committee reports out H 253, H 254, S 1150, and S 1151 with the recommendation that they do pass.

CAMERON, Chairman

H 253, H 254, S 1150, and S 1151 were filed for second reading.

March 17, 2015

The TRANSPORTATION Committee reports out H 129 and H 132 with the recommendation that they do pass.

BRACKETT, Chairman

H 129 and H 132 were filed for second reading.

March 17, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out H 99, H 116, H 117, and H 137, as amended, with the recommendation that they do pass.

TIPPETS, Chairman

H 99, H 116, H 117, and H 137, as amended, were filed for second reading.

Senator Cameron was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1160
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING AND TRANSFERRING MONEYS TO THE WOLF CONTROL FUND FOR FISCAL YEAR 2016.

S 1161
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1162
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE SOIL AND WATER CONSERVATION COMMISSION FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING LEGISLATIVE INTENT.

S 1163
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING AND TRANSFERRING MONEYS TO THE ENVIRONMENTAL REMEDIATION BASIN FUND; EXPRESSING LEGISLATIVE INTENT REGARDING THE ENVIRONMENTAL REMEDIATION BASIN FUND AND REQUIRING AN ANNUAL REPORT; AND EXPRESSING LEGISLATIVE INTENT WITH REGARD TO USE OF THE WATER POLLUTION CONTROL FUND.

S 1164
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE BOARD OF TAX APPEALS FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1165
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE STATE TAX COMMISSION FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1166
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING AN APPROPRIATION AND TRANSFER OF MONEYS TO THE IDAHO OPPORTUNITY FUND.

S 1160, S 1161, S 1162, S 1163, S 1164, S 1165, and S 1166 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

H 211 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared H 211 passed, title was approved, and the bill ordered returned to the House.

H 31 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 31** passed, title was approved, and the bill ordered returned to the House.

H 58 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 58** passed, title was approved, and the bill ordered returned to the House.

H 123 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–Burgoyne. Total - 1.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 123** passed, title was approved, and the bill ordered returned to the House.

H 166 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 166** passed, title was approved, and the bill ordered returned to the House.

H 150 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 150** passed, title was approved, and the bill ordered returned to the House.

H 189 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 31.

NAYS–Buckner-Webb, Burgoyne, Jordan. Total - 3.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 189** passed, title was approved, and the bill ordered returned to the House.

H 169 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippets, Vick, Winder. Total - 28.

NAYS–Buckner-Webb, Burgoyne, Jordan, Schmidt, Stennett, Ward-Engelking. Total - 6.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 169** passed, title was approved, and the bill ordered returned to the House.

H 136 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 136** passed, title was approved, and the bill ordered returned to the House.

H 138 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 138** passed, title was approved, and the bill ordered returned to the House.

H 139 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 139** passed, title was approved, and the bill ordered returned to the House.

H 218 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–Nonini. Total - 1.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 218** passed, title was approved, and the bill ordered returned to the House.

H 223 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 223** passed, title was approved, and the bill ordered returned to the House.

H 224 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 224** passed, title was approved, and the bill ordered returned to the House.

H 225 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–Burgoyne. Total - 1.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared **H 225** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 6:10 p.m. until the hour of 10 a.m., Wednesday, March 18, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SIXTY-SIXTH LEGISLATIVE DAY
WEDNESDAY, MARCH 18, 2015

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Lakey and McKenzie, absent and formally excused by the Chair; and Senators Lodge, and Ward-Engelking, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Christopher Miller, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 17, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 18, 2015

The JUDICIARY AND RULES Committee reports that S 1155, S 1156, S 1157, S 1158, S 1159, S 1160, S 1161, S 1162, S 1163, S 1164, S 1165, and S 1166 have been correctly printed.

LODGE, Chairman

S 1155 and S 1156 were referred to the State Affairs Committee.

S 1157, S 1158, S 1159, S 1160, S 1161, S 1162, S 1163, S 1164, S 1165, and S 1166 were referred to the Finance Committee.

March 17, 2015

The JUDICIARY AND RULES Committee reports that S 1044 has been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled S 1044 and ordered it transmitted to the House for the signature of the Speaker.

March 17, 2015

The JUDICIARY AND RULES Committee reports that Enrolled S 1034, S 1051, S 1052, S 1007, S 1008, S 1010, S 1023, S 1057, S 1058, and S 1099 were delivered to the Office of the Governor at 10:20 a.m., March 17, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 18, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 208, H 220, and S 1147 with the recommendation that they do pass.

SIDDOWAY, Chairman

H 208, H 220, and S 1147 were filed for second reading.

March 18, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 109 and H 202 with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

SIDDOWAY, Chairman

There being no objection, H 109 and H 202 were referred to the Fourteenth Order of Business, General Calendar.

March 18, 2015

The FINANCE Committee reports out S 1152 with the recommendation that it do pass.

CAMERON, Chairman

S 1152 was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 16, 2015

Dear Mr. President:

I transmit herewith H 262, which has passed the House.

ALEXANDER, Chief Clerk

H 262 was filed for first reading.

March 17, 2015

Dear Mr. President:

I transmit herewith H 263, H 264, H 182, as amended, H 216, as amended, and HCR 17, which have passed the House.

ALEXANDER, Chief Clerk

H 263, H 264, H 182, as amended, H 216, as amended, and HCR 17 were filed for first reading.

March 17, 2015

Dear Mr. President:

I return herewith **S 1118**, **S 1087**, **S 1078**, **S 1059**, as amended, **S 1126**, **S 1127**, **S 1128**, **S 1129**, **S 1130**, **S 1131**, **S 1132**, **S 1133**, **S 1080**, as amended, **S 1074**, **S 1075**, **S 1077**, **SCR 107**, **SCR 109**, **SCR 110**, and **SCR 113**, which have passed the House.

ALEXANDER, Chief Clerk

S 1118, **S 1087**, **S 1078**, **S 1059**, as amended, **S 1126**, **S 1127**, **S 1128**, **S 1129**, **S 1130**, **S 1131**, **S 1132**, **S 1133**, **S 1080**, as amended, **S 1074**, **S 1075**, **S 1077**, **SCR 107**, **SCR 109**, **SCR 110**, and **SCR 113** were referred to the Judiciary and Rules Committee for enrolling.

Senator Lodge was recorded present at this order of business.

March 17, 2015

Dear Mr. President:

I transmit herewith Enrolled **H 29**, as amended in the Senate, **HCR 6**, **HCR 9**, **HCR 14**, **HJM 5**, **HJM 6**, and **HJM 7** for the signature of the President.

ALEXANDER, Chief Clerk

The President Pro Tempore signed Enrolled **H 29**, as amended in the Senate, **HCR 6**, **HCR 9**, **HCR 14**, **HJM 5**, **HJM 6**, and **HJM 7** and ordered them returned to the House.

March 17, 2015

Dear Mr. President:

I return herewith Enrolled **S 1110**, **S 1114**, **S 1097**, and **S 1100**, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1110**, **S 1114**, **S 1097**, and **S 1100** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Senator Ward-Engelking was recorded present at this order of business.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced that **SCR 119** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Mortimer, seconded by Senator Bayer, **SCR 119** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that **SCR 120** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Mortimer, seconded by Senator Siddoway, **SCR 120** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that **SCR 121** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Mortimer, seconded by Senator Siddoway, **SCR 121** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that **SCR 122** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Mortimer, seconded by Senator Siddoway, **SCR 122** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that **SCR 123** was before the Senate for final consideration.

Moved by Senator Heider, seconded by Senator Schmidt, that **SCR 123** be adopted. The question being, "Shall the resolution be adopted?"

Senator Lakey was recorded present at this order of business.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–Nuxoll. Total - 1.

Absent and excused–McKenzie. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **SCR 123** adopted, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that **SCR 124** was before the Senate for final consideration.

Moved by Senator Burgoyne, seconded by Senator Tippets, that **SCR 124** be adopted. The question being, "Shall the resolution be adopted?"

Senator McKenzie was recorded present at this order of business.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Martin. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **SCR 124** adopted, title was approved, and the resolution ordered transmitted to the House.

President Little assumed the Chair.

The President announced that HCR 13 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Hagedorn, seconded by Senator Guthrie, HCR 13 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1167
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO HEMP EXTRACT; AMENDING CHAPTER 27, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-2728, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR A HEMP EXTRACT REGISTRATION CARD, TO PROVIDE FOR AN APPLICATION AND TO PROVIDE FEES; AMENDING CHAPTER 27, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-2729, IDAHO CODE, TO PROVIDE AN EXEMPTION TO THE UNIFORM CONTROLLED SUBSTANCES ACT FOR LAWFUL USE AND POSSESSION OF HEMP EXTRACT; PROVIDING AN EFFECTIVE DATE, PROVIDING APPLICATION AND PROVIDING A SUNSET DATE.

S 1168
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE INDUSTRIAL COMMISSION; AMENDING SECTION 72-523, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A CERTAIN PREMIUM TAX AND TO REVISE PROVISIONS RELATING TO THE DEDUCTION OF A CERTAIN PREMIUM TAX.

S 1169
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO GROUND WATER DISTRICTS; AMENDING SECTION 42-5233, IDAHO CODE, TO INCREASE THE TOTAL DOLLAR AMOUNT OF CERTAIN WARRANTS THAT ARE AUTHORIZED TO BE ISSUED RELATING TO INDEBTEDNESS OF THE DISTRICT.

S 1167, S 1168, and S 1169 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 262, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 263 and H 264, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 182, as amended, by State Affairs Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 216, as amended, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

HCR 17, by Ways and Means Committee, was introduced, read at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 247, H 248, H 249, H 250, and H 251, by Appropriations Committee, were read the second time at length and filed for third reading.

H 104, H 158, H 160, H 163, and H 157, as amended in the Senate, by Judiciary, Rules, and Administration Committee, were read the second time at length and filed for third reading.

S 1033, as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

H 253 and H 254, by Appropriations Committee, were read the second time at length and filed for third reading.

S 1150 and S 1151, by Finance Committee, were read the second time at length and filed for third reading.

H 129 and H 132, by Transportation and Defense Committee, were read the second time at length and filed for third reading.

H 99, H 116, and H 117, by Business Committee, were read the second time at length and filed for third reading.

H 137, as amended, by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1136 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared S 1136 passed, title was approved, and the bill ordered transmitted to the House.

S 1148 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared S 1148 passed, title was approved, and the bill ordered transmitted to the House.

S 1149 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 31.

NAYS–Nuxoll, Vick. Total - 2.

Absent and excused–Davis, Hill. Total - 2.

Total - 35.

Whereupon the President declared S 1149 passed, title was approved, and the bill ordered transmitted to the House.

H 194, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Keough disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 28.

NAYS–Buckner-Webb, Burgoyne, Jordan, Schmidt, Stennett. Total - 5.

Absent and excused–Davis, Hill. Total - 2.

Total - 35.

Whereupon the President declared H 194, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

On request by Senator Rice, granted by unanimous consent, H 95 retained its place on the Third Reading Calendar for Wednesday, March 25, 2015.

On request by Senator Siddoway, granted by unanimous consent, H 94 was referred to the Fourteenth Order of Business, General Calendar.

H 226 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 31.

NAYS–Lakey. Total - 1.

Absent and excused–Davis, Hill, Patrick. Total - 3.

Total - 35.

Whereupon the President declared H 226 passed, title was approved, and the bill ordered returned to the House.

H 227 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared H 227 passed, title was approved, and the bill ordered returned to the House.

H 228 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared H 228 passed, title was approved, and the bill ordered returned to the House.

H 229 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 32.

NAYS–Schmidt. Total - 1.

Absent and excused–Davis, Hill. Total - 2.

Total - 35.

Whereupon the President declared H 229 passed, title was approved, and the bill ordered returned to the House.

H 230 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 230** passed, title was approved, and the bill ordered returned to the House.

H 231 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Winder disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 231** passed, title was approved, and the bill ordered returned to the House.

H 232 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 232** passed, title was approved, and the bill ordered returned to the House.

H 178 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 29.

NAYS–Bayer, Den Hartog, Guthrie, Nonini, Nuxoll, Souza. Total - 6.

Total - 35.

Whereupon the President declared **H 178** passed, title was approved, and the bill ordered returned to the House.

H 156 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 156** passed, title was approved, and the bill ordered returned to the House.

H 30 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 30** passed, title was approved, and the bill ordered returned to the House.

H 46 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Cameron disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 46** passed, title was approved, and the bill ordered returned to the House.

H 78 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 78** passed, title was approved, and the bill ordered returned to the House.

H 81 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared H 81 passed, title was approved, and the bill ordered returned to the House.

H 90 was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared H 90 passed, title was approved, and the bill ordered returned to the House.

H 91 was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared H 91 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:10 p.m. until the hour of 4:30 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senators Brackett, Guthrie, and Johnson, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 18, 2015

The JUDICIARY AND RULES Committee reports that S 1167, S 1168, and S 1169 have been correctly printed.

LODGE, Chairman

S 1167 was referred to the State Affairs Committee.

S 1168 was referred to the Commerce and Human Resources Committee.

S 1169 was referred to the Resources and Environment Committee.

March 18, 2015

The STATE AFFAIRS Committee reports out H 185 with the recommendation that it do pass.

MCKENZIE, Chairman

H 185 was filed for second reading.

March 18, 2015

The STATE AFFAIRS Committee reports out H 167 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, H 167 was referred to the Fourteenth Order of Business, General Calendar.

March 17, 2015

The HEALTH AND WELFARE Committee reports it has had under consideration the Gubernatorial reappointment listed below and the Committee recommends that said reappointment be confirmed by the Senate:

Mark Von Lindern to the Hazardous Waste Facility Siting License Application Review Panel, term to expire March 6, 2018.

HEIDER, Chairman

The Gubernatorial reappointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senators Guthrie and Johnson were recorded present at this order of business.

March 18, 2015

The JUDICIARY AND RULES Committee reports out S 1154 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, S 1154 was referred to the Fourteenth Order of Business, General Calendar.

March 18, 2015

The RESOURCES AND ENVIRONMENT Committee reports out H 197 and HCR 12 with the recommendation that they do pass.

BAIR, Chairman

H 197 was filed for second reading.

HCR 12 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 18, 2015

The RESOURCES AND ENVIRONMENT Committee reports it has had under consideration the Gubernatorial reappointment listed below and the Committee recommends that said reappointment be confirmed by the Senate:

Brent Baker to the Lake Pend Oreille Basin Commission, term to expire July 24, 2017.

BAIR, Chairman

The Gubernatorial reappointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 18, 2015

The FINANCE Committee reports out H 263, H 264, S 1157, S 1158, S 1159, S 1160, S 1161, S 1162, S 1163, S 1164, S 1165, and S 1166 with the recommendation that they do pass.

CAMERON, Chairman

H 263, H 264, S 1157, S 1158, S 1159, S 1160, S 1161, S 1162, S 1163, S 1164, S 1165, and S 1166 were filed for second reading.

March 18, 2015

The HEALTH AND WELFARE Committee reports out S 1123 with the recommendation that it do pass.

HEIDER, Chairman

S 1123 was filed for second reading.

March 18, 2015

The HEALTH AND WELFARE Committee reports it has had under consideration the Gubernatorial reappointment listed below and the Committee recommends that said reappointment be confirmed by the Senate:

Suzanne Budge to the Hazardous Waste Facility Siting License Application Review Panel, term to expire March 6, 2018.

HEIDER, Chairman

The Gubernatorial reappointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 17, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1006, S 1009, S 1015, as amended, S 1016, S 1031, S 1037, S 1045, and S 1050

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1170
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO JUDGES; AMENDING SECTION 1-2206, IDAHO CODE, TO REVISE QUALIFICATIONS FOR MAGISTRATES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 1-2404, IDAHO CODE, TO REVISE QUALIFICATIONS FOR JUDGES ON THE COURT OF APPEALS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-615, IDAHO CODE, TO REVISE QUALIFICATIONS FOR SUPREME COURT JUSTICES AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 34-616, IDAHO CODE, TO REVISE QUALIFICATIONS FOR DISTRICT COURT JUDGES.

S 1170 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

H 107 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 30.

NAYS–Nonini, Nuxoll, Souza, Vick. Total - 4.

Absent and excused–Brackett. Total - 1.

Total - 35.

Whereupon the President declared H 107 passed, title was approved, and the bill ordered returned to the House.

H 153 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Senator Brackett was recorded present at this order of business.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 153** passed, title was approved, and the bill ordered returned to the House.

H 126 was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Patrick and Bayer arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 32.

NAYS–Cameron, Hill, Schmidt. Total - 3.

Total - 35.

Whereupon the President declared **H 126** passed, title was approved, and the bill ordered returned to the House.

H 190 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Heider, Hill, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 28.

NAYS–Guthrie, Hagedorn, Johnson, Nonini, Nuxoll, Souza, Vick. Total - 7.

Total - 35.

Whereupon the President declared **H 190** passed, title was approved, and the bill ordered returned to the House.

H 148 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 148** passed, title was approved, and the bill ordered returned to the House.

H 59 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 59** passed, title was approved, and the bill ordered returned to the House.

H 120, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 120**, as amended, passed, title was approved, and the bill ordered returned to the House.

H 143 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 27.

NAYS–Buckner-Webb, Burgoyne, Davis, Johnson, Jordan, Mortimer, Stennett. Total - 7.

Absent and excused–Schmidt. Total - 1.

Total - 35.

Whereupon the President declared **H 143** passed, title was approved, and the bill ordered returned to the House.

H 128 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 128** passed, title was approved, and the bill ordered returned to the House.

H 101 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–Bair. Total - 1.

Absent and excused–Schmidt. Total - 1.

Total - 35.

Whereupon the President declared H 101 passed, title was approved, and the bill ordered returned to the House.

H 102 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared H 102 passed, title was approved, and the bill ordered returned to the House.

H 121 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 31.

NAYS–Guthrie, Hill, Patrick. Total - 3.

Absent and excused–Schmidt. Total - 1.

Total - 35.

Whereupon the President declared H 121 passed, title was approved, and the bill ordered returned to the House.

H 159 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared H 159 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, H 240 retained its place on the Third Reading Calendar for one legislative day.

H 172 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Hagedorn, Heider, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Rice, Siddoway, Stennett, Thayn, Ward-Engelking, Winder. Total - 22.

NAYS–Bayer, Den Hartog, Guthrie, Hill, Johnson, Jordan, Keough, Nuxoll, Patrick, Souza, Tippets, Vick. Total - 12.

Absent and excused–Schmidt. Total - 1.

Total - 35.

Whereupon the President declared H 172 passed, title was approved, and the bill ordered returned to the House.

H 209 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippets, Vick, Winder. Total - 29.

NAYS–Cameron, Keough, Lacey, Schmidt, Ward-Engelking. Total - 5.

Absent and excused–Stennett. Total - 1.

Total - 35.

Whereupon the President declared H 209 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Buckner-Webb, by voice vote, the Senate adjourned at 6:35 p.m. until the hour of 9:15 a.m., Thursday, March 19, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SIXTY-SEVENTH LEGISLATIVE DAY
THURSDAY, MARCH 19, 2015

Senate Chamber

President Little called the Senate to order at 9:15 a.m.

Roll call showed all members present except Senators Johnson and McKenzie, absent and formally excused by the Chair; and Senators Bayer, Brackett, Den Hartog, and Lodge, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Samantha Mooney, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 18, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 19, 2015

The JUDICIARY AND RULES Committee reports that **S 1170** has been correctly printed.

LODGE, Chairman

S 1170 was referred to the Judiciary and Rules Committee.

March 18, 2015

The JUDICIARY AND RULES Committee reports that **S 1118**, **S 1087**, **S 1078**, **S 1059**, as amended, **S 1126**, **S 1127**, **S 1128**, **S 1129**, **S 1130**, **S 1131**, **S 1132**, **S 1133**, **S 1080**, as amended, **S 1074**, **S 1075**, **S 1077**, **SCR 107**, **SCR 109**, **SCR 110**, and **SCR 113** have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled **S 1118**, **S 1087**, **S 1078**, **S 1059**, as amended, **S 1126**, **S 1127**, **S 1128**, **S 1129**, **S 1130**, **S 1131**, **S 1132**, **S 1133**, **S 1080**, as amended, **S 1074**, **S 1075**, **S 1077**, **SCR 107**, **SCR 109**, **SCR 110**, and **SCR 113** and ordered them transmitted to the House for the signature of the Speaker.

Senator Brackett was recorded present at this order of business.

March 18, 2015

The JUDICIARY AND RULES Committee reports that Enrolled **S 1110**, **S 1114**, **S 1097**, and **S 1100** were delivered to the Office of the Governor at 11:30 a.m., March 18, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

Senator Lodge was recorded present at this order of business.

March 18, 2015

The JUDICIARY AND RULES Committee reports out **H 195** with the recommendation that it do pass.

LODGE, Chairman

H 195 was filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 18, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1024

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 18, 2015

Dear Mr. President:

I transmit herewith **H 268**, **H 271**, **H 272**, and **H 273**, which have passed the House.

ALEXANDER, Chief Clerk

H 268, **H 271**, **H 272**, and **H 273** were filed for first reading.

March 18, 2015

Dear Mr. President:

I return herewith **S 1125** and **S 1086**, which have passed the House.

ALEXANDER, Chief Clerk

S 1125 and S 1086 were referred to the Judiciary and Rules Committee for enrolling.

March 18, 2015

Dear Mr. President:

I transmit herewith Enrolled HCR 11 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled HCR 11 and ordered it returned to the House.

March 18, 2015

Dear Mr. President:

I return herewith Enrolled S 1046, S 1063, S 1004, S 1014, S 1035, S 1054, S 1082, S 1001, S 1116, S 1117, and S 1119, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled S 1046, S 1063, S 1004, S 1014, S 1035, S 1054, S 1082, S 1001, S 1116, S 1117, and S 1119 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1171
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT RELATED TO SCHOOL DISTRICT BROADBAND SERVICES; PROVIDING LEGISLATIVE INTENT RELATED TO THE USE OF FUNDS; AND PROVIDING LEGISLATIVE INTENT RELATED TO REPORTING REQUIREMENTS.

S 1171 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 268, H 271, H 272, and H 273, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 208 and H 220, by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

S 1147, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1152, by Finance Committee, was read the second time at length and filed for third reading.

H 185, by State Affairs Committee, was read the second time at length and filed for third reading.

H 197, by Ways and Means Committee, was read the second time at length and filed for third reading.

H 263 and H 264, by Appropriations Committee, were read the second time at length and filed for third reading.

S 1157, S 1158, S 1159, S 1160, S 1161, S 1162, S 1163, S 1164, S 1165, and S 1166, by Finance Committee, were read the second time at length and filed for third reading.

S 1123, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

Senators Bayer and Den Hartog were recorded present at this order of business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out H 113, H 154, S 1135, H 109, H 202, H 167, S 1154, and S 1146, without recommendation, amended as follows:

SENATE AMENDMENT TO H 113
AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 6 through 20, and insert:

"SECTION 1. That Chapter 10, Title 32, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 32-1010, Idaho Code, and to read as follows:

32-1010. INTENT OF THE LEGISLATURE – PARENTAL RIGHTS. (1) The interests and role of parents in the care, custody and control of their children are both implicit in the concept of ordered liberty and deeply rooted in our nation's history and tradition. They are also among the unalienable rights retained by the people under the ninth amendment to the constitution of the United States.

(2) The interests of the parents includes the high duty and right to nurture and direct their children's destiny, including their upbringing and education.

(3) The state of Idaho has independent authority to protect its parents' fundamental right to nurture and direct their children's destiny, upbringing and education.

(4) The protections and rights recognized in sections 32-1011 through 32-1013, Idaho Code, are rooted in the due process of law guaranteed pursuant to section 13, article I, of the constitution of the state of Idaho.

(5) Governmental efforts that restrict or interfere with these fundamental rights are only permitted if that restriction or interference satisfies the strict scrutiny standard provided in section 32-1013, Idaho Code.

(6) Nothing in this act shall be construed as altering the established presumption in favor of the constitutionality of statutes and regulations.

SECTION 2. That Chapter 10, Title 32, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW

SECTION, to be known and designated as Section 32-1011, Idaho Code, and to read as follows:

32-1011. PARENTAL RIGHT TO THE CARE, CUSTODY AND CONTROL OF CHILDREN. Parents who have legal custody of any minor child or children have the fundamental right to make decisions concerning their care, custody and control.

SECTION 3. That Chapter 10, Title 32, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 32-1012, Idaho Code, and to read as follows:

32-1012. PARENTAL RIGHT TO DIRECT THE EDUCATION OF CHILDREN. Parents who have legal custody of any minor child or children have the fundamental right and duty to make decisions concerning their education, including the right to cause the child to be educated in any manner authorized under section 33-202, Idaho Code, and section 9, article IX, of the constitution of the state of Idaho.

SECTION 4. That Chapter 10, Title 32, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 32-1013, Idaho Code, and to read as follows:

32-1013. INTERFERENCE WITH FUNDAMENTAL PARENTAL RIGHTS RESTRICTED. (1) Neither the state of Idaho, nor any political subdivision thereof, may violate a parent's fundamental and established rights protected by this act, and any restriction of or interference with such rights shall not be upheld unless it demonstrates by clear and convincing evidence that the restriction or interference is both:

(a) Essential to further a compelling governmental interest; and

(b) The least restrictive means available for the furthering of that compelling governmental interest.

(2) The foregoing principles apply to any interference whether now existing or hereafter enacted.

(3) Nothing in this act shall be construed as invalidating the provisions of the child protective act in chapter 16, title 16, Idaho Code, or modify the burden of proof at any stage of proceedings under the child protective act.

(4) When a parent's fundamental rights protected by this act are violated, a parent may assert that violation as a claim or defense in a judicial proceeding and may obtain appropriate relief against the governmental entity.

(5) If a parent prevails in a civil action against the state, or a political subdivision thereof, as provided in subsection (4) of this section, the parent is entitled to reasonable attorney's fees and costs.

SECTION 5. SEVERABILITY. The provisions of this act are hereby declared to be severable and if any provision of this act or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this act.".

CORRECTION TO TITLE

On page 1, delete lines 2 through 4, and insert:

"RELATING TO PARENT AND CHILD; AMENDING CHAPTER 10, TITLE 32, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 32-1010, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT; AMENDING CHAPTER 10, TITLE 32, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 32-1011, IDAHO CODE, TO PROVIDE THE PARENTAL RIGHT TO DIRECT THE CARE, CUSTODY AND CONTROL OF CHILDREN; AMENDING CHAPTER 10, TITLE 32, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 32-1012, IDAHO CODE, TO PROVIDE THE PARENTAL RIGHT TO DIRECT THE EDUCATION OF CHILDREN; AMENDING CHAPTER 10, TITLE 32, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 32-1013, IDAHO CODE, TO RESTRICT INTERFERENCE WITH FUNDAMENTAL PARENTAL RIGHTS, TO PROVIDE THAT THIS ACT SHALL NOT INVALIDATE THE CHILD PROTECTIVE ACT, TO AUTHORIZE A CLAIM, DEFENSE AND APPROPRIATE RELIEF AND TO PROVIDE FOR ATTORNEY'S FEES; AND PROVIDING SEVERABILITY.".

SENATE AMENDMENT TO H 154

AMENDMENT TO SECTION 2

On page 1 of the printed bill, in line 18, following "Code" insert: ". Nothing in the definition shall apply when used to treat ectopic pregnancy".

SENATE AMENDMENT TO S 1135

AMENDMENT TO THE BILL

On page 1 of the printed bill, following line 32, insert:

"SECTION 2. That Section 45-510, Idaho Code, be, and the same is hereby amended to read as follows:

45-510. DURATION OF LIEN. (1) No lien provided for in this chapter binds any building, mining claim, improvement or structure for a longer period than six (6) months after the claim has been filed, unless proceedings be commenced in a proper court within that time to enforce such lien; or unless a payment on account is made, or extension of credit given with expiration date thereof, and such payment or credit and expiration date, is endorsed on the record of the lien, then six (6) months after the date of such payment or expiration of extension. The lien of a final judgment obtained on any lien provided for in this chapter shall cease five (5) years from the date the judgment becomes final, but if such period of five (5) years has expired or will expire before September 1, 1947, the owner of such judgment lien shall have until September 1, 1947, within which to levy execution under such judgment.

(2) Nothing in this chapter requires that a trustee of a deed of trust as defined and required by section 45-1502 et seq., Idaho Code, be included in a claim of lien or foreclosure or judgment under this chapter.".

CORRECTION TO TITLE

On page 1, in line 2, delete "CLAIMS OF LIEN" and insert: "LIENS"; and in line 4, following "TRUST" insert: "; AND AMENDING SECTION 45-510, IDAHO CODE, TO PROVIDE THAT A TRUSTEE OF A DEED OF TRUST SHALL NOT BE INCLUDED IN A CLAIM OF LIEN, FORECLOSURE OR JUDGMENT".

SENATE AMENDMENT TO H 109

AMENDMENT TO SECTION 1

On page 2 of the printed bill, delete lines 10 through 12, and insert:

"(5) As used in this section the term "real property" means land and ~~other tangible property permanently upon or affixed to the land~~ includes the following:"; and following line 24, insert:

"(6) Property that has been depreciated pursuant to section 1245 of the Internal Revenue Code is not eligible to be treated as real property for purposes of this deduction.".

CORRECTION TO TITLE

On page 1, in line 4, following "POSES" insert: "AND TO PROVIDE THAT PROPERTY THAT HAS BEEN DEPRECIATED IS NOT ELIGIBLE TO BE TREATED AS REAL PROPERTY".

SENATE AMENDMENT TO H 202

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete line 20, and insert: "individuals independent of the board who have the knowledge and expertise to determine the value of the personal property to as-".

SENATE AMENDMENT TO H 167

AMENDMENT TO SECTION 2

On page 2 of the printed bill, in line 29, delete "board" and insert: "body"; in line 31, delete "board's" and insert: "body's"; and in line 34, delete "board" and insert: "body".

SENATE AMENDMENT TO S 1154

AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 4, delete "action" and insert: "petition"; also in line 4, delete "and the" and insert: "without prejudice."; delete line 5; in line 23, delete "prosecutor who" and insert: "prosecuting attorney's office that"; and in line 26, delete "prosecutor" and insert: "prosecuting attorney".

SENATE AMENDMENT TO S 1146

AMENDMENT TO SECTION 1

On page 5 of the printed bill, delete lines 1 through 27, and insert:

"(1) As used in this title, "cannabidiol oil" means an extract from a cannabis plant in an oral suspension or oil that:

(i) Is composed of no more than three-tenths percent (0.3%) total tetrahydrocannabinol (the sum of tetrahydrocannabinol and tetrahydrocannabinolic acid) by weight;

(ii) Is composed of at least fifteen (15) times more cannabidiol (the sum of cannabidiol and cannabidiolic acid) than total tetrahydrocannabinol by weight; and

(iii) Contains no other substance controlled by the state of Idaho.

(2) Notwithstanding any other provision of law, a person who possesses or uses cannabidiol oil is not subject to the penalties set forth in this chapter for the possession or use of the cannabidiol oil if:

(i) The cannabidiol oil meets the requirements of subsection (t)(1) of this section;

(ii) The individual has or is the parent or legal guardian of a minor that has an intractable seizure disorder and possesses and uses the cannabidiol oil only to treat the intractable seizure disorder;

(iii) The individual has a written recommendation for the use of cannabidiol oil from a physician licensed under chapter 18, title 54, Idaho Code, to practice medicine in the state of Idaho;

(iv) The cannabidiol oil is in a container with a capacity of thirty-two (32) fluid ounces or less that is labeled by the manufacturer showing the total tetrahydrocannabinol by weight and that the ratio of total cannabidiol to total tetrahydrocannabinol is in compliance with this subsection; and

(v) A laboratory unaffiliated with the producer of the cannabidiol oil has verified the tetrahydrocannabinol and cannabidiol oil by weight.".

The Committee also has **H 181** and **H 94** under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

S 1135, as amended, **S 1154**, as amended, and **S 1146**, as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

H 113, as amended in the Senate, **H 154**, as amended in the Senate, **H 109**, as amended in the Senate, **H 202**, as amended in the Senate, and **H 167**, as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of Mark Von Lindern retained its place on the calendar.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Brent Baker was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Keough, seconded by Senator Jordan, the Gubernatorial reappointment of Brent Baker as a member of the Lake Pend Oreille Basin Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, the Health and Welfare Committee report relative to the Gubernatorial reappointment of Mark Von Lindern was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Nuxoll, seconded by Senator Lacey, the Gubernatorial reappointment of Mark Von Lindern as a member of the Hazardous Waste Facility Siting License Application Review Panel was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of Suzanne Budge retained its place on the calendar for Friday, March 20, 2015.

On request by Senator Bair, granted by unanimous consent, HCR 12 retained its place on the calendar for Thursday, March 26, 2015.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1033, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Hagedorn, Heider, Hill, Jordan, Keough, Lacey, Lee, Lodge, McKenzie, Patrick, Schmidt, Stennett, Tippets, Ward-Engelking, Winder. Total - 23.

NAYS–Guthrie, Lakey, Martin, Mortimer, Nonini, Nuxoll, Rice, Siddoway, Souza, Thayn, Vick. Total - 11.

Absent and excused–Johnson. Total - 1.

Total - 35.

Whereupon the President declared S 1033, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1150 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Johnson. Total - 1.

Total - 35.

Whereupon the President declared S 1150 passed, title was approved, and the bill ordered transmitted to the House.

S 1151 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Johnson. Total - 1.

Total - 35.

Whereupon the President declared S 1151 passed, title was approved, and the bill ordered transmitted to the House.

H 157, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Hagedorn, Heider, Hill, Jordan, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 30.

NAYS–Guthrie, Keough, Lacey, Schmidt. Total - 4.

Absent and excused–Johnson. Total - 1.

Total - 35.

Whereupon the President declared H 157, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

H 240 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 29.

NAYS–Mortimer, Nonini, Nuxoll, Souza, Vick. Total - 5.

Absent and excused–Johnson. Total - 1.

Total - 35.

Whereupon the President declared H 240 passed, title was approved, and the bill ordered returned to the House.

H 247 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Johnson. Total - 1.

Total - 35.

Whereupon the President declared H 247 passed, title was approved, and the bill ordered returned to the House.

H 248 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 31.

NAYS–Nonini, Nuxoll, Vick. Total - 3.

Absent and excused–Johnson. Total - 1.

Total - 35.

Whereupon the President declared H 248 passed, title was approved, and the bill ordered returned to the House.

H 249 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 28.

NAYS–Bayer, Den Hartog, Nonini, Nuxoll, Souza, Vick. Total - 6.

Absent and excused–Johnson. Total - 1.

Total - 35.

Whereupon the President declared H 249 passed, title was approved, and the bill ordered returned to the House.

H 250 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Johnson. Total - 1.

Total - 35.

Whereupon the President declared H 250 passed, title was approved, and the bill ordered returned to the House.

H 251 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Johnson. Total - 1.

Total - 35.

Whereupon the President declared H 251 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 19, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to H 113, H 154, S 1135, H 109, H 202, H 167, S 1154, and S 1146 have been correctly printed.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 19, 2015

The JUDICIARY AND RULES Committee reports that S 1135, as amended, S 1154, as amended, and S 1146, as amended, have been correctly engrossed.

LODGE, Chairman

S 1135, as amended, S 1154, as amended, and S 1146, as amended, were filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 113, as amended in the Senate, and H 154, as amended in the Senate, by State Affairs Committee, were read the first time at length and filed for second reading.

H 109, as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

H 202, as amended in the Senate, by Ways and Means Committee, was read the first time at length and filed for second reading.

H 167, as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

S 1135, as amended, and S 1154, as amended, by Judiciary and Rules Committee, were read the first time at length and filed for second reading.

S 1146, as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:05 p.m. until the hour of 4 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senators Bayer, Brackett, Cameron, Davis, Lee, Lodge, McKenzie, and Stennett, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senators Bayer and Lee were recorded present at this order of business.

March 19, 2015

The FINANCE Committee reports out **H 268**, **H 271**, **H 272**, and **H 273** with the recommendation that they do pass.

CAMERON, Chairman

H 268, **H 271**, **H 272**, and **H 273** were filed for second reading.

March 19, 2015

The TRANSPORTATION Committee reports out **H 183** with the recommendation that it do pass.

BRACKETT, Chairman

H 183 was filed for second reading.

March 19, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 179** and **H 238** with the recommendation that they do pass.

TIPPETS, Chairman

H 179 and **H 238** were filed for second reading.

Senator McKenzie was recorded present at this order of business.

March 19, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Celia Gould to the Public Employee Retirement System of Idaho Board, term to expire July 1, 2018.

Max Black to the State Insurance Fund Board, term to expire April 3, 2018.

Rod Higgins to the State Insurance Fund Board, term to expire April 3, 2018.

TIPPETS, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senators Stennett and Davis were recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

Senator Brackett was recorded present at this order of business.

March 19, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Ralph Powell of Meridian, Idaho, was reappointed as the Director of the Idaho State Police to serve a term commencing March 18, 2015, and expiring January 7, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Judiciary and Rules Committee.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

H 104 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Cameron, Lodge. Total - 2.

Total - 35.

Whereupon the President declared **H 104** passed, title was approved, and the bill ordered returned to the House.

Senators Lodge and Cameron were recorded present at this order of business.

H 158 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Tippets disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared H 158 passed, title was approved, and the bill ordered returned to the House.

H 160 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Patrick, Schmidt, Souza, Stennett, Tippets, Ward-Engelking, Winder. Total - 28.

NAYS–Martin, Nonini, Nuxoll, Rice, Thayn, Vick. Total - 6.

Absent and excused–Siddoway. Total - 1.

Total - 35.

Whereupon the President declared H 160 passed, title was approved, and the bill ordered returned to the House.

H 163 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared H 163 passed, title was approved, and the bill ordered returned to the House.

H 253 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared H 253 passed, title was approved, and the bill ordered returned to the House.

H 254 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 32.

NAYS–Den Hartog, Vick. Total - 2.

Absent and excused–Siddoway. Total - 1.

Total - 35.

Whereupon the President declared H 254 passed, title was approved, and the bill ordered returned to the House.

H 129 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared H 129 passed, title was approved, and the bill ordered returned to the House.

H 132 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Davis, Den Hartog, Hagedorn, Heider, Hill, Johnson, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Patrick, Rice, Siddoway, Tippets, Ward-Engelking, Winder. Total - 19.

NAYS–Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Guthrie, Jordan, Keough, Martin, Nonini, Nuxoll, Schmidt, Souza, Stennett, Thayn, Vick. Total - 16.

Total - 35.

Whereupon the President declared H 132 passed, title was approved as corrected, and the bill ordered returned to the House.

On request by Senator Lakey, granted by unanimous consent, H 99 retained its place on the Third Reading Calendar for one legislative day.

H 116 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Brackett, Buckner-Webb, Cameron, Davis, Hagedorn, Hill, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Patrick, Schmidt, Stennett, Tippets, Ward-Engelking, Winder. Total - 18.

NAYS–Bair, Bayer, Burgoyne, Den Hartog, Guthrie, Heider, Johnson, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Rice, Siddoway, Souza, Thayn, Vick. Total - 17.

Total - 35.

Whereupon the President declared H 116 passed, title was approved, and the bill ordered returned to the House.

H 117 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Brackett, Buckner-Webb, Cameron, Davis, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Patrick, Schmidt, Siddoway, Stennett, Tippets, Ward-Engelking. Total - 22.

NAYS–Bayer, Burgoyne, Den Hartog, Guthrie, Lakey, Mortimer, Nonini, Nuxoll, Rice, Souza, Thayn, Vick, Winder. Total - 13.

Total - 35.

Whereupon the President declared H 117 passed, title was approved, and the bill ordered returned to the House.

H 137, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Tippets, Ward-Engelking. Total - 29.

NAYS–Mortimer, Nonini, Nuxoll, Thayn, Vick, Winder. Total - 6.

Total - 35.

Whereupon the President declared H 137, as amended, passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1157 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1157 was before the Senate for final consideration.

S 1157 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared S 1157 passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1158 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1158 was before the Senate for final consideration.

S 1158 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared S 1158 passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1159 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1159 was before the Senate for final consideration.

S 1159 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared S 1159 passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1160 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–Burgoyne. Total - 1.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1160 was before the Senate for final consideration.

S 1160 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Siddoway disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippets, Vick, Winder. Total - 29.

NAYS–Burgoyne, Lacey, Schmidt, Stennett, Ward-Engelking. Total - 5.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared S 1160 passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1161 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1161 was before the Senate for final consideration.

S 1161 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared S 1161 passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1162 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1162 was before the Senate for final consideration.

S 1162 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared S 1162 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 6:05 p.m. until the hour of 10 a.m., Friday, March 20, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SIXTY-EIGHTH LEGISLATIVE DAY
FRIDAY, MARCH 20, 2015

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Mortimer, absent and formally excused by the Chair; and Senators Bayer, Cameron, and Rice, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Joshua Price, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 19, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 125
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND RECOGNIZING THE MUTUAL BENEFIT THAT WOULD BE CREATED IF CITIZENS WHO OPENED A HEALTH SAVINGS ACCOUNT WOULD HAVE THE ABILITY TO CHOOSE BETWEEN PARTICIPATION IN A HEALTH CARE SHARING MINISTRY OR THE PURCHASE OF A HIGH-DEDUCTIBLE HEALTH INSURANCE PLAN AND ENCOURAGING CONGRESS TO SUPPORT FEDERAL LEGISLATION TO CREATE THIS ADDITIONAL HEALTH CARE COST SUPPORT CHOICE.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, health care cost support is an essential element of economic security for American families, and individuals and families require more health care cost support choices, not fewer; and

WHEREAS, Health Care Sharing Ministries (HCSM) provide health care cost sharing arrangements among persons of similar and sincerely held religious beliefs, administered by not-for-profit religious organizations; and

WHEREAS, Congress recognized the legitimacy of HCSMs in 2010 when it granted participants in these ministries one of the nine exemptions from the individual mandate in the Affordable Care Act; and

WHEREAS, participation in a HCSM typically costs 40% to 65% less than conventional health insurance; and

WHEREAS, for income earned in 2011, approximately 72% of HCSM participants were at or below 400% of the Federal Poverty Level (FPL), including approximately 44% of HCSM participants who were at or below 200% of FPL; and

WHEREAS, when Health Savings Accounts (HSA) were established as part of the Medicare Modernization Act in December 2003, citizens opening up a HSA were also required to purchase a high-deductible health insurance plan; and

WHEREAS, according to a June 2013 report from America's Health Insurance Plans (AHIP) Center for Policy and Research, as of January 2013, 15.5 million people in America have made HSAs their choice for health care cost support; and

WHEREAS, according to the same report, the states with the highest HSA enrollment are Illinois, Texas, California, Ohio and Michigan; and

WHEREAS, according to the same report, children ages 0 to 19 comprise the largest group of lives covered by a HSA; and

WHEREAS, another AHIP report shows that 83% of HSA owners have incomes that put them in the middle-income class or lower; and

WHEREAS, according to the Society for Human Resource Management, 43% of employers offered HSAs in 2012.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we recognize the mutual benefit that would be created if citizens who opened a Health Savings Account would have the ability to choose between participation in a HCSM or the purchase of a high-deductible health insurance plan.

BE IT FURTHER RESOLVED that the Legislature of the State of Idaho encourages Congress to support federal legislation as necessary to create this additional health care cost support choice.

SCR 125 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 20, 2015

The JUDICIARY AND RULES Committee reports that **S 1171** has been correctly printed.

LODGE, Chairman

S 1171 was referred to the Finance Committee.

March 20, 2015

The JUDICIARY AND RULES Committee reports that **S 1125** and **S 1086** have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled **S 1125** and **S 1086** and ordered them transmitted to the House for the signature of the Speaker.

Senators Bayer and Rice were recorded present at this order of business.

March 20, 2015

The JUDICIARY AND RULES Committee reports that Enrolled **S 1046**, **S 1063**, **S 1004**, **S 1014**, **S 1035**, **S 1054**, **S 1082**, **S 1001**, **S 1116**, **S 1117**, and **S 1119** were delivered to the Office of the Governor at 10:40 a.m., March 19, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 19, 2015

The EDUCATION Committee reports out **H 170** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, **H 170** was referred to the Fourteenth Order of Business, General Calendar.

March 20, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 221**, **H 236**, **H 237**, and **HCR 17** with the recommendation that they do pass.

SIDDOWAY, Chairman

H 221, **H 236**, and **H 237** were filed for second reading.

HCR 17 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 20, 2015

The STATE AFFAIRS Committee reports out **H 184** and **S 1156** with the recommendation that they do pass.

MCKENZIE, Chairman

H 184 and **S 1156** were filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 19, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1026, **S 1027**, and **S 1029**

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 19, 2015

Dear Mr. President:

I transmit herewith **H 274**, **H 245**, **H 276**, **H 219**, **H 257**, **H 256**, **H 269**, and **H 92**, as amended, which have passed the House.

ALEXANDER, Chief Clerk

H 274, **H 245**, **H 276**, **H 219**, **H 257**, **H 256**, **H 269**, and **H 92**, as amended, were filed for first reading.

March 19, 2015

Dear Mr. President:

I return herewith **S 1138**, **S 1139**, **S 1140**, **S 1141**, **S 1142**, **S 1143**, **S 1144**, and **S 1145**, which have passed the House.

ALEXANDER, Chief Clerk

S 1138, **S 1139**, **S 1140**, **S 1141**, **S 1142**, **S 1143**, **S 1144**, and **S 1145** were referred to the Judiciary and Rules Committee for enrolling.

March 19, 2015

Dear Mr. President:

I transmit herewith Enrolled **H 31**, **H 58**, **H 62**, **H 64**, **H 72**, as amended in the Senate, **H 114**, **H 123**, **H 136**, **H 138**, **H 139**, **H 150**, **H 161**, **H 166**, **H 169**, **H 189**, **H 205**, **H 210**, **H 211**, **H 218**, **H 223**, **H 224**, and **H 225** for the signature of the President.

ALEXANDER, Chief Clerk

The President Pro Tempore signed Enrolled **H 31**, **H 58**, **H 62**, **H 64**, **H 72**, as amended in the Senate, **H 114**, **H 123**, **H 136**, **H 138**, **H 139**, **H 150**, **H 161**, **H 166**, **H 169**, **H 189**, **H 205**, **H 210**, **H 211**, **H 218**, **H 223**, **H 224**, and **H 225** and ordered them returned to the House.

March 19, 2015

Dear Mr. President:

I return herewith Enrolled **S 1044**, which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1044** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Suzanne Budge was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Suzanne Budge as a member of the Hazardous Waste Facility Siting License Application Review Panel was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Celia Gould retained its place on the calendar for Monday, March 23, 2015.

President Little assumed the Chair.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Max Black was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Burgoyne, seconded by Senator Winder, the Gubernatorial reappointment of Max Black as a member of the State Insurance Fund Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Rod Higgins was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Hagedorn, seconded by Senator Burgoyne, the Gubernatorial reappointment of Rod Higgins as a member of the State Insurance Fund Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1172
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE DIVISION OF PUBLIC WORKS FOR FISCAL YEAR 2015; APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE DIVISION OF PUBLIC WORKS FOR FISCAL YEAR 2016; AUTHORIZING AND DIRECTING THE ALLOCATION OF FUNDS FOR SPECIFIC PROJECTS; PROVIDING LEGISLATIVE INTENT RELATING TO UTILIZATION OF MATCHING FUNDS; EXEMPTING THE APPROPRIATION FROM THE PROVISIONS OF CHAPTER 36, TITLE 67, IDAHO CODE, AND FROM THE PROVISIONS OF SECTION 67-3516, IDAHO CODE; PROVIDING LEGISLATIVE INTENT RELATING TO REALLOCATION OF PROJECT SAVINGS; AND DECLARING AN EMERGENCY.

S 1173
BY FINANCE COMMITTEE
AN ACT
REDUCING THE APPROPRIATION TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2015; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2015; APPROPRIATING MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING AN APPROPRIATION AND TRANSFER OF MONEYS TO THE WORKFORCE DEVELOPMENT TRAINING FUND; PROVIDING LEGISLATIVE INTENT FOR LOCAL DEPARTMENT OF LABOR OFFICES; PROVIDING LEGISLATIVE INTENT ON ACTIVITIES OF THE WORKFORCE DEVELOPMENT TRAINING FUND; AND DECLARING AN EMERGENCY.

S 1174
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO CERTAIN MONEYS BEING CONTINUOUSLY APPROPRIATED; AUTHORIZING THE TRANSFER OF HIGHWAY FUNDS TO THE TOURISM AND PROMOTION FUND; PROVIDING REAPPROPRIATION FOR CONTRACT CONSTRUCTION AND RIGHT-OF-WAY ACQUISITION; PROVIDING REAPPROPRIATION FOR AIRPORT DEVELOPMENT GRANTS; PROVIDING REAPPROPRIATION FOR AMERICAN RECOVERY AND REINVESTMENT ACT MONEYS; AND AUTHORIZING A TRANSFER OF FUNDS FOR DEBT SERVICE.

S 1172, **S 1173**, and **S 1174** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 274 and **H 276**, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 245, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 219, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 257, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 256, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 269, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 92, as amended, by Business Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 195, H 113, as amended in the Senate, and H 154, as amended in the Senate, by State Affairs Committee, were read the second time at length and filed for third reading.

H 109, as amended in the Senate, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 202, as amended in the Senate, by Ways and Means Committee, was read the second time at length and filed for third reading.

H 167, as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1135, as amended, and S 1154, as amended, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

S 1146, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

H 268, H 271, H 272, and H 273, by Appropriations Committee, were read the second time at length and filed for third reading.

H 183, by State Affairs Committee, was read the second time at length and filed for third reading.

H 179, by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 238, by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Senator Cameron was recorded present at this order of business.

S 1067 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared S 1067 passed, title was approved, and the bill ordered transmitted to the House.

S 1147 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 27.

NAYS–Bayer, Guthrie, Nonini, Nuxoll, Patrick, Souza, Vick. Total - 7.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared S 1147 passed, title was approved, and the bill ordered transmitted to the House.

S 1152 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared S 1152 passed, title was approved, and the bill ordered transmitted to the House.

S 1163 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared S 1163 passed, title was approved, and the bill ordered transmitted to the House.

S 1164 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared S 1164 passed, title was approved, and the bill ordered transmitted to the House.

S 1165 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared S 1165 passed, title was approved, and the bill ordered transmitted to the House.

S 1166 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 30.

NAYS–Bayer, Den Hartog, Nuxoll, Vick. Total - 4.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared S 1166 passed, title was approved, and the bill ordered transmitted to the House.

S 1123 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared S 1123 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:20 a.m. until the hour of 10 a.m., Monday, March 23, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SEVENTY-FIRST LEGISLATIVE DAY
MONDAY, MARCH 23, 2015

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Mortimer, absent and formally excused by the Chair; and Senators Buckner-Webb, Cameron, Lakey, and Lodge, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Molly Ashby, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 20, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

Senator Lakey was recorded present at this order of business.

SCR 126
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE REGARDING FEDERAL LANDS REQUESTING THE DEPARTMENT OF LANDS TO PERFORM CERTAIN DUTIES WITH THE FEDERAL GOVERNMENT REGARDING FEDERAL LANDS AND TO PROVIDE FOR PERIODIC REPORTS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the First Regular Session of the Sixty-second Idaho Legislature adopted House Concurrent Resolutions 21 and 22, which authorized the formation of an interim study committee to study the feasibility of the transfer of certain federal lands within the State of Idaho to the State of Idaho; and

WHEREAS, the interim study committee met frequently in 2013 and 2014 and heard testimony throughout the state on this topic; and

WHEREAS, the committee prepared and approved a committee report on this topic incorporating various ideas and testimony; and

WHEREAS, that committee report includes various recommendations.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature recommends the following:

The Legislature seeks the assistance of Idaho's congressional delegation in asking the federal government to develop a model to sustain and increase funding for the management of federal lands within Idaho to adequately support current uses and the best interests of Idaho;

That in the event of a transfer or land exchange, such land parcels specifically exclude national parks, national monuments, federally designated recreational areas, wilderness and roadless areas, federal electric power generation facilities, national wildlife refuges, and Department of Energy, Department of Defense, Indian reservations and Indian trust lands;

That public access be maintained and, where possible, expanded on lands managed by the state under any state-federal cooperative land management agreement;

That the State of Idaho, through the Department of Lands, develop agreements with federal agencies based on the Good Neighbor Authority, as authorized by Section 8206 of the Healthy Forest Restoration Act, to carry out forest, rangeland and watershed restoration services on appropriate federal lands within Idaho.

BE IT FURTHER RESOLVED that the Department of Lands is requested to establish an internal working group to meet with federal land management agencies and to identify specific parcels of federal lands suitable for use of the Good Neighbor Authority.

BE IT FURTHER RESOLVED that in considering parcels for possible use of the Good Neighbor Authority, the working group shall consider such factors as proximity to communities, natural resources production, economic viability, minimization of environmental impact and other factors.

BE IT FURTHER RESOLVED that the parcels agreed upon for use of the Good Neighbor Authority shall, to the extent practical, maximize benefits to local communities.

BE IT FURTHER RESOLVED that the Department of Lands shall report to the Legislature and to the federal agencies, as appropriate, at least annually, as to the status and performance of any proposed or executed agreements under the Good Neighbor Authority.

SCR 126 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 23, 2015

The JUDICIARY AND RULES Committee reports that **SCR 125**, **S 1172**, **S 1173**, and **S 1174** have been correctly printed.

LODGE, Chairman

On request by Senator Tippets, granted by unanimous consent, **SCR 125** was referred to the Commerce and Human Resources Committee.

S 1172, **S 1173**, and **S 1174** were referred to the Finance Committee.

March 20, 2015

The JUDICIARY AND RULES Committee reports that S 1138, S 1139, S 1140, S 1141, S 1142, S 1143, S 1144, and S 1145 have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled S 1138, S 1139, S 1140, S 1141, S 1142, S 1143, S 1144, and S 1145 and ordered them transmitted to the House for the signature of the Speaker.

March 20, 2015

The JUDICIARY AND RULES Committee reports that Enrolled S 1044 was delivered to the Office of the Governor at 10:27 a.m., March 20, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 20, 2015

The FINANCE Committee reports out H 274, H 276, and S 1171 with the recommendation that they do pass.

CAMERON, Chairman

H 274, H 276, and S 1171 were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 20, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1007, S 1008, S 1010, S 1023, S 1034, S 1051, S 1052, S 1057, S 1058, and S 1099

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 20, 2015

Dear Mr. President:

I transmit herewith H 252, as amended, and HJM 4, which have passed the House.

ALEXANDER, Chief Clerk

H 252, as amended, and HJM 4 were filed for first reading.

March 20, 2015

Dear Mr. President:

I transmit herewith Enrolled H 30, H 46, H 59, H 78, H 81, H 90, H 91, H 101, H 102, H 107, H 120, as amended, H 121, H 126, H 128, H 143, H 148, H 153, H 156, H 159, H 172, H 178, H 190, H 209, H 226, H 227, H 228, H 229, H 230, H 231, H 232, and HCR 13 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 30, H 46, H 59, H 78, H 81, H 90, H 91, H 101, H 102, H 107, H 120, as amended, H 121, H 126, H 128, H 143, H 148, H 153, H 156, H 159, H 172, H 178, H 190, H 209, H 226, H 227, H 228, H 229, H 230, H 231, H 232, and HCR 13 and ordered them returned to the House.

March 20, 2015

Dear Mr. President:

I return herewith Enrolled S 1118, S 1087, S 1078, S 1059, as amended, S 1126, S 1127, S 1128, S 1129, S 1130, S 1131, S 1132, S 1133, S 1080, as amended, S 1074, S 1075, and S 1077, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled S 1118, S 1087, S 1078, S 1059, as amended, S 1126, S 1127, S 1128, S 1129, S 1130, S 1131, S 1132, S 1133, S 1080, as amended, S 1074, S 1075, and S 1077 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 20, 2015

Dear Mr. President:

I return herewith Enrolled SCR 107, SCR 109, SCR 110, and SCR 113, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled SCR 107, SCR 109, SCR 110, and SCR 113 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1175
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2015; APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING A DEDICATED FUND CASH TRANSFER; PROVIDING FOR NOTIFICATION OF CONTRACT RENEWALS OR EXTENSIONS; DIRECTING CONTINUATION OF THE HEALTH INSURANCE PREMIUM FOR STATE EMPLOYEES; PROVIDING LEGISLATIVE INTENT REGARDING BROADBAND CONNECTIVITY; PROVIDING LEGISLATIVE INTENT REGARDING ISSUANCE OF CONTRACTS RELATING TO THE IDAHO EDUCATION

NETWORK; PROVIDING LEGISLATIVE INTENT REGARDING ISSUANCE OF CONTRACTS RELATING TO BROADBAND FOR STATE AGENCIES; AND DECLARING AN EMERGENCY.

S 1176
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR COLLEGE AND UNIVERSITIES AND THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2016; PROVIDING NON-GENERAL FUND REAPPROPRIATION; PROVIDING LEGISLATIVE INTENT FOR SYSTEMWIDE NEEDS; PROVIDING LEGISLATIVE INTENT FOR REPORTING RELATED TO THE COMPLETE COLLEGE IDAHO INITIATIVE; AND EXEMPTING APPROPRIATION OBJECT AND PROGRAM TRANSFER LIMITATIONS.

S 1175 and **S 1176** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 252, as amended, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

HJM 4, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 221, **H 236**, and **H 237**, by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

H 184, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1156, by State Affairs Committee, was read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

Senators Buckner-Webb, Cameron, and Lodge were recorded present at this order of business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out **H 181** and **H 170**, without recommendation, amended as follows:

SENATE AMENDMENT TO H 181
AMENDMENT TO THE BILL
On page 1 of the printed bill, delete lines 20 through 40; and delete pages 2 through 11, and insert:

"SECTION 1. That Chapter 51, Title 54, Idaho Code, be, and the same is hereby repealed.

SECTION 2. That all licenses issued under Chapter 51, Title 54, Idaho Code, as repealed by Section 1 of this act, are deemed to have expired for nonpayment of license fees and further are hereby declared to be null and void.

SECTION 3. That Title 54, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW CHAPTER, to be known and designated as Chapter 56, Title 54, Idaho Code, and to read as follows:
CHAPTER 56
NATUROPATHIC MEDICAL PHYSICIANS LICENSING ACT

54-5601. LEGISLATIVE PURPOSE AND INTENT. It is the intent of the Idaho legislature to regulate the practice of naturopathic medicine. Nothing in this chapter will limit the decision in State v. Smith, 81 Idaho 103, 337 P.2d 938, except to the extent that certain modalities of treatment shall require a license pursuant to this chapter. To that end it is not the intent of the legislature to regulate the practice of natural health care services as it is defined in this chapter, except as expressly provided herein.

54-5602. DEFINITIONS. As used in this chapter:
(1) "Approved naturopathic medical program" means a naturopathic medical education program in the United States or Canada that provides the degree of doctor of naturopathy or doctor of naturopathic medicine, that includes graduate level full-time didactic and supervised clinical training and is either accredited or has achieved candidacy status for accreditation by the council on naturopathic medical education (CNME) or an equivalent federally recognized accrediting body for naturopathic medical programs. Additionally, the program shall be an institution, or part of an institution, of higher education that is either accredited or is a candidate for accreditation by a regional accrediting agency recognized by the United States department of education.
(2) "Board" means the board of naturopathic medical physicians created pursuant to section 54-5606, Idaho Code.
(3) "Formulary" means the lists of prescription medicines that naturopathic medical physicians and naturopathic physicians licensed under this chapter may use in the practice of their profession.
(4) "Minor office procedures" means the methods for the repair and care incidental to superficial lacerations and abrasions, superficial lesions and the removal of foreign bodies located in the superficial tissues.
(5) "Natural health care services" means the broad domain of health care services, including diagnosis and treatment, where treatment or advice regarding the human body and its functions is administered by a person who:
(a) Does not use legend drugs or prescription drugs in such practice;
(b) Uses only natural elements including, without limitation, air, heat, water and light;
(c) Uses only class I or class II nonprescription, approved medical devices as defined in section 513 of the federal food, drug and cosmetic act;
(d) Uses only vitamins, minerals, herbs, natural food products and their extracts, nutritional supplements and homeopathic preparations and remedies not otherwise prohibited by law; and
(e) Does not perform surgery or minor office procedures.

(6) "Naturopathic medical physician" means a person authorized and licensed to practice naturopathic medicine under this chapter.

(7) "Naturopathic medicine" means a distinct and comprehensive system of primary health care practiced by naturopathic medical physicians. The practice of naturopathic medicine is separate and distinct from natural health care services.

(8) "Naturopathic physician" means a person licensed to provide naturopathic therapy under this chapter.

(9) "Naturopathic therapy" means the broad range of natural and holistic treatments including, but not limited to, the administration, monitoring and prescribing of natural based minerals and vitamins as approved by board rule.

54-5603. SCOPE OF PRACTICE. (1) Naturopathic medical physicians may use physical and laboratory examinations consistent with naturopathic medical education and training for diagnostic purposes. Naturopathic medical physicians may order and perform diagnostic and imaging tests consistent with naturopathic medical education and training. All diagnostic and imaging tests not consistent with naturopathic medical education and training must be referred for performance and interpretation by an appropriately licensed health care professional.

(2) Naturopathic medical physicians licensed under this chapter are authorized to dispense, administer and prescribe prescription drugs and medical devices as determined by the formulary and authorized by board rule.

(3) Naturopathic medical physicians licensed under this chapter may perform minor office procedures pursuant to privileges authorized by board rule.

(4) A naturopathic medical physician may perform those therapies for which he has been trained and educated and that are not inconsistent with the provisions of this chapter that are authorized by board rule.

(5) Naturopathic physicians licensed under this chapter are authorized to provide naturopathic therapy as approved by board rules.

54-5604. EXEMPTIONS FOR LICENSURE. This chapter is not intended to and does not prohibit, restrict or apply to:

(1) The practice of a profession by individuals who are licensed, certified or registered under other laws of this state and are performing services within the authorized scope of practice;

(2) The practice of naturopathic medicine by an individual employed by the federal government while the individual is engaged in the performance of duties prescribed by the laws and regulations of the United States;

(3) An individual rendering aid to a family member or in an emergency, when no fee or other consideration for the service is charged, received, expected or contemplated;

(4) An individual engaged in the sale of vitamins, health foods, over-the-counter homeopathic products, dietary supplements, herbs or other products of nature, the sale of which is not otherwise prohibited under state or federal law;

(5) The practice by a naturopathic medical physician duly licensed in another state, territory or the District of Columbia when that naturopathic medical physician is incidentally called into this state for consultation with a physician licensed pursuant to this chapter or chapter 18, title 54, Idaho Code;

(6) The practice of naturopathic medical medicine by students enrolled in an approved naturopathic medical program. Services shall be performed pursuant to a course of instruction or assignments from an instructor and under the supervision and observation of the instructor; or

(7) The practice and providing of natural health care services as defined in this chapter and not in violation of this chapter by an individual who is not licensed in this state as a health care professional or practitioner.

54-5605. NATUROPATHIC PHYSICIAN LICENSE REQUIRED. (1) A license shall be required for a person to engage in the practice of naturopathic medicine or naturopathic therapy.

(2) No person shall assume or use the title or designation "doctor" or "physician" in association with the practice of naturopathic medicine or naturopathic therapy, or the abbreviations "NMD" or "ND" or any other title, designations, words, letters, abbreviations, sign, card or device to indicate to the public that such person is licensed to practice naturopathic medicine or naturopathic therapy pursuant to this chapter unless such person is so licensed under this chapter.

(3) Nothing in this chapter shall prohibit the use of the term "doctor" or "physician" by a person defined or licensed as such pursuant to title 54, Idaho Code.

54-5606. BOARD OF NATUROPATHIC MEDICAL PHYSICIANS – ORGANIZATION AND MEETINGS. (1) There is hereby established in the department of self-governing agencies, bureau of occupational licenses, the board of naturopathic medical physicians. The board shall consist of five (5) members appointed by the governor, two (2) of whom shall be licensed pursuant to section 54-5608(1)(a), Idaho Code, one (1) of whom shall be licensed pursuant to section 54-5608(2), Idaho Code, one (1) of whom shall be a physician licensed pursuant to chapter 18, title 54, Idaho Code, and one (1) of whom shall be a pharmacist licensed pursuant to chapter 17, title 54, Idaho Code. Board members shall serve at the pleasure of the governor.

(2) One (1) member of the initial board shall be appointed for a one (1) year term of office; one (1) member of the initial board shall be appointed for a two (2) year term of office; one (1) member of the initial board shall be appointed for a three (3) year term of office; one (1) member of the initial board shall be appointed for a four (4) year term of office; and one (1) member of the initial board shall be appointed for a five (5) year term of office. Thereafter, the term of office for each board member shall be five (5) years.

(3) The initial two (2) licensed naturopathic medical physician board members shall be eligible to become licensed pursuant to section 54-5608(1)(a), Idaho Code, and shall have been practicing naturopathic medicine in the state of Idaho for at least the two (2) years immediately preceding their appointment. The initial licensed naturopathic physician board member shall be eligible to become licensed pursuant to section 54-5608(2), Idaho Code, and shall have been practicing naturopathic therapy in the state of Idaho for at least two (2) years immediately preceding their appointment.

(4) After initial board members are appointed, the two (2) board members who are naturopathic medical physicians shall be licensed pursuant to section 54-5608(1)(a), Idaho Code, and the one (1) board member who is a naturopathic physician shall be licensed pursuant to section 54-5608(2), Idaho Code, shall actively practice naturopathic medicine or naturopathic therapy in the state of Idaho for the duration of their appointment and shall have been practicing naturopathic medicine or naturopathic therapy for at least two (2) years immediately preceding their appointment.

(5) Upon initial appointment of the board and thereafter, whenever a term of a member of the board who is licensed pursuant to chapter 18, title 54, Idaho Code, expires or becomes vacant, the Idaho medical association shall nominate three (3) persons licensed pursuant to chapter 18, title 54, Idaho Code, for such vacancy and shall forward the nominations to the governor who shall give consideration to such nominees.

(6) Upon initial appointment of the board and thereafter, whenever a term of a member of the board who is licensed pursuant to chapter 17, title 54, Idaho Code, expires or becomes vacant, the Idaho board of pharmacy shall nominate three (3) persons licensed pursuant to chapter 17, title 54, Idaho Code, for such vacancy and shall forward the nominations to the governor who shall give consideration to such nominees.

(7) In the event of the death, resignation or removal of any board member before the expiration of the term to which the board member is appointed, the vacancy shall be filled for the unexpired portion of the term in the same manner as the original appointment.

(8) Within thirty (30) days after its appointment, the initial board shall hold a meeting and elect a chairperson. The board shall meet at least annually thereafter and may hold additional meetings at the call of the chairperson or at the written request of any two (2) members of the board. A majority of the board shall constitute a quorum. The vote of a majority of members present at a meeting wherein a quorum is present shall determine the action of the board, except as otherwise provided in this chapter.

(9) Each member of the board shall be compensated as provided in section 59-509(n), Idaho Code.

54-5607. POWERS AND DUTIES OF THE BOARD. The board shall have the authority and responsibility to:

(1) Receive applications of persons applying for licensure, determine the qualifications of persons applying for licensure and provide licenses to applicants qualified under this chapter;

(2) Establish by rule and collect fees from applicants for licensure and for renewal of licensure;

(3) Establish by rule the minimum amount and type of continuing education to be required for each licensee seeking renewal;

(4) Investigate complaints against persons who are licensed under this chapter or practicing naturopathic medicine or naturopathic therapy without a license;

(5) Undertake, when appropriate, disciplinary proceedings and disciplinary action against persons licensed under this chapter;

(6) Provide such other services and perform such other functions as are consistent with this chapter as are necessary and desirable to fulfill its purposes;

(7) Recover the costs and fees, including attorney's fees, incurred in the investigation and prosecution of any person who is found in violation of this chapter or the board's rules;

(8) Promulgate and adopt rules, pursuant to chapter 52, title 67, Idaho Code, necessary to administer the provisions of this chapter; provided, however, that all rules shall be approved by the unanimous vote of the entire board;

(9) Establish special competency certification requirements for licensees as deemed necessary by action of the board;

(10) The board shall establish by rule two (2) formularies. The formulary list for naturopathic medical physicians shall be based upon naturopathic medical education, training and continuing education, but may not go beyond the scope of prescription medicines and medical devices covered by approved naturopathic medical education and training or board-approved continuing education. The naturopathic medical formulary shall not include medicines and devices that are inconsistent with the training provided by approved naturopathic medical programs and continuing education. The formulary shall be approved by board rule. The formulary list for naturopathic physicians shall be based on the education and training of naturopathic physicians and shall be approved by rule; and

(11) Authorize by written agreement the bureau of occupational licenses to act as agent in its interest.

54-5608. QUALIFICATIONS FOR LICENSURE. (1) Naturopathic medical physician. To be eligible for a license to practice as a naturopathic medical physician in the state of Idaho, the applicant shall submit an application, pay the fee and fulfill the following requirements:

(a) The applicant must be a graduate of an approved naturopathic medical program as defined in section 54-5602(1), Idaho Code; or

(b) The applicant must be a graduate of a college or university in the United States or Canada that is still in existence and that offered a full-time structured curriculum in basic sciences and supervised patient care comprising a doctoral naturopathic medical education as a prerequisite to graduation, having been not less than one hundred thirty-two (132) weeks in duration and that required completion within a period of not less than thirty-five (35) months and have been continually practicing for five (5) years immediately preceding licensure.

(2) Naturopathic physician. To be eligible for a license to practice as a naturopathic physician in the state of Idaho, the applicant shall submit an application, pay the fee and fulfill the following requirements:

(a) Have been issued a license by the board of naturopathic medical examiners under chapter 51, title 54, Idaho Code, as it existed at the time such licenses were issued and while the board had a contract with the bureau of occupational licenses and such license was not revoked by the board of naturopathic medical examiners. Any license issued by the board of naturopathic medical examiners when it did not have a contract with the bureau of occupational licenses shall not be recognized as a valid license; or

(b) Been licensed as a chiropractor prior to 1993 and have received any naturopathic degree and have been providing naturopathic therapy in Idaho prior to 2011.

(3) Examination. Applicants for initial licensure who meet the qualifications of subsection (1) (a) of this section and all applicants after July 1, 2016, shall provide proof of having received a passing grade on the naturopathic physicians licensing examinations (NPLEX), administered by the North American board of naturopathic examiners (NABNE). The passing grade for each specific examination administration shall be as determined by the NABNE.

54-5609. LICENSE STANDARDS – ENDORSEMENT. The board shall establish by rule the standards for licensure of applicants of a naturopathic medical physician licensed in another jurisdiction. However, the standards for endorsement of licensure shall not be less than those required by section 54-5608(1)(a) and (2), Idaho Code. The board shall not endorse those practicing naturopathic therapy in other jurisdictions.

54-5610. LICENSE RENEWAL. All licenses issued under this chapter shall be for a term of one (1) year and shall expire on the birthday of the licensee unless renewed in the

manner prescribed by rule. Except as set forth in this chapter, rules governing procedures and conditions for license renewal and reinstatement shall be in accordance with section 67-2614, Idaho Code.

54-5611. FEES. (1) The board shall establish by rule fees for licensure pursuant to the provisions of this chapter as follows:

(a) An application fee for licensure not to exceed two hundred fifty dollars ($250);

(b) The fee for the initial naturopathic medical physician and naturopathic physician license not to exceed one thousand dollars ($1,000);

(c) The fee for the renewal of a naturopathic medical physician and naturopathic physician license not to exceed one thousand dollars ($1,000); and

(d) The application fee shall be in addition to the initial license fee.

(2) All fees received under the provisions of this section shall be nonrefundable and shall be deposited in the state treasury to the credit of the occupational license account in the dedicated fund, and all costs and expenses incurred by the board under the provisions of this chapter shall be a charge against and paid from the account for such purposes. Notwithstanding any other provisions of law, the funds collected pursuant to this section shall be immediately available for the administration of this chapter.

(3) The board of naturopathic medical physicians shall have the authority and responsibility to pay outstanding debts of any previous board that regulated naturopathic physicians and was administered by the department of self-governing agencies, bureau of occupational licenses. The repayment of such debt shall be deposited in the state treasury to the credit of the occupational licenses account.

54-5612. DENIAL OF LICENSE AND DISCIPLINARY PROCEEDINGS. (1) The board may refuse to issue or renew a license or may revoke, suspend or otherwise discipline a license holder for any of the following grounds:

(a) The use of fraud or deceit in obtaining a license under this chapter or in connection with services rendered as a naturopathic physician;

(b) A legal finding of mental incompetence;

(c) Aiding or abetting a person, not duly licensed under this chapter, in claiming to be a naturopathic medical physician or naturopathic physician or in practicing naturopathic medicine or naturopathic therapy;

(d) Any gross negligence, incompetence or misconduct in the performance of naturopathic medicine or naturopathic therapy;

(e) Conviction of a felony, or a crime involving moral turpitude, or the entering of a plea of guilty or the finding of guilt by a jury or court of commission of a felony or a crime involving moral turpitude;

(f) Practicing as a naturopathic medical physician or naturopathic physician when physical or mental abilities are impaired by the use of controlled substances or other drugs, chemicals or alcohol;

(g) Failure of the individual practitioner to maintain his professional premises in a clean and sanitary condition;

(h) Any other good cause, relevant to qualifications to practice as a naturopathic medical physician or naturopathic physician. The board may not suspend, revoke or refuse to issue or renew a license based on the findings that a licensee's practice is unconventional in the absence of demonstrable harm to a patient and the patient has signed a waiver to the effect that the treatment or device is considered unconventional;

(i) Failure to demonstrate compliance with continuing education requirements as determined by the board;

(j) Violating any law or rule pursuant to this chapter;

(k) Having been convicted of any crime that reflects adversely on the person's fitness to be licensed or registered pursuant this chapter;

(l) Having a license to practice naturopathic medicine or other health care license or certificate refused, revoked or suspended or otherwise disciplined by any state, territory, district of the United States or Canada for reasons that relate to the applicant's ability to skillfully and safely practice naturopathic medicine or naturopathic therapy, or other health care profession, unless that license or certification has been restored to good standing by that jurisdiction;

(m) Prescribing, dispensing or administering any controlled substance or device identified under the uniform controlled substances act, chapter 27, title 37, Idaho Code, or identified in the federal controlled substances act, 21 U.S.C. sections 801 through 971 (1988), as amended, except as authorized by this chapter;

(n) Performing surgical procedures, except for naturopathic medical physicians, those minor office procedures authorized by board rule;

(o) For naturopathic physicians, performing surgical procedures or minor office procedures;

(p) Practicing or claiming to practice as a medical doctor, osteopath, dentist, podiatrist, optometrist, psychologist, advanced practice professional nurse, physician assistant, chiropractor, physical therapist, acupuncturist or any other health care professional not authorized in this chapter unless licensed by the state of Idaho to do so;

(q) Using general or spinal anesthetics;

(r) Administering ionizing radioactive substances for therapeutic purposes;

(s) Performing minor office procedures using a laser device;

(t) Inducing or performing an abortion;

(u) Performing minor office procedures involving the eye, ear, tendons, nerves, veins or arteries extending beyond superficial tissue;

(v) Treating any lesion suspicious of malignancy or requiring surgical removal. Lesions suspicious of malignancy or requiring surgical removal shall be referred to a physician licensed pursuant to chapter 18, title 54, Idaho Code, naturopathic medical physicians may comanage this care with a physician licensed pursuant to chapter 18, title 54, Idaho Code;

(w) Performing chiropractic adjustments as defined in section 54-704, Idaho Code, unless licensed to do so;

(x) Performing physical therapy as defined in section 54-2203, Idaho Code; or

(y) Failure to comply with a board order.

(2) The board may reinstate any revoked or suspended license upon such terms as it may determine.

(3) The board may by rule provide a procedure for an applicant to request an exemption review for a felony or lesser crime conviction. The applicant shall bear the burden and financial responsibility of providing all evidence, documentation and proof of suitability for licensure required by the board for exemption review.

54-5613. DISCLOSURE BY THOSE PROVIDING NATURAL HEALTH CARE SERVICES. (1) Any person providing natural health care services who is not a naturopathic

medical physician or naturopathic physician and who is advertising or charging a fee for those services shall, prior to providing such services, disclose to the client in a clearly worded statement:

(a) The practitioner's name, business address and telephone number;

(b) The nature of the natural health care services to be provided; and

(c) That the practitioner is not an "M.D.," "D.O.," "N.M.D.," "naturopathic medical physician," "naturopathic doctor," "naturopathic physician," or "N.D." nor is the practitioner licensed to provide these services.

(2) Before a practitioner provides natural health care services to a client for the first time, such practitioner must obtain a written acknowledgment from the client stating that he has been provided with the information described in this section and that he recognizes that the practitioner is not licensed to practice medicine, surgery or naturopathic medicine or any other type of medicine. The client shall be provided with a copy of this written acknowledgment that must be maintained for two (2) years by the person providing the services. If the disclosure information changes, then the practitioner has a duty to repeat the disclosure if a client obtains services after the change.

54-5614. CERTAIN ACTS PROHIBITED. It shall be unlawful for any person to engage in any of the following acts:

(1) To violate any of the provisions of this chapter and any rules promulgated pursuant thereto;

(2) It shall be a misdemeanor to practice, attempt or offer to practice naturopathic medicine or naturopathic therapy as defined in this chapter without having at the time of so doing, a valid, unexpired, unrevoked and unsuspended license issued under this chapter; or

(3) It shall be a misdemeanor to represent one's self or assume or use the title or designation "doctor" or "physician" in association with the practice of naturopathic medicine, or naturopathic therapy or the abbreviations "NMD" or "ND" or any other title, designations, words, letters, abbreviations, sign, card or device to indicate to the public that such person is licensed to practice naturopathic medicine or naturopathic therapy pursuant to this chapter unless such person is so licensed under this chapter.

54-5615. PREEMPTION OF LOCAL REGULATIONS. Beginning July 1, 2016, a local unit of government shall not establish or maintain professional licensing requirements for a naturopathic medical physician or a naturopathic physician licensed pursuant to this chapter.

54-5616. SEVERABILITY. The provisions of this chapter are hereby declared to be severable, and if any provision of this chapter or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this chapter.

SECTION 4. That Section 67-2601, Idaho Code, be, and the same is hereby amended to read as follows:

67-2601. DEPARTMENT CREATED – ORGANIZATION – DIRECTOR – BUREAU OF OCCUPATIONAL LICENSES CREATED. (1) There is hereby created the department of self-governing agencies. The department shall, for the purposes of section 20, article IV, of the constitution of the state of Idaho, be an executive department of the state government.

(2) The department shall consist of the following:

(a) Agricultural commodity commissions: Idaho apple commission, as provided by chapter 36, title 22, Idaho Code; Idaho bean commission, as provided by chapter 29, title 22, Idaho Code; Idaho beef council, as provided by chapter 29, title 25, Idaho Code; Idaho cherry commission, as provided by chapter 37, title 22, Idaho Code; Idaho dairy products commission, as provided by chapter 31, title 25, Idaho Code; Idaho pea and lentil commission, as provided by chapter 35, title 22, Idaho Code; Idaho potato commission, as provided by chapter 12, title 22, Idaho Code; the Idaho wheat commission, as provided by chapter 33, title 22, Idaho Code; the Idaho aquaculture commission, as provided by chapter 44, title 22, Idaho Code; and the Idaho alfalfa and clover seed commission, as provided in chapter 42, title 22, Idaho Code.

(b) Professional and occupational licensing boards: Idaho state board of certified public accountancy, as provided by chapter 2, title 54, Idaho Code; board of acupuncture, as provided by chapter 47, title 54, Idaho Code; board of architectural examiners, as provided by chapter 3, title 54, Idaho Code; office of the state athletic director, as provided by chapter 4, title 54, Idaho Code; board of barber examiners, as provided by chapter 5, title 54, Idaho Code; board of commissioners of the Idaho state bar, as provided by chapter 4, title 3, Idaho Code; board of chiropractic physicians, as provided by chapter 7, title 54, Idaho Code; Idaho board of cosmetology, as provided by chapter 8, title 54, Idaho Code; Idaho counselor licensing board, as provided by chapter 34, title 54, Idaho Code; state board of dentistry, as provided by chapter 9, title 54, Idaho Code; state board of denturitry, as provided by chapter 33, title 54, Idaho Code; Idaho board of licensure of professional engineers and professional land surveyors, as provided by chapter 12, title 54, Idaho Code; state board for registration of professional geologists, as provided by chapter 28, title 54, Idaho Code; speech and hearing services licensure board, as provided by chapter 29, title 54, Idaho Code; Idaho physical therapy licensure board, as provided by chapter 22, title 54, Idaho Code; Idaho state board of landscape architects, as provided by chapter 30, title 54, Idaho Code; liquefied petroleum gas safety board, as provided by chapter 53, title 54, Idaho Code; state board of medicine, as provided by chapter 18, title 54, Idaho Code; state board of morticians, as provided by chapter 11, title 54, Idaho Code; ~~board of naturopathic medical examiners, as provided by chapter 51, title 54, Idaho Code;~~ board of nurses, as provided by chapter 14, title 54, Idaho Code; board of examiners of nursing home administrators, as provided by chapter 16, title 54, Idaho Code; state board of optometry, as provided by chapter 15, title 54, Idaho Code; Idaho outfitters and guides board, as provided by chapter 21, title 36, Idaho Code; board of pharmacy, as provided by chapter 17, title 54, Idaho Code; state board of podiatry, as provided by chapter 6, title 54, Idaho Code; Idaho state board of psychologist examiners, as provided by chapter 23, title 54, Idaho Code; Idaho real estate commission, as provided by chapter 20, title 54, Idaho Code; real estate appraiser board, as provided by chapter 41, title 54, Idaho Code; board of social work examiners, as provided by chapter 32, title 54, Idaho Code; the board of veterinary medicine, as provided by chapter 21, title 54, Idaho Code; the board of examiners of residential care facility administrators, as provided by chapter 42, title 54, Idaho Code; the certified shorthand reporters board, as provided by chapter 31, title 54, Idaho

Code; the driving businesses licensure board, as provided by chapter 54, title 54, Idaho Code; the board of drinking water and wastewater professionals, as provided by chapter 24, title 54, Idaho Code; ~~and~~ the board of midwifery, as provided by chapter 55, title 54, Idaho Code; and the board of naturopathic medical physicians, as provided by chapter 56, title 54, Idaho Code.

(c) The board of examiners, pursuant to section 67-2001, Idaho Code.

(d) The division of building safety: building code board, chapter 41, title 39, Idaho Code; manufactured housing board, chapter 21, title 44, Idaho Code; electrical board, chapter 10, title 54, Idaho Code; public works contractors license board, chapter 19, title 54, Idaho Code; plumbing board, chapter 26, title 54, Idaho Code; public works construction management, chapter 45, title 54, Idaho Code; the heating, ventilation and air conditioning board, chapter 50, title 54, Idaho Code; and modular building advisory board, chapter 43, title 39, Idaho Code.

(e) The division of veterans services to be headed by a division administrator who shall be a nonclassified employee exempt from the provisions of chapter 53, title 67, Idaho Code. The administrator of the division shall administer the provisions of chapter 2, title 65, Idaho Code, and chapter 9, title 66, Idaho Code, with the advice of the veterans affairs commission established under chapter 2, title 65, Idaho Code, and shall perform such additional duties as are imposed upon him by law.

(f) The board of library commissioners, pursuant to section 33-2502, Idaho Code.

(g) The Idaho state historical society, pursuant to section 67-4123, Idaho Code.

(h) The state public defense commission, pursuant to section 19-849, Idaho Code.

(3) The bureau of occupational licenses is hereby created within the department of self-governing agencies.

SECTION 5. The Board of Naturopathic Physicians shall report on the status of the board and the practice of naturopathic medicine in Idaho to the First Regular Session of the Sixty-sixth Idaho Legislature in 2021.

SECTION 6. This act shall be in full force and effect on and after July 1, 2015, except that the provisions of Sections 54-5605 and 54-5614, Idaho Code, shall be in full force and effect on and after July 1, 2016.

SECTION 7. The provisions of Section 3 of this act shall be null, void and of no force and effect on and after July 1, 2021.".

CORRECTION TO TITLE

On page 1, delete lines 2 through 18, and insert:

"RELATING TO THE NATUROPATHIC MEDICAL PHYSICIANS LICENSING ACT; REPEALING CHAPTER 51, TITLE 54, IDAHO CODE, RELATING TO THE NATUROPATHIC PHYSICIANS LICENSING ACT; TO PROVIDE THAT CERTAIN LICENSES ARE DEEMED EXPIRED; AMENDING TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 56, TITLE 54, IDAHO CODE, TO ESTABLISH THE NATUROPATHIC MEDICAL PHYSICIANS LICENSING ACT, TO PROVIDE LEGISLATIVE PURPOSE AND INTENT, TO DEFINE TERMS, TO PROVIDE THE SCOPE OF PRACTICE OF NATUROPATHIC MEDICAL PHYSICIANS, TO PROVIDE EXEMPTIONS FOR LICENSURE, TO REQUIRE A CERTAIN LICENSE, TO ESTABLISH THE BOARD OF NATUROPATHIC MEDICAL PHYSICIANS, TO ESTABLISH THE POWERS AND DUTIES OF THE BOARD, TO ESTABLISH QUALIFICATIONS FOR LICENSURE, TO PROVIDE LICENSURE STANDARDS AND ENDORSEMENT STANDARDS, TO PROVIDE FOR LICENSE RENEWAL, TO ESTABLISH FEES, TO ESTABLISH DENIAL OF LICENSE AND DISCIPLINARY PROCEEDINGS, TO PROVIDE DISCLOSURE REQUIREMENTS, TO PROHIBIT CERTAIN ACTS, TO PROVIDE A PREEMPTION OF LOCAL REGULATIONS AND TO PROVIDE SEVERABILITY; AMENDING SECTION 67-2601, IDAHO CODE, TO DELETE REFERENCE TO THE BOARD OF NATUROPATHIC MEDICAL EXAMINERS, TO ESTABLISH THE BOARD OF NATUROPATHIC MEDICAL PHYSICIANS IN THE DEPARTMENT OF SELF-GOVERNING AGENCIES AND TO MAKE A TECHNICAL CORRECTION; PROVIDING REPORTING REQUIREMENTS; PROVIDING AN EFFECTIVE DATE; AND PROVIDING A SUNSET DATE.".

SENATE AMENDMENT TO H 170

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 15, delete "The" and insert: "Notwithstanding section 67-5718, Idaho Code, the"; in line 35, following "obligations" insert: "from the money appropriated to the public school support program,".

On page 3, following line 3, insert:

"(8) The state board of education may promulgate rules implementing the provisions of this section.";

and in line 4, delete "8" and insert: "9".

CORRECTION TO TITLE

On page 1, in line 8, following "REQUIREMENTS" insert: ", TO GRANT RULEMAKING AUTHORITY".

The Committee also has **H 94** under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

H 181, as amended in the Senate, and **H 170**, as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

S 1135, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared **S 1135**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1154, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared **S 1154**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, **S 1146**, as amended, retained its place on the Third Reading Calendar for one legislative day.

H 113, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippets, Vick, Winder. Total - 27.

NAYS–Buckner-Webb, Burgoyne, Jordan, Lacey, Schmidt, Stennett, Ward-Engelking. Total - 7.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared **H 113**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

H 154, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippets, Vick, Winder. Total - 27.

NAYS–Buckner-Webb, Burgoyne, Jordan, Lacey, Schmidt, Stennett, Ward-Engelking. Total - 7.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared **H 154**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

On request by Senator Davis, granted by unanimous consent, **S 1146**, as amended, was placed at the head of the Third Reading Calendar, followed by **S 1156,** followed by all remaining Senate bills, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 23, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to **H 181** and **H 170** have been correctly printed.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 181, as amended in the Senate, by Health and Welfare Committee, was read the first time at length and filed for second reading.

H 170, as amended in the Senate, by Education Committee, was read the first time at length and filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:25 p.m. until the hour of 9 a.m., Tuesday, March 24, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SEVENTY-SECOND LEGISLATIVE DAY
TUESDAY, MARCH 24, 2015

Senate Chamber

President Little called the Senate to order at 9 a.m.

Roll call showed all members present except Senator Mortimer, absent and formally excused by the Chair; and Senators Cameron, Siddoway, Thayn, and Winder, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Tim Bush, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 23, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senator Siddoway was recorded present at this order of business.

March 24, 2015

The JUDICIARY AND RULES Committee reports that SCR 126, S 1175, and S 1176 have been correctly printed.

LODGE, Chairman

Senator Cameron was recorded present at this order of business.

SCR 126 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1175 and S 1176 were referred to the Finance Committee.

March 23, 2015

The JUDICIARY AND RULES Committee reports that Enrolled S 1118, S 1087, S 1078, S 1059, as amended, S 1126, S 1127, S 1128, S 1129, S 1130, S 1131, S 1132, S 1133, S 1080, as amended, S 1074, S 1075, and S 1077 were delivered to the Office of the Governor at 1:36 p.m., March 23, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 23, 2015

The JUDICIARY AND RULES Committee reports that Enrolled SCR 107, SCR 109, SCR 110, and SCR 113 were delivered to the Office of the Secretary of State at 1:38 p.m., March 23, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 23, 2015

The STATE AFFAIRS Committee reports out H 53, as amended, H 112, and HCR 16 with the recommendation that they do pass.

MCKENZIE, Chairman

H 53, as amended, and H 112 were filed for second reading.

HCR 16 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 23, 2015

The RESOURCES AND ENVIRONMENT Committee reports out S 1169 with the recommendation that it do pass.

BAIR, Chairman

S 1169 was filed for second reading.

March 23, 2015

The JUDICIARY AND RULES Committee reports out H 92, as amended, and S 1170 with the recommendation that they do pass.

LODGE, Chairman

H 92, as amended, and S 1170 were filed for second reading.

March 23, 2015

The FINANCE Committee reports out S 1172, S 1173, and S 1174 with the recommendation that they do pass.

CAMERON, Chairman

S 1172, S 1173, and S 1174 were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 23, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1097, S 1100, S 1110, and S 1114

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 23, 2015

Dear Mr. President:

I transmit herewith H 281, H 282, H 284, H 1, H 246, H 296, H 287, H 288, H 289, H 290, H 293, H 294, H 295, and H 277, which have passed the House.

ALEXANDER, Chief Clerk

H 281, H 282, H 284, H 1, H 246, H 296, H 287, H 288, H 289, H 290, H 293, H 294, H 295, and H 277 were filed for first reading.

March 23, 2015

Dear Mr. President:

I transmit herewith Enrolled H 104, H 116, H 117, H 129, H 132, H 137, as amended, H 158, H 160, H 163, H 240, H 247, H 248, H 249, H 250, H 251, H 253, and H 254 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 104, H 116, H 117, H 129, H 132, H 137, as amended, H 158, H 160, H 163, H 240, H 247, H 248, H 249, H 250, H 251, H 253, and H 254 and ordered them returned to the House.

March 23, 2015

Dear Mr. President:

I return herewith Enrolled S 1125 and S 1086, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled S 1125 and S 1086 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1177
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO NATUROPATHIC PHYSICIANS; REPEALING CHAPTER 51, TITLE 54, IDAHO CODE, RELATING TO LICENSURE OF NATUROPATHIC PHYSICIANS; AND PROVIDING APPLICATION TO CERTAIN LICENSES.

S 1177 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 281, H 282, H 284, H 287, H 288, H 289, H 290, H 293, H 294, and H 295, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 1, by State Affairs Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 246 and H 296, by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

H 277, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

On request by Senator Hagedorn, granted by unanimous consent, H 181, as amended in the Senate, was referred to the Fourteenth Order of Business, General Calendar.

H 274 and H 276, by Appropriations Committee, were read the second time at length and filed for third reading.

S 1171, by Finance Committee, was read the second time at length and filed for third reading.

H 170, as amended in the Senate, by Education Committee, was read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Lakey to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Lakey, Chairman of the Committee of the Whole, reported out H 94, without recommendation, amended as follows:

SENATE AMENDMENT TO H 94
AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 23 through 25, and insert: "Provided however, the owner or operator of any right-of-way or easement for any ditch, canal or other conduit

governed by the provisions of chapter 11 or chapter 12, title 42, Idaho Code, who is found in violation of this section shall be liable only for actual damages and not for any treble damages or attorney fees otherwise provided for under this section.".

CORRECTION TO TITLE

On page 1, in line 2, delete "AN EX-"; and delete lines 3 and 4, and insert: "THAT CERTAIN PERSONS IN VIOLATION OF SPECIFIED LAW SHALL BE LIABLE ONLY FOR ACTUAL DAMAGES.".

LAKEY, Chairman

On motion by Senator Lakey, seconded by Senator Stennett, the report was adopted by voice vote.

H 94, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, HCR 12 and HCR 17 retained their place on the calendar for Monday, March 30, 2015.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Celia Gould was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Lee, the Gubernatorial appointment of Celia Gould as a member of the Public Employee Retirement System of Idaho Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1146, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Tippets disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bayer, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Jordan, Keough, Lacey, Martin, McKenzie, Nonini, Nuxoll, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking. Total - 22.

NAYS–Bair, Brackett, Cameron, Hagedorn, Heider, Hill, Johnson, Lakey, Lee, Lodge, Patrick, Winder. Total - 12.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared S 1146, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1156 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared S 1156 passed, title was approved, and the bill ordered transmitted to the House.

H 109, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared H 109, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

H 202, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared H 202, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

H 167, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared H 167, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

H 99 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared H 99 passed, title was approved, and the bill ordered returned to the House.

H 208 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 30.

NAYS–Nonini, Nuxoll, Vick. Total - 3.

Absent and excused–Hill, Mortimer. Total - 2.

Total - 35.

Whereupon the President declared H 208 passed, title was approved, and the bill ordered returned to the House.

H 220 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared H 220 passed, title was approved, and the bill ordered returned to the House.

H 185 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared H 185 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 24, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to H 94 have been correctly printed.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 94, as amended in the Senate, by Resources and Conservation Committee, was read the first time at length and filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12 noon until the hour of 3 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 3 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senator Mortimer, absent and formally excused by the Chair; and Senators Bair, Bayer, Brackett, Cameron, Keough, and Schmidt, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 24, 2015

The FINANCE Committee reports out **H 281**, **H 282**, **H 284**, **H 287**, **H 288**, **H 289**, **H 290**, **H 293**, **H 294**, **H 295**, **S 1175**, and **S 1176** with the recommendation that they do pass.

CAMERON, Chairman

H 281, **H 282**, **H 284**, **H 287**, **H 288**, **H 289**, **H 290**, **H 293**, **H 294**, **H 295**, **S 1175**, and **S 1176** were filed for second reading.

March 24, 2015

The TRANSPORTATION Committee reports out **H 262** with the recommendation that it do pass.

BRACKETT, Chairman

H 262 was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, **H 197** and **H 263** retained their place on the Third Reading Calendar.

H 264 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Nuxoll disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared **H 264** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, **H 263** was placed before the Senate for consideration at this time.

H 263 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared **H 263** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, **H 197** was placed before the Senate for consideration at this time.

H 197 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared **H 197** passed, title was approved, and the bill ordered returned to the House.

H 195 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Jordan arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 31.

NAYS–Davis, Schmidt. Total - 2.

Absent and excused–McKenzie, Mortimer. Total - 2.

Total - 35.

Whereupon the President declared **H 195** passed, title was approved, and the bill ordered returned to the House.

H 268 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared **H 268** passed, title was approved, and the bill ordered returned to the House.

H 271 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared **H 271** passed, title was approved, and the bill ordered returned to the House.

H 272 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared **H 272** passed, title was approved, and the bill ordered returned to the House.

H 273 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared **H 273** passed, title was approved, and the bill ordered returned to the House.

H 183 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared **H 183** passed, title was approved, and the bill ordered returned to the House.

H 179 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Tippets arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared **H 179** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Lakey, granted by unanimous consent, **H 238** retained its place on the Third Reading Calendar for one legislative day.

H 221 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared H 221 passed, title was approved, and the bill ordered returned to the House.

H 236 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared H 236 passed, title was approved, and the bill ordered returned to the House.

H 237 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared H 237 passed, title was approved, and the bill ordered returned to the House.

H 184 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 30.

NAYS–Nonini, Nuxoll, Souza, Vick. Total - 4.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared H 184 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 274 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 274 was before the Senate for final consideration.

H 274 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Martin, McKenzie, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Ward-Engelking. Total - 25.

NAYS–Bayer, Den Hartog, Lodge, Nonini, Nuxoll, Patrick, Souza, Vick, Winder. Total - 9.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared H 274 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 276 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 276 was before the Senate for final consideration.

H 276 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared H 276 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1171 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1171 was before the Senate for final consideration.

S 1171 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared S 1171 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:55 p.m. until the hour of 10 a.m., Wednesday, March 25, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SEVENTY-THIRD LEGISLATIVE DAY
WEDNESDAY, MARCH 25, 2015

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Cameron and Guthrie, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Samuel Cahoon, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 24, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 25, 2015

The JUDICIARY AND RULES Committee reports that S 1177 has been correctly printed.

LODGE, Chairman

S 1177 was referred to the Health and Welfare Committee.

March 24, 2015

The JUDICIARY AND RULES Committee reports that Enrolled S 1125 and S 1086 were delivered to the Office of the Governor at 10:35 a.m., March 24, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 24, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out H 152, S 1168, and SCR 125 with the recommendation that they do pass.

TIPPETS, Chairman

H 152 and S 1168 were filed for second reading.

SCR 125 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 24, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 269 with the recommendation that it do pass.

SIDDOWAY, Chairman

H 269 was filed for second reading.

March 25, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 257 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SIDDOWAY, Chairman

There being no objection, H 257 was referred to the Fourteenth Order of Business, General Calendar.

March 25, 2015

The STATE AFFAIRS Committee reports out HCR 15, HJM 3, and S 1155 with the recommendation that they do pass.

MCKENZIE, Chairman

HCR 15 and HJM 3 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1155 was filed for second reading.

March 25, 2015

The STATE AFFAIRS Committee reports out H 155 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, H 155 was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 24, 2015

Dear Mr. President:

I transmit herewith HCR 21, HCR 22, H 301, H 304, H 305, and HJM 10, which have passed the House.

ALEXANDER, Chief Clerk

HCR 21, HCR 22, H 301, H 304, H 305, and HJM 10 were filed for first reading.

March 24, 2015

Dear Mr. President:

I return herewith S 1088, as amended in the House, which has passed the House.

ALEXANDER, Chief Clerk

On request by Senator Keough, granted by unanimous consent, S 1088, as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

March 24, 2015

Dear Mr. President:

I return herewith S 1030, S 1076, S 1025, S 1109, S 1040, as amended, S 1056, as amended, S 1121, S 1148, S 1149, S 1091, S 1072, as amended, S 1053, as amended, S 1150, and S 1151, which have passed the House.

ALEXANDER, Chief Clerk

S 1030, S 1076, S 1025, S 1109, S 1040, as amended, S 1056, as amended, S 1121, S 1148, S 1149, S 1091, S 1072, as amended, S 1053, as amended, S 1150, and S 1151 were referred to the Judiciary and Rules Committee for enrolling.

March 24, 2015

Dear Mr. President:

I transmit herewith Enrolled H 142, as amended in the Senate, and H 15, as amended in the Senate, as amended in the Senate, for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 142, as amended in the Senate, and H 15, as amended in the Senate, as amended in the Senate, and ordered them returned to the House.

March 24, 2015

Dear Mr. President:

I return herewith Enrolled S 1138, S 1139, S 1140, S 1141, S 1142, S 1143, S 1144, and S 1145, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled S 1138, S 1139, S 1140, S 1141, S 1142, S 1143, S 1144, and S 1145 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the House amendments to S 1088, as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to S 1088, as amended in the House?"

On request by Senator Keough, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to S 1088, as amended in the House.

S 1088, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

Senator Cameron was recorded present at this order of business.

The President announced that SCR 126 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Winder, seconded by Senator Lacey, SCR 126 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

Senator Guthrie was recorded present at this order of business.

The President announced that HCR 16 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Schmidt, seconded by Senator Nonini, HCR 16 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

HCR 21 and HCR 22, by Education Committee, were introduced, read at length, and referred to the Education Committee.

H 301, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 304 and H 305, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

HJM 10, by Ways and Means Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 53, as amended, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

H 112, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1169, by State Affairs Committee, was read the second time at length and filed for third reading.

H 92, as amended, by Business Committee, was read the second time at length and filed for third reading.

S 1170, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1172, S 1173, and S 1174, by Finance Committee, were read the second time at length and filed for third reading.

H 94, as amended in the Senate, by Resources and Conservation Committee, was read the second time at length and filed for third reading.

H 281, H 282, H 284, H 287, H 288, H 289, H 290, H 293, H 294, and H 295, by Appropriations Committee, were read the second time at length and filed for third reading.

S 1175 and S 1176, by Finance Committee, were read the second time at length and filed for third reading.

H 262, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, H 95 retained its place on the Third Reading Calendar for Monday, March 30, 2015.

H 238 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippets, Vick, Winder. Total - 27.

NAYS–Buckner-Webb, Burgoyne, Johnson, Jordan, Lacey, Schmidt, Stennett, Ward-Engelking. Total - 8.

Total - 35.

Whereupon the President declared H 238 passed, title was approved, and the bill ordered returned to the House.

H 170, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–Schmidt. Total - 1.

Total - 35.

Whereupon the President declared H 170, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1169 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1169 was before the Senate for final consideration.

S 1169 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared S 1169 passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1170 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1170 was before the Senate for final consideration.

S 1170 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Lee disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared S 1170 passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1172 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1172 was before the Senate for final consideration.

S 1172 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 30.

NAYS–Mortimer, Nonini, Nuxoll, Vick. Total - 4.

Absent and excused–Hagedorn. Total - 1.

Total - 35.

Whereupon the President declared S 1172 passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1174 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1174 was before the Senate for final consideration.

S 1174 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate.

On request by Senator Keough, granted by unanimous consent, S 1174 retained its place on the Third Reading Calendar for one legislative day.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1175 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1175 was before the Senate for final consideration.

S 1175 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared S 1175 passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1176 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1176 was before the Senate for final consideration.

S 1176 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared S 1176 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 25, 2015

The JUDICIARY AND RULES Committee reports that S 1088, as amended in the House, has been correctly engrossed.

LODGE, Chairman

S 1088, as amended in the House, was filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1088, as amended in the House, by Education Committee, was read the first time at length and filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:05 p.m. until the hour of 3 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 3 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senator Mortimer, absent and formally excused by the Chair; and Senators Cameron, Keough, Nonini, and Ward-Engelking, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 25, 2015

The FINANCE Committee reports out **H 304** and **H 305** with the recommendation that they do pass.

CAMERON, Chairman

H 304 and **H 305** were filed for second reading.

March 25, 2015

The RESOURCES AND ENVIRONMENT Committee reports out **H 1** with the recommendation that it do pass.

BAIR, Chairman

H 1 was filed for second reading.

Senator Nonini was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 94**, as amended in the Senate, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Winder. Total - 33.

NAYS–None.

Absent and excused–Mortimer, Ward-Engelking. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 94**, as amended in the Senate, was before the Senate for final consideration.

H 94, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared **H 94**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 112** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 112** was before the Senate for final consideration.

H 112 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared **H 112** passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 281 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 281 was before the Senate for final consideration.

H 281 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 31.

NAYS–Nuxoll, Vick. Total - 2.

Absent and excused–Lakey, Mortimer. Total - 2.

Total - 35.

Whereupon the President declared H 281 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 282 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 282 was before the Senate for final consideration.

H 282 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared H 282 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 284 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 284 was before the Senate for final consideration.

H 284 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 30.

NAYS–Guthrie, Nuxoll, Vick. Total - 3.

Absent and excused–Lakey, Mortimer. Total - 2.

Total - 35.

Whereupon the President declared H 284 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 287 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 287 was before the Senate for final consideration.

H 287 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared H 287 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 288 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 288 was before the Senate for final consideration.

H 288 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 27.

NAYS–Bayer, Den Hartog, Nonini, Nuxoll, Souza, Vick. Total - 6.

Absent and excused–Lakey, Mortimer. Total - 2.

Total - 35.

Whereupon the President declared H 288 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 289 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 289 was before the Senate for final consideration.

H 289 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared H 289 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 290 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 290 was before the Senate for final consideration.

H 290 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared H 290 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 293 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 293 was before the Senate for final consideration.

H 293 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared H 293 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 294 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 294 was before the Senate for final consideration.

H 294 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared H 294 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 295 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 295 was before the Senate for final consideration.

H 295 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

Whereupon the President declared H 295 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 262 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Mortimer. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 262 was before the Senate for final consideration.

H 262 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Jordan disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Keough, Lakey, Lee, Lodge, McKenzie, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 23.

NAYS–Buckner-Webb, Burgoyne, Den Hartog, Johnson, Jordan, Lacey, Martin, Schmidt, Stennett, Tippets, Ward-Engelking. Total - 11.

Absent and excused–Mortimer. Total - 1.

Paired and voting included in roll call:

AYE - Lakey NAY - Burgoyne

Total - 35.

Whereupon the President declared H 262 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 25, 2015

The EDUCATION Committee reports out H 296 with the recommendation that it do pass.

MORTIMER, Chairman

H 296 was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:15 p.m. until the hour of 9:30 a.m., Thursday, March 26, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SEVENTY-FOURTH LEGISLATIVE DAY
THURSDAY, MARCH 26, 2015

Senate Chamber

President Little called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Bair, Cameron, and Mortimer, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Kayla Christensen, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 25, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senator Cameron was recorded present at this order of business.

March 25, 2015

The JUDICIARY AND RULES Committee reports that **S 1030**, **S 1076**, **S 1025**, **S 1109**, **S 1040**, as amended, **S 1056**, as amended, **S 1121**, **S 1148**, **S 1149**, **S 1091**, **S 1072**, as amended, **S 1053**, as amended, **S 1150**, and **S 1151** have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled **S 1030**, **S 1076**, **S 1025**, **S 1109**, **S 1040**, as amended, **S 1056**, as amended, **S 1121**, **S 1148**, **S 1149**, **S 1091**, **S 1072**, as amended, **S 1053**, as amended, **S 1150**, and **S 1151** and ordered them transmitted to the House for the signature of the Speaker.

March 25, 2015

The JUDICIARY AND RULES Committee reports it has had under consideration the Gubernatorial reappointment listed below and the Committee recommends that said reappointment be confirmed by the Senate:

Ralph Powell as the Director of the Idaho State Police, term to expire January 7, 2019.

LODGE, Chairman

The Gubernatorial reappointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Bair was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 25, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1001, **S 1004**, **S 1014**, **S 1035**, **S 1046**, **S 1054**, **S 1063**, **S 1082**, **S 1116**, **S 1117**, and **S 1119**

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 25, 2015

Dear Mr. President:

I transmit herewith **H 286**, **H 298**, **HCR 19**, **H 291**, and **HJM 9**, which have passed the House.

ALEXANDER, Chief Clerk

H 286, **H 298**, **HCR 19**, **H 291**, and **HJM 9** were filed for first reading.

March 25, 2015

Dear Mr. President:

I return herewith **S 1157**, **S 1158**, **S 1160**, **S 1161**, **S 1162**, **S 1120**, **S 1163**, **S 1164**, and **S 1166**, which have passed the House.

ALEXANDER, Chief Clerk

S 1157, **S 1158**, **S 1160**, **S 1161**, **S 1162**, **S 1120**, **S 1163**, **S 1164**, and **S 1166** were referred to the Judiciary and Rules Committee for enrolling.

March 25, 2015

Dear Mr. President:

I transmit herewith Enrolled **H 99**, **H 179**, **H 183**, **H 184**, **H 185**, **H 195**, **H 197**, **H 208**, **H 220**, **H 221**, **H 236**, **H 237**, **H 263**, **H 264**, **H 268**, **H 271**, **H 272**, **H 273**, **H 274**, and **H 276** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 99**, **H 179**, **H 183**, **H 184**, **H 185**, **H 195**, **H 197**, **H 208**, **H 220**, **H 221**, **H 236**, **H 237**, **H 263**, **H 264**, **H 268**, **H 271**, **H 272**, **H 273**, **H 274**, and **H 276** and ordered them returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 286, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 298, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

HCR 19, by Ways and Means Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

H 291, by State Affairs Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

HJM 9, by Ways and Means Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 152, by Health and Welfare Committee, was read the second time at length and filed for third reading.

S 1168, by Finance Committee, was read the second time at length and filed for third reading.

H 269, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

S 1155, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1088, as amended in the House, by Education Committee, was read the second time at length and filed for third reading.

H 304 and **H 305**, by Appropriations Committee, were read the second time at length and filed for third reading.

H 1, by State Affairs Committee, was read the second time at length and filed for third reading.

H 296, by Education Committee, was read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

Senator Mortimer was recorded present at this order of business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out **H 181**, as amended in the Senate, and **H 257**, without recommendation, amended as follows:

SENATE AMENDMENT TO the SENATE AMENDMENT TO H 181

AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 20 through 40; and delete pages 2 through 11.

AMENDMENT TO THE AMENDMENT

On page 1 of the printed amendment, delete lines 4 through 35; delete pages 2 through 11; and on page 12, delete lines 1 through 6, and insert:

"SECTION 1. That Chapter 51, Title 54, Idaho Code, be, and the same is hereby repealed.

SECTION 2. That all licenses issued under Chapter 51, Title 54, Idaho Code, as repealed by Section 1 of this act, are deemed to have expired and further are hereby declared to be null and void.

SECTION 3. That Title 54, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW CHAPTER, to be known and designated as Chapter 56, Title 54, Idaho Code, and to read as follows:

CHAPTER 56

NATUROPATHIC MEDICAL PHYSICIANS LICENSING ACT

54-5601. LEGISLATIVE PURPOSE AND INTENT. It is the intent of the Idaho legislature to regulate the practice of naturopathic medicine. Nothing in this chapter will limit the decision in State v. Smith, 81 Idaho 103, 337 P.2d 938, except to the extent that certain modalities of treatment shall require a license pursuant to this chapter. Furthermore, it is not the intent of this chapter to prohibit the use of the term "doctor" nor to limit the practice of naturopathy as explained in State v. Smith.

54-5602. DEFINITIONS. As used in this chapter:

(1) "Approved naturopathic medical program" means a naturopathic medical education program in the United States or Canada that provides the degree of doctor of naturopathy or doctor of naturopathic medicine, that includes graduate level full-time didactic and supervised clinical training and is either accredited or has achieved candidacy status for accreditation by the council on naturopathic medical education (CNME) or an equivalent federally recognized accrediting body for naturopathic medical programs. Additionally, the program shall be an institution, or part of an institution, of higher education that is either accredited or is a candidate for accreditation by a regional accrediting agency recognized by the United States department of education.

(2) "Board" means the board of naturopathic medical physicians created pursuant to section 54-5606, Idaho Code.

(3) "Formulary" means the lists of prescription medicines and legend drugs that naturopathic medical physicians and naturopathic physicians licensed under this chapter may use in the practice of their profession.

(4) "Minor office procedures" means the methods for the repair and care incidental to superficial lacerations and abrasions, superficial lesions and the removal of foreign bodies located in the superficial tissues.

(5) "Naturopathic medical physician" means a person authorized and licensed to practice naturopathic medicine under this chapter.

(6) "Naturopathic medicine" means a distinct and comprehensive system of primary health care practiced by naturopathic medical physicians.

(7) "Naturopathic physician" means a person licensed to provide naturopathic medical services under this chapter.

(8) "Naturopathic medical services" means the broad range of natural and holistic treatments including, but not limited to, the administration, monitoring and prescribing of natural based minerals and vitamins as approved by board rule.

54-5603. SCOPE OF PRACTICE. (1) Naturopathic medical physicians may use physical and laboratory examinations consistent with naturopathic medical education and training for diagnostic purposes. Naturopathic medical physicians may order and perform diagnostic and imaging tests consistent with naturopathic medical education and training. All diagnostic and imaging tests not consistent with naturopathic medical education and training must be referred for performance and interpretation by an appropriately licensed health care professional.

(2) Naturopathic medical physicians licensed under this chapter are authorized to dispense, administer and prescribe prescription drugs and medical devices as determined by the formulary and authorized by board rule.

(3) Naturopathic medical physicians licensed under this chapter may perform minor office procedures pursuant to privileges authorized by board rule.

(4) A naturopathic medical physician may perform those therapies for which he has been trained and educated and that are not inconsistent with the provisions of this chapter that are authorized by board rule.

(5) Naturopathic physicians licensed under this chapter are authorized to provide naturopathic medical services as approved by board rules.

54-5604. EXEMPTIONS FOR LICENSURE. This chapter is not intended to and does not prohibit, restrict or apply to:

(1) The practice of a profession by individuals who are licensed, certified or registered under other laws of this state and are performing services within the authorized scope of practice;

(2) The practice of naturopathic medicine by an individual employed by the federal government while the individual is engaged in the performance of duties prescribed by the laws and regulations of the United States;

(3) An individual rendering aid to a family member or in an emergency, when no fee or other consideration for the service is charged, received, expected or contemplated;

(4) An individual engaged in the sale of vitamins, health foods, over-the-counter homeopathic products, dietary supplements, herbs or other products of nature, the sale of which is not otherwise prohibited under state or federal law;

(5) The practice by a naturopathic medical physician duly licensed in another state, territory or the District of Columbia when that naturopathic medical physician is incidentally called into this state for consultation with a physician licensed pursuant to this chapter or chapter 18, title 54, Idaho Code; or

(6) The practice of naturopathic medical medicine by students enrolled in an approved naturopathic medical program. Services shall be performed pursuant to a course of instruction or assignments from an instructor and under the supervision and observation of the instructor.

54-5605. NATUROPATHIC MEDICAL PHYSICIAN AND NATUROPATHIC PHYSICIAN LICENSE REQUIRED. (1) A license shall be required for a person to utilize the formularies and perform minor office procedures authorized by rule under this chapter.

(2) Those practicing without a license shall disclose to their patients that they are not naturopathic medical physicians, naturopathic physicians or physicians as required in section 54-1804, Idaho Code.

54-5606. BOARD OF NATUROPATHIC MEDICAL PHYSICIANS – ORGANIZATION AND MEETINGS. (1) There is hereby established in the department of self-governing agencies, bureau of occupational licenses, the board of naturopathic medical physicians. The board shall consist of five (5) members appointed by the governor, two (2) of whom shall be licensed pursuant to section 54-5608(1)(a), Idaho Code, one (1) of whom shall be licensed pursuant to section 54-5608(2), Idaho Code, one (1) of whom shall be a physician licensed pursuant to chapter 18, title 54, Idaho Code, and one (1) of whom shall be a pharmacist licensed pursuant to chapter 17, title 54, Idaho Code. Board members shall serve at the pleasure of the governor.

(2) One (1) member of the initial board shall be appointed for a one (1) year term of office; one (1) member of the initial board shall be appointed for a two (2) year term of office; one (1) member of the initial board shall be appointed for a three (3) year term of office; one (1) member of the initial board shall be appointed for a four (4) year term of office; and one (1) member of the initial board shall be appointed for a five (5) year term of office. Thereafter, the term of office for each board member shall be five (5) years.

(3) The initial two (2) licensed naturopathic medical physician board members shall be eligible to become licensed pursuant to section 54-5608(1)(a), Idaho Code, and shall have been practicing naturopathic medicine in the state of Idaho for at least the two (2) years immediately preceding their appointment. The initial licensed naturopathic physician board member shall be eligible to become licensed pursuant to section 54-5608(2), Idaho Code, and shall have been practicing naturopathic medical services in the state of Idaho for at least two (2) years immediately preceding their appointment.

(4) After initial board members are appointed, the two (2) board members who are naturopathic medical physicians shall be licensed pursuant to section 54-5608(1)(a), Idaho Code, and the one (1) board member who is a naturopathic physician shall be licensed pursuant to section 54-5608(2), Idaho Code, shall actively practice naturopathic medicine or naturopathic medical services in the state of Idaho for the duration of their appointment and shall have been practicing naturopathic medicine or naturopathic medical services for at least two (2) years immediately preceding their appointment.

(5) Upon initial appointment of the board and thereafter, whenever a term of a member of the board who is licensed

pursuant to chapter 18, title 54, Idaho Code, expires or becomes vacant, the Idaho medical association shall nominate three (3) persons licensed pursuant to chapter 18, title 54, Idaho Code, for such vacancy and shall forward the nominations to the governor who shall give consideration to such nominees.

(6) Upon initial appointment of the board and thereafter, whenever a term of a member of the board who is licensed pursuant to chapter 17, title 54, Idaho Code, expires or becomes vacant, the Idaho board of pharmacy shall nominate three (3) persons licensed pursuant to chapter 17, title 54, Idaho Code, for such vacancy and shall forward the nominations to the governor who shall give consideration to such nominees.

(7) In the event of the death, resignation or removal of any board member before the expiration of the term to which the board member is appointed, the vacancy shall be filled for the unexpired portion of the term in the same manner as the original appointment.

(8) Within thirty (30) days after its appointment, the initial board shall hold a meeting and elect a chairperson. The board shall meet at least annually thereafter and may hold additional meetings at the call of the chairperson or at the written request of any two (2) members of the board. A majority of the board shall constitute a quorum. The vote of a majority of members present at a meeting wherein a quorum is present shall determine the action of the board, except as otherwise provided in this chapter.

(9) Each member of the board shall be compensated as provided in section 59-509(n), Idaho Code.

54-5607. POWERS AND DUTIES OF THE BOARD. The board shall have the authority and responsibility to:

(1) Receive applications of persons applying for licensure, determine the qualifications of persons applying for licensure and provide licenses to applicants qualified under this chapter;

(2) Establish by rule and collect fees from applicants for licensure and for renewal of licensure;

(3) Establish by rule the minimum amount and type of continuing education to be required for each licensee seeking renewal;

(4) Investigate complaints against persons who are licensed under this chapter and those utilizing substances on a formulary adopted under this chapter or performing minor office procedures without a license;

(5) Undertake, when appropriate, disciplinary proceedings and disciplinary action against persons licensed under this chapter;

(6) Provide such other services and perform such other functions as are consistent with this chapter as are necessary and desirable to fulfill its purposes;

(7) Recover the costs and fees, including attorney's fees, incurred in the investigation and prosecution of any person who is found in violation of this chapter or the board's rules;

(8) Promulgate and adopt rules, pursuant to chapter 52, title 67, Idaho Code, necessary to administer the provisions of this chapter; provided, however, that all rules shall be approved by the unanimous vote of the entire board;

(9) Establish special competency certification requirements for licensees as deemed necessary and approved by board rule;

(10) The board shall establish by rule two (2) formularies. The formulary list for naturopathic medical physicians shall be based upon naturopathic medical education, training and continuing education, but may not go beyond the scope of prescription medicines and medical devices covered by approved naturopathic medical education and training or board-approved continuing education. The naturopathic medical formulary shall not include medicines and devices that are inconsistent with the training provided by approved naturopathic medical programs and continuing education. The formulary shall be approved by board rule. The formulary list for naturopathic physicians shall be based on the education and training of naturopathic physicians and shall be approved by rule; and

(11) Authorize by written agreement the bureau of occupational licenses to act as agent in its interest.

54-5608. QUALIFICATIONS FOR LICENSURE. (1) Naturopathic medical physician. To be eligible for a license to practice as a naturopathic medical physician in the state of Idaho, the applicant shall submit an application, pay the fee and fulfill the following requirements:

(a) The applicant must be a graduate of an approved naturopathic medical program as defined in section 54-5602(1), Idaho Code; or

(b) The applicant must be a graduate of a college or university in the United States or Canada, prior to 1992, that is still in existence and that offered a full-time structured curriculum in basic sciences and supervised patient care comprising a doctoral naturopathic medical education as a prerequisite to graduation, having been not less than one hundred thirty-two (132) weeks in duration and that required completion within a period of not less than thirty-five (35) months and have been continually practicing for five (5) years immediately preceding licensure.

(2) Naturopathic physician. To be eligible for a license to practice as a naturopathic physician in the state of Idaho, the applicant shall submit an application, pay the fee and fulfill the following requirements:

(a) Have been issued a license by the board of naturopathic medical examiners under chapter 51, title 54, Idaho Code, as it existed at the time such licenses were issued and while the board had a contract with the bureau of occupational licenses and such license was not revoked by the board of naturopathic medical examiners. Any license issued by the board of naturopathic medical examiners when it did not have a contract with the bureau of occupational licenses shall not be recognized as a valid license; or

(b) Been licensed as a chiropractor prior to 1993 and have received any naturopathic degree and have been providing naturopathic medical services in Idaho prior to 2011.

(3) Examination. Applicants for initial licensure who meet the qualifications of subsection (1) (a) of this section and all applicants after July 1, 2016, shall provide proof of having received a passing grade on the naturopathic physicians licensing examinations (NPLEX), administered by the North American board of naturopathic examiners (NABNE). The passing grade for each specific examination administration shall be as determined by the NABNE.

54-5609. LICENSE STANDARDS – ENDORSEMENT. The board shall establish by rule the standards for licensure of applicants of a naturopathic medical physician licensed in another jurisdiction. However, the standards for endorsement of licensure shall not be less than those required by section 54-5608(1)(a) and (3), Idaho Code. The board shall not endorse those practicing naturopathic medical services in other jurisdictions.

54-5610. LICENSE RENEWAL. All licenses issued under this chapter shall be for a term of one (1) year and shall expire on the birthday of the licensee unless renewed in the manner prescribed by rule. Except as set forth in this chapter,

rules governing procedures and conditions for license renewal and reinstatement shall be in accordance with section 67-2614, Idaho Code.

54-5611. FEES. (1) The board shall establish by rule fees for licensure pursuant to the provisions of this chapter as follows:

(a) An application fee for licensure not to exceed two hundred fifty dollars ($250);

(b) The fee for the initial naturopathic medical physician and naturopathic physician license not to exceed one thousand dollars ($1,000);

(c) The fee for the renewal of a naturopathic medical physician and naturopathic physician license not to exceed one thousand dollars ($1,000); and

(d) The application fee shall be in addition to the initial license fee.

(2) All fees received under the provisions of this section shall be nonrefundable and shall be deposited in the state treasury to the credit of the occupational license account in the dedicated fund, and all costs and expenses incurred by the board under the provisions of this chapter shall be a charge against and paid from the account for such purposes. Notwithstanding any other provisions of law, the funds collected pursuant to this section shall be immediately available for the administration of this chapter.

(3) The board of naturopathic medical physicians shall have the authority and responsibility to pay outstanding debts of any previous board that regulated naturopathic physicians and was administered by the department of self-governing agencies, bureau of occupational licenses. The repayment of such debt shall be deposited in the state treasury to the credit of the occupational licenses account.

54-5612. DENIAL OF LICENSE AND DISCIPLINARY PROCEEDINGS. (1) The board may refuse to issue or renew a license or may revoke, suspend or otherwise discipline a license holder for any of the following grounds:

(a) The use of fraud or deceit in obtaining a license under this chapter or in connection with services rendered as a naturopathic physician;

(b) A legal finding of mental incompetence;

(c) Aiding or abetting a person, not duly licensed under this chapter, in claiming to be a naturopathic medical physician or naturopathic physician or in practicing naturopathic medicine or naturopathic medical services;

(d) Any gross negligence, incompetence or misconduct in the performance of naturopathic medicine or naturopathic medical services;

(e) Conviction of a felony, or a crime involving moral turpitude, or the entering of a plea of guilty or the finding of guilt by a jury or court of commission of a felony or a crime involving moral turpitude;

(f) Practicing as a naturopathic medical physician or naturopathic physician when physical or mental abilities are impaired by the use of controlled substances or other drugs, chemicals or alcohol;

(g) Failure of the individual practitioner to maintain his professional premises in a clean and sanitary condition;

(h) Any other good cause, relevant to qualifications to practice as a naturopathic medical physician or naturopathic physician. The board may not suspend, revoke or refuse to issue or renew a license based on the findings that a licensee's practice is unconventional in the absence of demonstrable harm to a patient and the patient has signed a waiver to the effect that the treatment or device is considered unconventional;

(i) Failure to demonstrate compliance with continuing education requirements as determined by the board;

(j) Violating any law or rule pursuant to this chapter;

(k) Having been convicted of any crime that reflects adversely on the person's fitness to be licensed or registered pursuant this chapter;

(l) Having a license to practice naturopathic medicine or other health care license or certificate refused, revoked or suspended or otherwise disciplined by any state, territory, district of the United States or Canada for reasons that relate to the applicant's ability to skillfully and safely practice naturopathic medicine or naturopathic medical services, or other health care profession, unless that license or certification has been restored to good standing by that jurisdiction;

(m) Prescribing, dispensing or administering any controlled substance or device identified under the uniform controlled substances act, chapter 27, title 37, Idaho Code, or identified in the federal controlled substances act, 21 U.S.C. sections 801 through 971 (1988), as amended, except as authorized by this chapter;

(n) Performing surgical procedures, except for naturopathic medical physicians, those minor office procedures authorized by board rule;

(o) For naturopathic physicians, performing surgical procedures or minor office procedures;

(p) Practicing or claiming to practice as a medical doctor, osteopath, dentist, podiatrist, optometrist, psychologist, advanced practice professional nurse, physician assistant, chiropractor, physical therapist, acupuncturist or any other health care professional not authorized in this chapter unless licensed by the state of Idaho to do so;

(q) Using general or spinal anesthetics;

(r) Administering ionizing radioactive substances for therapeutic purposes;

(s) Performing minor office procedures using a laser device;

(t) Inducing or performing an abortion;

(u) Performing minor office procedures involving the eye, ear, tendons, nerves, veins or arteries extending beyond superficial tissue;

(v) Treating any lesion suspicious of malignancy or requiring surgical removal. Lesions suspicious of malignancy or requiring surgical removal shall be referred to a physician licensed pursuant to chapter 18, title 54, Idaho Code, naturopathic medical physicians may comanage this care with a physician licensed pursuant to chapter 18, title 54, Idaho Code;

(w) Performing chiropractic adjustments as defined in section 54-704, Idaho Code, unless licensed to do so;

(x) Performing physical therapy as defined in section 54-2203, Idaho Code; or

(y) Failure to comply with a board order.

(2) The board may reinstate any revoked or suspended license upon such terms as it may determine.

(3) The board may by rule provide a procedure for an applicant to request an exemption review for a felony or lesser crime conviction. The applicant shall bear the burden and financial responsibility of providing all evidence, documentation and proof of suitability for licensure required by the board for exemption review.

54-5613. CERTAIN ACTS PROHIBITED. It shall be unlawful for any person to engage in any of the following acts:

(1) To violate any of the provisions of this chapter and any rules promulgated pursuant thereto;

(2) It shall be a misdemeanor to utilize the formularies or practice minor office procedures without having at the time of so doing, a valid, unexpired, unrevoked and unsuspended license issued under this chapter; or

(3) It shall be a misdemeanor to represent one's self or assume or use the title or designation "physician" in association with the practice of naturopathic medicine, or naturopathic medical services or the abbreviations "NMD" or any other title, designations, words, letters, abbreviations, sign, card or device to indicate to the public that such person is licensed to practice naturopathic medicine or naturopathic medical services pursuant to this chapter unless such person is so licensed under this chapter.

54-5614. PREEMPTION OF LOCAL REGULATIONS. Beginning July 1, 2016, a local unit of government shall not establish or maintain professional licensing requirements for a naturopathic medical physician or a naturopathic physician licensed pursuant to this chapter.

54-5615. SEVERABILITY. The provisions of this chapter are hereby declared to be severable, and if any provision of this chapter or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this chapter.

SECTION 4. That Section 67-2601, Idaho Code, be, and the same is hereby amended to read as follows:

67-2601. DEPARTMENT CREATED – ORGANIZATION – DIRECTOR – BUREAU OF OCCUPATIONAL LICENSES CREATED. (1) There is hereby created the department of self-governing agencies. The department shall, for the purposes of section 20, article IV, of the constitution of the state of Idaho, be an executive department of the state government.

(2) The department shall consist of the following:

(a) Agricultural commodity commissions: Idaho apple commission, as provided by chapter 36, title 22, Idaho Code; Idaho bean commission, as provided by chapter 29, title 22, Idaho Code; Idaho beef council, as provided by chapter 29, title 25, Idaho Code; Idaho cherry commission, as provided by chapter 37, title 22, Idaho Code; Idaho dairy products commission, as provided by chapter 31, title 25, Idaho Code; Idaho pea and lentil commission, as provided by chapter 35, title 22, Idaho Code; Idaho potato commission, as provided by chapter 12, title 22, Idaho Code; the Idaho wheat commission, as provided by chapter 33, title 22, Idaho Code; the Idaho aquaculture commission, as provided by chapter 44, title 22, Idaho Code; and the Idaho alfalfa and clover seed commission, as provided in chapter 42, title 22, Idaho Code.

(b) Professional and occupational licensing boards: Idaho state board of certified public accountancy, as provided by chapter 2, title 54, Idaho Code; board of acupuncture, as provided by chapter 47, title 54, Idaho Code; board of architectural examiners, as provided by chapter 3, title 54, Idaho Code; office of the state athletic director, as provided by chapter 4, title 54, Idaho Code; board of barber examiners, as provided by chapter 5, title 54, Idaho Code; board of commissioners of the Idaho state bar, as provided by chapter 4, title 3, Idaho Code; board of chiropractic physicians, as provided by chapter 7, title 54, Idaho Code; Idaho board of cosmetology, as provided by chapter 8, title 54, Idaho Code; Idaho counselor licensing board, as provided by chapter 34, title 54, Idaho Code; state board of dentistry, as provided by chapter 9, title 54, Idaho Code; state board of denturitry, as provided by chapter 33, title 54, Idaho Code; Idaho board of licensure of professional engineers and professional land surveyors, as provided by chapter 12, title 54, Idaho Code; state board for registration of professional geologists, as provided by chapter 28, title 54, Idaho Code; speech and hearing services licensure board, as provided by chapter 29, title 54, Idaho Code; Idaho physical therapy licensure board, as provided by chapter 22, title 54, Idaho Code; Idaho state board of landscape architects, as provided by chapter 30, title 54, Idaho Code; liquefied petroleum gas safety board, as provided by chapter 53, title 54, Idaho Code; state board of medicine, as provided by chapter 18, title 54, Idaho Code; state board of morticians, as provided by chapter 11, title 54, Idaho Code; ~~board of naturopathic medical examiners, as provided by chapter 51, title 54, Idaho Code;~~ board of nurses, as provided by chapter 14, title 54, Idaho Code; board of examiners of nursing home administrators, as provided by chapter 16, title 54, Idaho Code; state board of optometry, as provided by chapter 15, title 54, Idaho Code; Idaho outfitters and guides board, as provided by chapter 21, title 36, Idaho Code; board of pharmacy, as provided by chapter 17, title 54, Idaho Code; state board of podiatry, as provided by chapter 6, title 54, Idaho Code; Idaho state board of psychologist examiners, as provided by chapter 23, title 54, Idaho Code; Idaho real estate commission, as provided by chapter 20, title 54, Idaho Code; real estate appraiser board, as provided by chapter 41, title 54, Idaho Code; board of social work examiners, as provided by chapter 32, title 54, Idaho Code; the board of veterinary medicine, as provided by chapter 21, title 54, Idaho Code; the board of examiners of residential care facility administrators, as provided by chapter 42, title 54, Idaho Code; the certified shorthand reporters board, as provided by chapter 31, title 54, Idaho Code; the driving businesses licensure board, as provided by chapter 54, title 54, Idaho Code; the board of drinking water and wastewater professionals, as provided by chapter 24, title 54, Idaho Code; ~~and~~ the board of midwifery, as provided by chapter 55, title 54, Idaho Code; and the board of naturopathic medical physicians, as provided by chapter 56, title 54, Idaho Code.

(c) The board of examiners, pursuant to section 67-2001, Idaho Code.

(d) The division of building safety: building code board, chapter 41, title 39, Idaho Code; manufactured housing board, chapter 21, title 44, Idaho Code; electrical board, chapter 10, title 54, Idaho Code; public works contractors license board, chapter 19, title 54, Idaho Code; plumbing board, chapter 26, title 54, Idaho Code; public works construction management, chapter 45, title 54, Idaho Code; the heating, ventilation and air conditioning board, chapter 50, title 54, Idaho Code; and modular building advisory board, chapter 43, title 39, Idaho Code.

(e) The division of veterans services to be headed by a division administrator who shall be a nonclassified employee exempt from the provisions of chapter 53, title 67, Idaho Code. The administrator of the division shall administer the provisions of chapter 2, title 65, Idaho Code, and chapter 9, title 66, Idaho Code, with the advice of the veterans affairs commission established under chapter 2, title 65, Idaho Code, and shall perform such additional duties as are imposed upon him by law.

(f) The board of library commissioners, pursuant to section 33-2502, Idaho Code.
(g) The Idaho state historical society, pursuant to section 67-4123, Idaho Code.
(h) The state public defense commission, pursuant to section 19-849, Idaho Code.
(3) The bureau of occupational licenses is hereby created within the department of self-governing agencies.

SECTION 5. The Board of Naturopathic Physicians shall report on the status of the board and the practice of naturopathic medicine and naturopathic medical services in Idaho to the First Regular Session of the Sixty-sixth Idaho Legislature in 2021.

SECTION 6. This act shall be in full force and effect on and after July 1, 2015, except that the provisions of Sections 54-5605 and 54-5613, Idaho Code, shall be in full force and effect on and after July 1, 2016.

SECTION 7. The provisions of Section 3 of this act shall be null, void and of no force and effect on and after July 1, 2021.".

AMENDMENT TO THE CORRECTION TO TITLE

On page 12 of the amendment, in line 21, delete "TO PROVIDE"; and in line 22, delete "DISCLOSURE REQUIREMENTS,".

SENATE AMENDMENT TO H 257

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 14 through 16, and insert:

"(2) A park model as defined in section 55-2003(11), Idaho Code, shall be assessed per the national automobile dealers association (NADA) standard for recreational vehicles classified as park models. When no NADA standards are available, a park model shall be assessed in the same manner as other property. Improvements to the real property on which the park model is placed shall be assessed separately from the park model.".

AMENDMENT TO SECTION 2

On page 1, delete lines 17 through 19, and insert:

"SECTION 2. This act shall be in full force and effect on and after January 1, 2016.".

CORRECTION TO TITLE

On page 1, delete lines 3 through 6, and insert: "VIDE THAT A PARK MODEL SHALL BE ASSESSED PER THE NATIONAL AUTOMOBILE DEALERS ASSOCIATION STANDARD FOR RECREATIONAL VEHICLES CLASSIFIED AS PARK MODELS FOR PROPERTY TAX PURPOSES, TO PROVIDE FOR ASSESSMENT WHEN NO NATIONAL AUTOMOBILE DEALERS ASSOCIATION STANDARD IS AVAILABLE AND TO PROVIDE FOR ASSESSMENT OF IMPROVEMENTS TO THE REAL PROPERTY ON WHICH THE PARK MODEL IS PLACED; AND PROVIDING AN EFFECTIVE DATE.".

The Committee also has **H 155** under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

H 181, as amended in the Senate, as amended in the Senate, and **H 257**, as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, **H 152** was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, **S 1173** and **S 1174** retained their place on the Third Reading Calendar for Monday, March 30, 2015.

H 53, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 53**, as amended, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, **H 92**, as amended, retained its place on the Third Reading Calendar for one legislative day.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **S 1168** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **S 1168** was before the Senate for final consideration.

S 1168 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **S 1168** passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 269** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 269** was before the Senate for final consideration.

H 269 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 269** passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **S 1155** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **S 1155** was before the Senate for final consideration.

S 1155 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **S 1155** passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **S 1088**, as amended in the House, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **S 1088**, as amended in the House, was before the Senate for final consideration.

S 1088, as amended in the House, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **S 1088**, as amended in the House, passed, title was approved, and the bill was referred to the Judiciary and Rules Committee for enrolling.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 304** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 304** was before the Senate for final consideration.

H 304 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 304** passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 305** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 305** was before the Senate for final consideration.

H 305 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 305** passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 1** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 1** was before the Senate for final consideration.

H 1 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–McKenzie. Total - 1.

Absent and excused–Siddoway. Total - 1.

Total - 35.

Whereupon the President declared **H 1** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, **H 92**, as amended, was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Tenth Order of Business.

Motions and Resolutions

The President announced that **SCR 125** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

Pursuant to Senate Rule 39(H), Senators Cameron and Nonini disclosed a possible conflict of interest under applicable law.

On motion by Senator Nuxoll, seconded by Senator Thayn, **SCR 125** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that **HCR 15** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator McKenzie, seconded by Senator Winder, **HCR 15** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out **H 155**, without recommendation, amended as follows:

SENATE AMENDMENT TO H 155

AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 6 through 42; and delete page 2, and insert:

"SECTION 1. That Sections 74-206 and 74-208, Idaho Code, as added in Section 5, Bill No. 90, as enacted by the First Regular Session of the Sixty-third Idaho Legislature, be, and the same is hereby amended to read as follows:

74-206. EXECUTIVE SESSIONS – WHEN AUTHORIZED. (1) An executive session at which members of the public are excluded may be held, but only for the purposes and only in the manner set forth in this section. The motion to go into executive session shall identify the specific subsections of this section that authorize the executive session. There shall be a roll call vote on the motion and the vote shall be recorded in the minutes. An executive session shall be authorized by a two-thirds (2/3) vote of the governing body. An executive session may be held:

(a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general;

(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student;

(c) To ~~conduct deliberations concerning labor negotiations or to~~ acquire an interest in real property which is not owned by a public agency;

(d) To consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code;

(e) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations;

(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement;

(g) By the commission of pardons and parole, as provided by law;

(h) By the custody review board of the Idaho department of juvenile corrections, as provided by law; ~~or~~

(i) To engage in communications with a representative of the public agency's risk manager or insurance provider to discuss the adjustment of a pending claim or prevention of a claim imminently likely to be filed. The mere presence of a representative of the public agency's risk manager or insurance provider at an executive session does not satisfy this requirement; or

(j) To consider labor contract matters authorized under section 74-206A(1)(a) and (b), Idaho Code.

(2) Labor negotiations may be conducted in executive session if either side requests closed meetings. Notwithstanding the provisions of section 74-204, Idaho Code, subsequent sessions of the negotiations may continue without further public notice.

(3) The exceptions to the general policy in favor of open meetings stated in this section shall be narrowly construed. It shall be a violation of this act to change the subject within the executive session to one not identified within the motion to enter the executive session or to any topic for which an executive session is not provided.

(4) No executive session may be held for the purpose of taking any final action or making any final decision.

74-208. VIOLATIONS. (1) If an action, or any deliberation or decision-making that leads to an action, occurs at any meeting which fails to comply with the provisions of this chapter, such action shall be null and void.

(2) Any member of the governing body governed by the provisions of this chapter, who conducts or participates in a meeting which violates the provisions of this act shall be subject to a civil penalty not to exceed two hundred fifty dollars ($250.00).

(3) Any member of a governing body who knowingly violates the provisions of this chapter shall be subject to a civil penalty not to exceed one thousand five hundred dollars ($1,500).

(4) Any member of a governing body who knowingly violates any provision of this ~~act~~ section and who has previously admitted to committing or has been previously determined to have committed a violation pursuant to subsection (3) of this ~~act~~ section within the twelve (12) months preceding this subsequent violation shall be subject to a civil penalty not to exceed two thousand five hundred dollars ($2,500).

(5) The attorney general shall have the duty to enforce this chapter in relation to public agencies of state government, and the prosecuting attorneys of the various counties shall have the duty to enforce this act in relation to local public agencies within their respective jurisdictions. In the event that there is reason to believe that a violation of the provisions of this act has been committed by members of a board of county commissioners or, for any other reason a county prosecuting attorney is deemed disqualified from proceeding to enforce this act, the prosecuting attorney or board of county commissioners shall seek to have a special prosecutor appointed for that purpose as provided in section 31-2603, Idaho Code.

(6) Any person affected by a violation of the provisions of this chapter may commence a civil action in the magistrate division of the district court of the county in which the public agency ordinarily meets, for the purpose of requiring compliance with provisions of this act. No private action brought pursuant to this subsection shall result in the assessment of a civil penalty against any member of a public agency and there shall be no private right of action for damages arising out of any violation of the provisions of this chapter. Any suit brought for the purpose of having an action declared or determined to be null and void pursuant to subsection (1) of this section shall be commenced within thirty (30) days of the time of the decision or action that results, in whole or in part, from a meeting that failed to comply with the provisions of this act. Any other suit brought under the provisions of this section shall be commenced within one hundred eighty (180) days of the time of the violation or alleged violation of the provisions of this act.

(7) (a) A violation may be cured by a public agency upon:

(i) The agency's self-recognition of a violation; or

(ii) Receipt by the secretary or clerk of the public agency of written notice of an alleged violation. A complaint filed and served upon the public agency may be substituted for other forms of written notice. Upon notice of an alleged open meeting violation, the governing body shall have fourteen (14) days to respond publicly and either acknowledge the open meeting violation and state an intent to cure the violation or state that the public agency has determined that no violation has occurred and that no cure is necessary. Failure to respond shall be treated as a denial of any violation for purposes of proceeding with any enforcement action.

(b) Following the public agency's acknowledgment of a violation pursuant to paragraph (a)(i) or (a)(ii) of this subsection, the public agency shall have fourteen (14) days to cure the violation by declaring that all actions taken at or resulting from the meeting in violation of this act void.

(c) All enforcement actions shall be stayed during the response and cure period but may recommence at the

discretion of the complainant after the cure period has expired.

(d) A cure as provided in this section shall act as a bar to the imposition of the civil penalty provided in subsection (2) of this section. A cure of a violation as provided in subsection (7)(a)(i) of this section shall act as a bar to the imposition of any civil penalty provided in subsection (4) of this section.

SECTION 2. That Chapter 4, Title 74, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 74-206A, Idaho Code, and to read as follows:

74-206A. NEGOTIATIONS IN OPEN SESSION. (1) All negotiations between a governing body and a labor organization shall be in open session and shall be available for the public to attend. This requirement also applies to negotiations between the governing body's designated representatives and representatives of the labor organization. This requirement shall also apply to meetings with any labor negotiation arbitrators, mediators or similar labor dispute meeting facilitators. Provided, however, a governing body or its designated representatives may hold an executive session for the specific purpose of:

(a) Considering a labor contract offer or to formulate a counteroffer; or

(b) Receiving information about a specific employee, when the information has a direct bearing on the issues being negotiated and a reasonable person would conclude that the release of that information would violate that employee's right to privacy.

(2) All documentation exchanged between the parties during negotiations, including all offers, counteroffers and meeting minutes shall be subject to public writings disclosure laws.

(3) Any other provision of law notwithstanding, including any other provisions to the contrary in sections 33-402 and 67-2343, Idaho Code, the governing body shall post notice of all negotiation sessions at the earliest possible time practicable. This shall be done by the governing body by immediately posting notice of the negotiation session on the front page of its official website. If time permits, the governing body shall also post notice within twenty-four (24) hours at its regular meeting physical posting locations.

(4) Public testimony, if any, shall be posted as an agenda item.

SECTION 3. That Section 33-1273A, Idaho Code, be, and the same is hereby repealed.

SECTION 4. That Section 74-206, Idaho Code, be, and the same is hereby repealed.

SECTION 5. That Chapter 2, Title 74, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 74-206, Idaho Code, and to read as follows:

74-206. EXECUTIVE SESSIONS – WHEN AUTHORIZED. (1) An executive session at which members of the public are excluded may be held, but only for the purposes and only in the manner set forth in this section. The motion to go into executive session shall identify the specific subsections of this section that authorize the executive session. There shall be a roll call vote on the motion and the vote shall be recorded in the minutes. An executive session shall be authorized by a two-thirds (2/3) vote of the governing body. An executive session may be held:

(a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general;

(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student;

(c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency;

(d) To consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code;

(e) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations;

(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement;

(g) By the commission of pardons and parole, as provided by law;

(h) By the custody review board of the Idaho department of juvenile corrections, as provided by law; or

(i) To engage in communications with a representative of the public agency's risk manager or insurance provider to discuss the adjustment of a pending claim or prevention of a claim imminently likely to be filed. The mere presence of a representative of the public agency's risk manager or insurance provider at an executive session does not satisfy this requirement.

(2) Labor negotiations may be conducted in executive session if either side requests closed meetings. Notwithstanding the provisions of section 74-204, Idaho Code, subsequent sessions of the negotiations may continue without further public notice.

(3) The exceptions to the general policy in favor of open meetings stated in this section shall be narrowly construed. It shall be a violation of this act to change the subject within the executive session to one not identified within the motion to enter the executive session or to any topic for which an executive session is not provided.

(4) No executive session may be held for the purpose of taking any final action or making any final decision.

SECTION 6. The provisions of Sections 4 and 5 shall be in full force and effect on and after July 1, 2020.".

CORRECTION TO TITLE

On page 1, delete lines 2 through 4, and insert:

"RELATING TO THE OPEN MEETING LAW; AMENDING SECTIONS 74-206 AND 74-208, IDAHO CODE, AS ADDED IN SECTION 5, HOUSE BILL NO. 90, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-THIRD IDAHO LEGISLATURE, TO REMOVE PROVISIONS RELATING TO LABOR NEGOTIATIONS CONDUCTED IN EXECUTIVE SESSION AND TO PROVIDE THAT CONSIDERATION OF CERTAIN LABOR CONTRACT OFFERS MAY BE HELD IN

EXECUTIVE SESSION, TO INCREASE MONETARY CIVIL PENALTIES FOR VIOLATIONS OF THE OPEN MEETING LAW AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 2, TITLE 74, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 74-206A, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO NEGOTIATIONS IN OPEN SESSION, TO PROVIDE THAT AN EXECUTIVE SESSION MAY BE HELD FOR CERTAIN SPECIFIC PURPOSES, TO PROVIDE THAT CERTAIN DOCUMENTS EXCHANGED BETWEEN PARTIES SHALL BE SUBJECT TO PUBLIC WRITINGS DISCLOSURE LAWS, TO PROVIDE FOR NOTICE AND TO PROVIDE THAT PUBLIC TESTIMONY SHALL BE POSTED AS AN AGENDA ITEM; REPEALING SECTION 33-1273A, IDAHO CODE, RELATING TO NEGOTIATIONS IN OPEN SESSION; REPEALING SECTION 74-206, IDAHO CODE, RELATING TO EXECUTIVE SESSIONS; AND AMENDING CHAPTER 2, TITLE 74, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 74-206, IDAHO CODE, TO PROVIDE WHEN AN EXECUTIVE SESSION MAY BE HELD AND PROVIDING EFFECTIVE DATES.".

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

H 155, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:10 p.m. until the hour of 3 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 3 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senators Buckner-Webb, Den Hartog, Jordan, Keough, Mortimer, Nonini, Patrick, Souza, Thayn, and Ward-Engelking, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 296 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 296 was before the Senate for final consideration.

H 296 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Vick. Total - 1.

Total - 35.

Whereupon the President declared H 296 passed, title was approved, and the bill ordered returned to the House.

The Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out H 152 and H 92, as amended, without recommendation, amended as follows:

SENATE AMENDMENT TO H 152
AMENDMENT TO SECTION 2

On page 2 of the printed bill, in line 20, following "settings" insert: "as required and defined by the Americans with Disabilities Act (ADA)".

On page 3, in line 42, following "sect" insert: "or in a private, noncommercial, family event (retained by the family)"; and following line 42, insert:

"(6) Exigent emergency circumstances for temporary interpreting services by family or friends until a qualified interpreter can be obtained.".

On page 5, in line 22, delete "actual" and insert: "reasonable".

On page 6, delete lines 17 through 20, and insert:

"54-5610. PROVISIONAL LICENSE. (1) The board may grant to a person who has the necessary skills and training, a provisional sign language interpreter license to practice, upon filing an application with the board, meeting the qualifications established by board rule and payment of the fee established by board rule.".

On page 8, delete lines 8 and 9, and insert: "communication which reveals the contemplation or execution of a crime or harmful act except that no licensee shall disclose any privileged communication learned of through the provision of interpreting services which would be privileged under any constitutional provision, statute or court rule;".

SENATE AMENDMENT TO H 92, As Amended

AMENDMENT TO SECTION 2

On page 3 of the engrossed bill, in line 37, delete "defendant" and insert: "transferee or debtor"; and delete line 38, and insert: "of proving that it is probable that the debtor was solvent at the time of the transfer.".

AMENDMENT TO SECTION 7

On page 7, following line 22, insert:

"(7) A transfer of a charitable contribution to a qualified religious or charitable entity or organization shall not be considered to be a transfer covered by this act for the amount of the contribution that does not exceed fifteen percent (15%) of the gross annual income of the debtor for the year in which the transfer is made, and the transfer is consistent with the practices of the debtor in making charitable contributions."; in line 23, delete "7" and insert: "8"; and in line 34, delete "8" and insert: "9".

CORRECTION TO TITLE

On page 1, in line 14, following "VOIDABLE" insert: ", TO PROVIDE APPLICATION TO A TRANSFER OF A CHARITABLE CONTRIBUTION TO A QUALIFIED RELIGIOUS OR CHARITABLE ENTITY OR ORGANIZATION".

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

H 152, as amended in the Senate, and **H 92**, as amended, as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 26, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to **H 181**, as amended in the Senate, **H 257**, **H 155**, **H 152**, and **H 92**, as amended, have been correctly printed.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 25, 2015

The JUDICIARY AND RULES Committee reports that Enrolled **S 1138**, **S 1139**, **S 1140**, **S 1141**, **S 1142**, **S 1143**, **S 1144**, and **S 1145** were delivered to the Office of the Governor at 10:55 a.m., March 25, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 26, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 182**, as amended, **H 256**, and **H 277** with the recommendation that they do pass.

TIPPETS, Chairman

H 182, as amended, **H 256**, and **H 277** were filed for second reading.

March 26, 2015

The EDUCATION Committee reports out **H 245**, **H 246**, **HCR 21**, and **HCR 22** with the recommendation that they do pass.

MORTIMER, Chairman

H 245 and **H 246** were filed for second reading.

HCR 21 and **HCR 22** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 26, 2015

The HEALTH AND WELFARE Committee reports out **S 1177** with the recommendation that it do pass.

HEIDER, Chairman

S 1177 was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 26, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1044

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 181, as amended in the Senate, as amended in the Senate, by Health and Welfare Committee, was read the first time at length and filed for second reading.

H 257, as amended in the Senate, by Ways and Means Committee, was read the first time at length and filed for second reading.

H 155, as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

H 152, as amended in the Senate, by Health and Welfare Committee, was read the first time at length and filed for second reading.

H 92, as amended, as amended in the Senate, by Business Committee, was read the first time at length and filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:25 p.m. until the hour of 10:30 a.m., Friday, March 27, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SEVENTY-FIFTH LEGISLATIVE DAY
FRIDAY, MARCH 27, 2015

Senate Chamber

President Little called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Cameron, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Nolan Cole, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 26, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 26, 2015

The JUDICIARY AND RULES Committee reports that **S 1157**, **S 1158**, **S 1160**, **S 1161**, **S 1162**, **S 1120**, **S 1163**, **S 1164**, **S 1166**, and **S 1088**, as amended in the House, have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled **S 1157**, **S 1158**, **S 1160**, **S 1161**, **S 1162**, **S 1120**, **S 1163**, **S 1164**, **S 1166**, and **S 1088**, as amended in the House, and ordered them transmitted to the House for the signature of the Speaker.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 26, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1059, as amended, **S 1074**, **S 1075**, **S 1077**, **S 1078**, **S 1080**, as amended, **S 1087**, **S 1118**, **S 1126**, **S 1127**, **S 1128**, **S 1129**, **S 1130**, **S 1131**, **S 1132**, **S 1133**, **S 1086**, and **S 1125**

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

Senator Cameron was recorded present at this order of business.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 26, 2015

Dear Mr. President:

I transmit herewith **H 303**, **H 300**, **H 302**, **H 308**, **HCR 23**, and **HCR 24**, which have passed the House.

ALEXANDER, Chief Clerk

H 303, **H 300**, **H 302**, **H 308**, **HCR 23**, and **HCR 24** were filed for first reading.

March 26, 2015

Dear Mr. President:

I return herewith **S 1011**, which has passed the House.

ALEXANDER, Chief Clerk

S 1011 was referred to the Judiciary and Rules Committee for enrolling.

March 26, 2015

Dear Mr. President:

I transmit herewith Enrolled **H 17**, as amended in the Senate, **H 112**, **H 157**, as amended in the Senate, **H 194**, as amended in the Senate, **H 238**, **H 262**, **H 281**, **H 282**, **H 284**, **H 287**, **H 288**, **H 289**, **H 290**, **H 293**, **H 294**, **H 295**, and **HCR 16** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 17**, as amended in the Senate, **H 112**, **H 157**, as amended in the Senate, **H 194**, as amended in the Senate, **H 238**, **H 262**, **H 281**, **H 282**, **H 284**, **H 287**, **H 288**, **H 289**, **H 290**, **H 293**, **H 294**, **H 295**, and **HCR 16** and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, **HJM 3** retained its place on the calendar for Tuesday, March 31, 2015.

The President announced that **HCR 21** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Thayn, seconded by Senator Nonini, HCR 21 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that HCR 22 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Thayn, seconded by Senator Nonini, HCR 22 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Ralph Powell was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Lacey, the Gubernatorial reappointment of Ralph Powell as the Director of the Idaho State Police was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 303, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 300, H 302, and H 308, by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

HCR 23, by Ways and Means Committee, was introduced, read at length, and referred to the State Affairs Committee.

HCR 24, by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 182, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

H 256 and H 277, by Ways and Means Committee, were read the second time at length and filed for third reading.

H 245 and H 246, by Education Committee, were read the second time at length and filed for third reading.

S 1177, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

H 181, as amended in the Senate, as amended in the Senate, by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 257, as amended in the Senate, by Ways and Means Committee, was read the second time at length and filed for third reading.

H 155, as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

H 152, as amended in the Senate, by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 92, as amended, as amended in the Senate, by Business Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 256 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Hill. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 256 was before the Senate for final consideration.

H 256 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared H 256 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 277 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 277 was before the Senate for final consideration.

H 277 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

On request by Senator Martin, granted by unanimous consent, the following typographical correction was made to **H 277**, pursuant to Senate Rule 9(F):

On page 3, line 35 after the word "for" insert the word "in."

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 277** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, House bills as amended in the Senate were placed at the head of the Third Reading Calendar, followed by **H 181**, as amended in the Senate, as amended in the Senate, followed by **S 1177**, followed by House bills, followed by **H 95**, followed by all remaining Senate bills.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 27, 2015

The JUDICIARY AND RULES Committee reports that **S 1011** has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled **S 1011** and ordered it transmitted to the House for the signature of the Speaker.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:20 a.m. until the hour of 9 a.m., Monday, March 30, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SEVENTY-EIGHTH LEGISLATIVE DAY
MONDAY, MARCH 30, 2015

Senate Chamber

President Little called the Senate to order at 9 a.m.

Roll call showed all members present except Senators Cameron, Martin, and McKenzie, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Lydia Deatherage, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 27, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

Senators Cameron and Martin were recorded present at this order of business.

SCR 127
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING LEGISLATIVE FINDINGS AND APPROVING AND EXTENDING TEMPORARY RULES REVIEWED BY THE LEGISLATURE.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature by statute must approve temporary rules by adoption of a concurrent resolution approving the rule if the temporary rule is to remain in effect beyond the end of the current legislative session; and

WHEREAS, the expiration of temporary rules would occasion additional expense to state agencies in readopting and republishing temporary rules needed to conduct state business; and

WHEREAS, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that all temporary rules adopted by state agencies pursuant to the Administrative Procedure Act and submitted to the Legislature at the Legislature's request through the Office of the Administrative Rules Coordinator for review during the 2015 legislative session, be, and the same are approved.

BE IT FURTHER RESOLVED that a temporary rule or partial temporary rule approved by this concurrent resolution shall remain in effect until it expires by its own terms or by operation of law or until it is replaced by a final rule, but in no event shall a temporary rule remain in effect beyond the conclusion of the Second Regular Session of the Sixty-third Idaho Legislature unless it is further extended by adoption of a concurrent resolution by both houses of the Legislature. Temporary rules or sections of temporary rules which are excepted from approval hereunder or which were not submitted to the Legislature for review during the 2015 legislative session shall expire by operation of statute upon adjournment of the First Regular Session of the Sixty-third Idaho Legislature, unless approved by adoption of a separate concurrent resolution by both houses of the Legislature.

SCR 128
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING LEGISLATIVE FINDINGS AND APPROVING ADMINISTRATIVE RULES THAT IMPOSE A FEE OR CHARGE, WITH AN EXCEPTION, AND REJECTING A CERTAIN AGENCY RULE DOCKET THAT IS NOT APPROVED.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature pursuant to Section 67-5224, Idaho Code, must approve certain administrative rules that impose a fee or charge by adoption of a concurrent resolution before the rules become effective; and

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Department of Insurance governing Schedule of Fees, Licenses, and Miscellaneous Charges is not consistent with legislative intent; and

WHEREAS, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that all pending administrative rules or portions of pending administrative rules adopted by state agencies pursuant to the Administrative Procedure Act during the prior calendar year, and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2015 legislative session, which impose a fee or charge, be, and the same are approved, with the exception of the following enumerated pending fee rule:

> IDAPA 18.01.44, the Department of Insurance, Rules Governing the Schedule of Fees, Licenses, and Miscellaneous Charges, adopted as a pending fee rule under Docket Number 18-0144-1401, the entire rulemaking docket.

BE IT FURTHER RESOLVED that IDAPA 18.01.44, the Department of Insurance, Rules Governing the Schedule of Fees,

Licenses, and Miscellaneous Charges, adopted as a pending fee rule under Docket Number 18-0144-1401, the entire rulemaking docket is hereby rejected and not approved, and thereby pursuant to Section 67-5291 and Section 67-5224, Idaho Code, is declared null, void and of no force and effect.

BE IT FURTHER RESOLVED that rule provisions imposing fees or charges that were not submitted through the Office of the Administrative Rules Coordinator for legislative review or that otherwise are not included and approved in this concurrent resolution shall be null, void and of no force and effect unless approved by adoption of a separate concurrent resolution by both houses of the Legislature as provided in Section 67-5224, Idaho Code.

SCR 129
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN RULES OF THE DEPARTMENT OF ADMINISTRATION RELATING TO RULES OF THE DIVISION OF PURCHASING.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Department of Administration relating to Rules of the Division of Purchasing are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 38.05.01, Department of Administration, Rules of the Division of Purchasing, Sections 011., 021., 032., 033., 039., 040., 041., 042., 043., 044., 045., 046., 051., 052., 053., 054., 070., 073., 074. Subsection 03., 081., 082., 083., 084., 085., 086., 091., 092., 102., 103., 111., and 125., only, adopted as pending rules under Docket Number 38-0501-1401, be, and the same are hereby rejected and declared null, void and of no force and effect.

SCR 127, **SCR 128**, and **SCR 129** were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 27, 2015

The STATE AFFAIRS Committee reports out **H 219** and **H 301** with the recommendation that they do pass.

MCKENZIE, Chairman

H 219 and **H 301** were filed for second reading.

March 30, 2015

The STATE AFFAIRS Committee reports out **H 212**, **H 213**, **H 214**, **H 216**, as amended, and **H 242** with the recommendation that they do pass.

MCKENZIE, Chairman

H 212, **H 213**, **H 214**, **H 216**, as amended, and **H 242** were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 27, 2015

Dear Mr. President:

I transmit herewith **H 309**, **H 316**, and **H 265**, as amended, which have passed the House.

ALEXANDER, Chief Clerk

H 309, **H 316**, and **H 265**, as amended, were filed for first reading.

March 27, 2015

Dear Mr. President:

I return herewith **S 1104**, as amended in the House, **S 1073**, as amended in the House, and **S 1069**, as amended, as amended, as amended in the House, which have passed the House.

ALEXANDER, Chief Clerk

On request by Senator Nonini, granted by unanimous consent, **S 1104**, as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

On request by Senator Keough, granted by unanimous consent, **S 1073**, as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

On request by Senator Davis, granted by unanimous consent, **S 1069**, as amended, as amended, as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

March 27, 2015

Dear Mr. President:

I transmit herewith Enrolled **H 1**, **H 53**, as amended, **H 113**, as amended in the Senate, **H 154**, as amended in the Senate, **H 269**, **H 296**, **H 304**, **H 305**, and **HCR 15** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 1**, **H 53**, as amended, **H 113**, as amended in the Senate, **H 154**, as amended in the Senate, **H 269**, **H 296**, **H 304**, **H 305**, and **HCR 15** and ordered them returned to the House.

March 27, 2015

Dear Mr. President:

I return herewith Enrolled **S 1030**, **S 1076**, **S 1025**, **S 1109**, **S 1040**, as amended, **S 1056**, as amended, **S 1121**, **S 1148**, **S 1149**, **S 1091**, **S 1072**, as amended, **S 1053**, as amended, **S 1150**, and **S 1151**, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled S 1030, S 1076, S 1025, S 1109, S 1040, as amended, S 1056, as amended, S 1121, S 1148, S 1149, S 1091, S 1072, as amended, S 1053, as amended, S 1150, and S 1151 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the House amendments to S 1104, as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to S 1104, as amended in the House?"

On request by Senator Nonini, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to S 1104, as amended in the House.

S 1104, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The President announced that the House amendments to S 1073, as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to S 1073, as amended in the House?"

On request by Senator Keough, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to S 1073, as amended in the House.

S 1073, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The President announced that the House amendments to S 1069, as amended, as amended, as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to S 1069, as amended, as amended, as amended in the House?"

On request by Senator Davis, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to S 1069, as amended, as amended, as amended in the House.

S 1069, as amended, as amended, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

On request by Senator Burgoyne, granted by unanimous consent, HCR 12 was recommitted to the Resources and Environment Committee.

On request by Senator Davis, granted by unanimous consent, the following at-large members of the Legislative Council were ordered spread upon the pages of the journal: minority party members Senator Buckner-Webb and Senator Burgoyne and majority party members Senator Bair and Senator Bayer.

The President announced that HCR 17 was before the Senate for final consideration.

Moved by Senator Winder, seconded by Senator Stennett, that HCR 17 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Hill, McKenzie. Total - 2.

Total - 35.

Whereupon the President declared HCR 17 adopted, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 309, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 316, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 265, as amended, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, H 257, as amended in the Senate, retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, H 155, as amended in the Senate, retained its place on the Third Reading Calendar.

H 152, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Lacey, Schmidt, Stennett, Thayn, Ward-Engelking, Winder. Total - 17.

NAYS–Bair, Bayer, Brackett, Johnson, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Tippets, Vick. Total - 17.

Absent and excused–McKenzie. Total - 1.

Total - 35.

A tie vote having resulted in the roll call, the President voted AYE and declared H 152, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

H 92, as amended, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Den Hartog, McKenzie. Total - 2.

Total - 35.

Whereupon the President declared H 92, as amended, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

H 181, as amended in the Senate, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Lakey disclosed a possible conflict of interest under applicable law.

On request by Senator Davis, granted by unanimous consent, the history of H 181, as amended in the Senate, as amended in the Senate was read by the Secretary of the Senate.

Pursuant to Senate Rule 39(H), Senator Tippets disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Brackett, Cameron, Guthrie, Hagedorn, Heider, Jordan, Keough, Lacey, Schmidt, Ward-Engelking. Total - 10.

NAYS–Bair, Bayer, Buckner-Webb, Burgoyne, Davis, Den Hartog, Hill, Johnson, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Winder. Total - 25.

Total - 35.

Whereupon the President declared that H 181, as amended in the Senate, as amended in the Senate, had failed to pass the Senate and ordered the bill returned to the House.

S 1177 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Lakey disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Hagedorn, Heider, Jordan, Keough, Lacey, Lee, Lodge, McKenzie, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Vick, Ward-Engelking. Total - 22.

NAYS–Bayer, Den Hartog, Guthrie, Hill, Johnson, Lakey, Martin, Mortimer, Nonini, Nuxoll, Souza, Tippets, Winder. Total - 13.

Total - 35.

Whereupon the President declared S 1177 passed, title was approved, and the bill ordered transmitted to the House.

H 182, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Cameron disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared H 182, as amended, passed, title was approved, and the bill ordered returned to the House.

H 245 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared H 245 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 30, 2015

The JUDICIARY AND RULES Committee reports that S 1104, as amended in the House, S 1073, as amended in the House, and S 1069, as amended, as amended, as amended in the House, have been correctly engrossed.

LODGE, Chairman

S 1104, as amended in the House, S 1073, as amended in the House, and S 1069, as amended, as amended, as amended in the House, were filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1104, as amended in the House, by State Affairs Committee, was read the first time at length and filed for second reading.

S 1073, as amended in the House, by Agricultural Affairs Committee, was read the first time at length and filed for second reading.

S 1069, as amended, as amended, as amended in the House, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:05 p.m. until the hour of 3 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 3 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senator McKenzie, absent and formally excused by the Chair; and Senators Brackett, Buckner-Webb, Cameron, Den Hartog, Keough, Lodge, Mortimer, Nonini, Nuxoll, Patrick, Souza, Thayn, and Ward-Engelking, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 30, 2015

The RESOURCES AND ENVIRONMENT Committee reports out H 291, HCR 8, HJM 9, and HJM 10 with the recommendation that they do pass.

BAIR, Chairman

H 291 was filed for second reading.

HCR 8, HJM 9, and HJM 10 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Brackett was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

Senator Cameron was recorded present at this order of business.

S 1178
BY FINANCE COMMITTEE
AN ACT
PROVIDING FOR A CASH TRANSFER TO THE GENERAL FUND; AND APPROPRIATING ADDITIONAL MONEYS TO THE SECRETARY OF STATE FOR FISCAL YEAR 2016.

S 1179
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF PERFORMANCE EVALUATIONS WITHIN THE LEGISLATIVE BRANCH FOR FISCAL YEAR 2016; AND EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS FOR THE OFFICE OF PERFORMANCE EVALUATIONS.

S 1180
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE PHYSICAL HEALTH SERVICES PROGRAM FOR FISCAL YEAR 2016.

S 1178, S 1179, and S 1180 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senators Buckner-Webb, Den Hartog, Lodge, Nonini, Nuxoll, Patrick, Souza, and Ward-Engelking were recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

H 246 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Mortimer, Patrick, Schmidt, Souza, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 24.

NAYS–Bair, Bayer, Hagedorn, Lakey, Martin, Nonini, Nuxoll, Rice, Siddoway, Vick. Total - 10.

Absent and excused–McKenzie. Total - 1.

Total - 35.

Whereupon the President declared H 246 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Twelfth Order of Business.

Second Reading of Bills

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1104, as amended in the House, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1104, as amended in the House, was before the Senate for final consideration.

S 1104, as amended in the House, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

Whereupon the President declared S 1104, as amended in the House, passed, title was approved, and the bill was referred to the Judiciary and Rules Committee for enrolling.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1073, as amended in the House, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1073, as amended in the House, was before the Senate for final consideration.

S 1073, as amended in the House, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

Whereupon the President declared S 1073, as amended in the House, passed, title was approved, and the bill was referred to the Judiciary and Rules Committee for enrolling.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1069, as amended, as amended, as amended in the House, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1069, as amended, as amended, as amended in the House, was before the Senate for final consideration.

S 1069, as amended, as amended, as amended in the House, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

Whereupon the President declared S 1069, as amended, as amended, as amended in the House, passed, title was approved, and the bill was referred to the Judiciary and Rules Committee for enrolling.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 219 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 219 was before the Senate for final consideration.

H 219 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

Whereupon the President declared H 219 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 212 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 212 was before the Senate for final consideration.

H 212 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

Whereupon the President declared H 212 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 213 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 213 was before the Senate for final consideration.

H 213 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Buckner-Webb arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

Whereupon the President declared H 213 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 214 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 214 was before the Senate for final consideration.

H 214 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

Whereupon the President declared H 214 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 242 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 242 was before the Senate for final consideration.

H 242 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

Whereupon the President declared H 242 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 216, as amended, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 216, as amended, was before the Senate for final consideration.

H 216, as amended, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Tippets, Vick, Ward-Engelking, Winder. Total - 32.

NAYS–Souza, Thayn. Total - 2.

Absent and excused–McKenzie. Total - 1.

Total - 35.

Whereupon the President declared H 216, as amended, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

Messages from the House

March 30, 2015

Dear Mr. President:

I transmit herewith H 311, H 310, H 312, H 313, and H 314, which have passed the House.

ALEXANDER, Chief Clerk

H 311, H 310, H 312, H 313, and H 314 were filed for first reading.

March 30, 2015

Dear Mr. President:

I transmit herewith Enrolled H 109, as amended in the Senate, H 167, as amended in the Senate, H 202, as amended in the Senate, H 256, H 277, HCR 21, and HCR 22 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 109, as amended in the Senate, H 167, as amended in the Senate, H 202, as amended in the Senate, H 256, H 277, HCR 21, and HCR 22 and ordered them returned to the House.

March 30, 2015

Dear Mr. President:

I return herewith Enrolled S 1157, S 1158, S 1160, S 1161, S 1162, S 1120, S 1163, S 1164, S 1166, S 1088, as amended in the House, and S 1011, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled S 1157, S 1158, S 1160, S 1161, S 1162, S 1120, S 1163, S 1164, S 1166, S 1088, as amended in the House, and S 1011 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1181
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO PUBLICATION OF THE SESSION LAWS; REPEALING SECTIONS 67-904, 67-905, 67-906, 67-907 AND 67-908, IDAHO CODE, RELATING TO PUBLICATION AND DISTRIBUTION OF LAWS, THE JOINT PRINTING COMMITTEE, DISTRIBUTION OF SESSION LAWS AND JOURNALS, BOOKS DISTRIBUTED TO OFFICERS AND PROPERTY OF THE STATE AND TO EXPENSES OF DISTRIBUTION OF THE SESSION LAWS; AMENDING CHAPTER 9, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-904, IDAHO CODE, TO PROVIDE FOR A JOINT PUBLISHING COMMITTEE AND TO PROVIDE FOR PUBLICATION AND DISTRIBUTION OF SESSION LAWS; AMENDING CHAPTER 9, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-905, IDAHO CODE, TO PROVIDE FOR REPORTS OF THE JOINT PUBLISHING COMMITTEE; AND DECLARING AN EMERGENCY.

S 1182
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO THE IDAHO UNIFORM BUSINESS ORGANIZATIONS CODE; AMENDING SECTION 30-30-1201, IDAHO CODE, AS ADDED IN SECTION 85 OF SENATE BILL NO. 1025, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-THIRD IDAHO LEGISLATURE, TO REVISE THE DATE OF APPLICABILITY; AMENDING SECTION 30-30-1202, IDAHO CODE, AS ADDED IN SECTION 85 OF SENATE BILL NO. 1025, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-THIRD IDAHO LEGISLATURE, TO REVISE THE DATE OF APPLICABILITY; REPEALING CHAPTER 3, TITLE 30, IDAHO CODE, RELATING TO THE IDAHO NONPROFIT CORPORATION ACT; AND PROVIDING EFFECTIVE DATES.

S 1181 and S 1182 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 311, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 310 and H 312, by Ways and Means Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

H 313 and H 314, by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 30, 2015

The JUDICIARY AND RULES Committee reports that SCR 127, SCR 128, SCR 129, S 1178, S 1179, S 1180, S 1181, and S 1182 have been correctly printed.

LODGE, Chairman

SCR 127, SCR 128, and SCR 129 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1178, S 1179, and S 1180 were referred to the Finance Committee.

S 1181 and S 1182 were referred to the Judiciary and Rules Committee.

March 30, 2015

The JUDICIARY AND RULES Committee reports that Enrolled S 1030, S 1076, S 1025, S 1109, S 1040, as amended, S 1056, as amended, S 1121, S 1148, S 1149, S 1091, S 1072, as amended, S 1053, as amended, S 1150, and S 1151 were delivered to the Office of the Governor at 10:07 a.m., March 30, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 30, 2015

The JUDICIARY AND RULES Committee reports that Enrolled **S 1157**, **S 1158**, **S 1160**, **S 1161**, **S 1162**, **S 1120**, **S 1163**, **S 1164**, **S 1166**, **S 1088**, as amended in the House, and **S 1011** were delivered to the Office of the Governor at 4:54 p.m., March 30, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 30, 2015

The EDUCATION Committee reports out **H 300**, **H 302**, and **H 308** with the recommendation that they do pass.

MORTIMER, Chairman

H 300, **H 302**, and **H 308** were filed for second reading.

March 30, 2015

The HEALTH AND WELFARE Committee reports out **H 298**, **HCR 19**, and **HCR 24** with the recommendation that they do pass.

HEIDER, Chairman

H 298 was filed for second reading.

HCR 24 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, **HCR 19** was recommitted to the Health and Welfare Committee.

March 30, 2015

The JUDICIARY AND RULES Committee reports out **S 1181** and **S 1182** with the recommendation that they do pass.

LODGE, Chairman

S 1181 and **S 1182** were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:25 p.m. until the hour of 9 a.m., Tuesday, March 31, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SEVENTY-NINTH LEGISLATIVE DAY
TUESDAY, MARCH 31, 2015

Senate Chamber

President Pro Tempore Hill called the Senate to order at 9 a.m.

Roll call showed all members present except Senators Bayer, Lodge, Martin, and Thayn, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Christopher Miller, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 30, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senators Bayer and Thayn were recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 30, 2015

The JUDICIARY AND RULES Committee reports that **S 1104**, as amended in the House, **S 1073**, as amended in the House, and **S 1069**, as amended, as amended, as amended in the House, have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled **S 1104**, as amended in the House, **S 1073**, as amended in the House, and **S 1069**, as amended, as amended, as amended in the House, and ordered them transmitted to the House for the signature of the Speaker.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 30, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1138, **S 1139**, **S 1140**, **S 1141**, **S 1142**, **S 1143**, **S 1144**, and **S 1145**

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, **HJM 3** retained its place on the calendar for Thursday, April 2, 2015.

The President Pro Tempore announced that **HCR 8** was before the Senate for final consideration.

Moved by Senator Bair, seconded by Senator Burgoyne, that **HCR 8** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Martin. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **HCR 8** adopted, title was approved, and the resolution ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, **HJM 9** and **HJM 10** retained their place on the calendar.

The President Pro Tempore announced that **SCR 127** was before the Senate for final consideration.

Moved by Senator McKenzie, seconded by Senator Stennett, that **SCR 127** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Martin. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **SCR 127** adopted, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that **SCR 128** was before the Senate for final consideration.

Moved by Senator McKenzie, seconded by Senator Stennett, that **SCR 128** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Martin. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **SCR 128** adopted, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that **SCR 129** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Patrick, seconded by Senator Burgoyne, **SCR 129** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that **HCR 24** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lee, seconded by Senator Buckner-Webb, **HCR 24** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

Senator Martin was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, **HJM 9** was placed before the Senate for final consideration at this time.

The President Pro Tempore announced that **HJM 9** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Brackett, seconded by Senator Davis, **HJM 9** was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, **HJM 10** was placed before the Senate for final consideration at this time.

The President Pro Tempore announced that **HJM 10** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Lodge, seconded by Senator Ward-Engelking, **HJM 10** was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 301 and **H 291**, by State Affairs Committee, were read the second time at length and filed for third reading.

H 300, **H 302**, and **H 308**, by Education Committee, were read the second time at length and filed for third reading.

H 298, by Health and Welfare Committee, was read the second time at length and filed for third reading.

S 1181 and **S 1182**, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, **H 257**, as amended in the Senate, retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, **H 95**, **S 1173**, and **S 1174** retained their place on the Third Reading Calendar for Friday, April 3, 2015.

H 155, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–Guthrie, Tippets. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **H 155**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **S 1181** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that **S 1181** was before the Senate for final consideration.

S 1181 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared **S 1181** passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **S 1182** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that **S 1182** was before the Senate for final consideration.

S 1182 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared **S 1182** passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 291** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that **H 291** was before the Senate for final consideration.

H 291 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Brackett, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Rice, Siddoway, Thayn, Tippets, Vick, Winder. Total - 24.

NAYS–Bayer, Buckner-Webb, Burgoyne, Den Hartog, Jordan, Lacey, Nonini, Schmidt, Souza, Stennett, Ward-Engelking. Total - 11.

Total - 35.

Whereupon the President Pro Tempore declared **H 291** passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 300** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that **H 300** was before the Senate for final consideration.

H 300 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared **H 300** passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 302 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that H 302 was before the Senate for final consideration.

H 302 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 28.

NAYS–Den Hartog, Hagedorn, Jordan, Lacey, Martin, Schmidt, Stennett. Total - 7.

Total - 35.

Whereupon the President Pro Tempore declared H 302 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Davis, that all rules of the Senate interfering with the immediate consideration of H 308 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that H 308 was before the Senate for final consideration.

H 308 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 308 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 298 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that H 298 was before the Senate for final consideration.

H 298 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 298 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SJM 102
BY STATE AFFAIRS COMMITTEE
A JOINT MEMORIAL
TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Sixty-third Idaho Legislature, do hereby respectfully represent that:

WHEREAS, President Calvin Coolidge designated the Craters of the Moon National Monument in 1924 with the intent to eventually make it a national park, yet Idaho remains the only western state without a national park; and

WHEREAS, Craters of the Moon is the largest young basaltic lava field in the continental United States and has a stunning array of volcanism; and

WHEREAS, Craters of the Moon is an outstanding outdoor classroom that attracts thousands of students every year; and

WHEREAS, redesignating Craters of the Moon National Monument as a national park would greatly increase the number of visitors to Craters of the Moon, thereby greatly enhancing the economic development of Butte County, Blaine County and all surrounding areas; and

WHEREAS, legislation to change the 54,000 acres of Craters of the Moon National Monument, as it existed prior to 2009, into a national park would not affect land use as allowed by the Bureau of Land Management and the National Park Service, such as hunting, grazing and any other multiple land use; and

WHEREAS, redesignating Craters of the Moon National Monument as a national park would not affect the park's boundaries, funding, management or park fees.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that Congress should pass legislation redesignating Craters of the Moon National Monument as Craters of the Moon National Park for the betterment of the park, the surrounding communities and the people of Idaho.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

SJM 102 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 11:25 a.m. until the hour of 3 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 3 p.m., pursuant to recess, President Pro Tempore Hill presiding.

Roll call showed all members present.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1183
BY FINANCE COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF ADMINISTRATORS FOR FISCAL YEAR 2016; PROVIDING FOR EXPENDITURES TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF ADMINISTRATORS FOR FISCAL YEAR 2016; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF ADMINISTRATORS FOR FISCAL YEAR 2016; AMENDING SECTION 33-1004E, IDAHO CODE, AS AMENDED IN SECTION 8 OF HOUSE BILL NO. 296, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-THIRD IDAHO LEGISLATURE, TO INCREASE THE BASE SALARY FOR ADMINISTRATORS; AND LIMITING THE DISTRIBUTION TO SCHOOL DISTRICTS AND CHARTER SCHOOLS FOR STRATEGIC PLANNING AND TRAINING.

S 1184
BY FINANCE COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF TEACHERS FOR FISCAL YEAR 2016; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF TEACHERS FOR FISCAL YEAR 2016; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF TEACHERS FOR FISCAL YEAR 2016; AMENDING SECTION 33-1004E, IDAHO CODE, AS AMENDED IN SECTION 8 OF HOUSE BILL NO. 296, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-THIRD IDAHO LEGISLATURE, TO INCREASE THE BASE SALARY FOR PUPIL SERVICE STAFF AND TO INCREASE THE MINIMUM SALARY FOR PUPIL SERVICE STAFF; DIRECTING THE USE OF MONEYS FOR PROFESSIONAL DEVELOPMENT, TRAINING AND ASSISTANCE; AND DEFINING THE TERM "DISTRIBUTED."

S 1185
BY FINANCE COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF OPERATIONS FOR FISCAL YEAR 2016; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF OPERATIONS FOR FISCAL YEAR 2016; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF OPERATIONS FOR FISCAL YEAR 2016; AMENDING SECTION 33-1004E, IDAHO CODE, AS AMENDED IN SECTION 8 OF HOUSE BILL NO. 296, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-THIRD IDAHO LEGISLATURE, TO INCREASE THE BASE SALARY FOR CLASSIFIED STAFF; PROVIDING AN ESTIMATE OF DISCRETIONARY FUNDS PER SUPPORT UNIT AT $23,868; DIRECTING THE USE OF APPROPRIATION FOR INFORMATION TECHNOLOGY STAFFING COSTS; DIRECTING THE USE OF APPROPRIATION FOR CLASSROOM TECHNOLOGY; DIRECTING THE USE OF APPROPRIATION FOR INSTRUCTIONAL MANAGEMENT SYSTEMS; DEFINING

THE TERM "DISTRIBUTED"; AND GRANTING THE AUTHORITY TO TRANSFER APPROPRIATIONS AMONG FIVE DIVISIONS OF THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM.

S 1186
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2016; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2016; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2016; PROVIDING LEGISLATIVE INTENT RELATING TO THE IDAHO DIGITAL LEARNING ACADEMY; DIRECTING THE USE OF TOBACCO, CIGARETTE AND LOTTERY INCOME TAX MONEYS; DIRECTING THE USE OF APPROPRIATION FOR LITERACY PROGRAMS AND REMEDIATION; DIRECTING THE USE OF APPROPRIATION FOR LIMITED ENGLISH PROFICIENCY PROGRAMS; DIRECTING THE STATE DEPARTMENT OF EDUCATION TO COMPILE INFORMATION ON ADVANCED OPPORTUNITIES; DEFINING THE TERM "DISTRIBUTED"; APPROPRIATING AND TRANSFERRING MONEYS TO THE PUBLIC EDUCATION STABILIZATION FUND FOR FISCAL YEAR 2015; AND DECLARING AN EMERGENCY.

S 1187
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF FACILITIES; APPROPRIATING MONEYS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF FACILITIES FOR FISCAL YEAR 2016; PROVIDING THE NECESSARY FUNDS FOR THE BOND LEVY EQUALIZATION PROGRAM; AND LIMITING THE AMOUNT OF FUNDS DISTRIBUTED TO THE GENERAL FUND FOR FISCAL YEAR 2016.

S 1188
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND FOR FISCAL YEAR 2016; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND FOR FISCAL YEAR 2016; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; AND APPROPRIATING MONEYS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND FOR FISCAL YEAR 2016.

S 1189
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CENTRAL SERVICES FOR FISCAL YEAR 2016; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CENTRAL SERVICES FOR FISCAL YEAR 2016; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CENTRAL SERVICES FOR FISCAL YEAR 2016; DIRECTING THE USE OF APPROPRIATION FOR THE SUPPORT OF LITERACY PROGRAMS, INTERVENTION SERVICES FOR NON-TITLE I SCHOOLS AND MATH INITIATIVE PROGRAMS; DIRECTING THE USE OF APPROPRIATION FOR THE SAFE AND DRUG-FREE SCHOOLS PROGRAM; DIRECTING THE USE OF APPROPRIATION FOR NON-ENGLISH OR LIMITED ENGLISH PROFICIENCY PROGRAMS; DIRECTING THE USE OF APPROPRIATION FOR STUDENT ASSESSMENTS; DIRECTING THE USE OF APPROPRIATION FOR TEACHER AND ADMINISTRATIVE POSITIONS PERFORMANCE EVALUATIONS; DIRECTING THE USE OF APPROPRIATION FOR WIRELESS TECHNOLOGY INFRASTRUCTURE; DIRECTING THE USE OF APPROPRIATION FOR PROFESSIONAL DEVELOPMENT; DIRECTING THE USE OF APPROPRIATION FOR AN INSTRUCTIONAL MANAGEMENT SYSTEM; PROVIDING LEGISLATIVE INTENT FOR CONTENT AND CURRICULUM RELATED TO DIGITAL CONTENT AND CREDIT RECOVERY; PROVIDING LEGISLATIVE INTENT FOR CONTENT AND CURRICULUM RELATED TO TECHNOLOGY; DEFINING TERMS; AND PROVIDING GUIDANCE ON YEAR-END RECONCILIATION.

S 1190
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING AND TRANSFERRING MONEYS TO THE FIRE SUPPRESSION DEFICIENCY FUND IN FISCAL YEAR 2016; APPROPRIATING AND TRANSFERRING MONEYS TO THE ECONOMIC RECOVERY RESERVE FUND FOR THE 27TH PAYROLL IN FISCAL YEAR 2016; APPROPRIATING AND TRANSFERRING MONEYS TO THE SECONDARY AQUIFER PLANNING, MANAGEMENT AND IMPLEMENTATION FUND IN FISCAL YEAR 2016; APPROPRIATING AND TRANSFERRING MONEYS TO THE LEGISLATIVE LEGAL DEFENSE FUND IN FISCAL YEAR 2015; AND DECLARING AN EMERGENCY.

S 1191
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING AND TRANSFERRING ADDITIONAL MONEYS TO THE BUDGET STABILIZATION FUND IN FISCAL YEAR 2016; AND PROVIDING LEGISLATIVE INTENT TO LIMIT TRANSFERS IN FISCAL YEAR 2017.

S 1183, **S 1184**, **S 1185**, **S 1186**, **S 1187**, **S 1188**, **S 1189**, **S 1190**, and **S 1191** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

President Little assumed the Chair.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 31, 2015

The JUDICIARY AND RULES Committee reports that **SJM 102**, **S 1183**, **S 1184**, **S 1185**, **S 1186**, **S 1187**, **S 1188**, **S 1189**, **S 1190**, and **S 1191** have been correctly printed.

LODGE, Chairman

SJM 102 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1183, **S 1184**, **S 1185**, **S 1186**, **S 1187**, **S 1188**, **S 1189**, **S 1190**, and **S 1191** were referred to the Finance Committee.

March 31, 2015

The FINANCE Committee reports out **S 1178**, **S 1179**, and **S 1180** with the recommendation that they do pass.

CAMERON, Chairman

S 1178, **S 1179**, and **S 1180** were filed for second reading.

March 31, 2015

The TRANSPORTATION Committee reports out **H 316** with the recommendation that it do pass.

BRACKETT, Chairman

H 316 was filed for second reading.

March 31, 2015

The TRANSPORTATION Committee reports out **H 311** without recommendation.

BRACKETT, Chairman

On request by Senator Davis, granted by unanimous consent, **H 311** was recommitted to the Transportation Committee.

March 31, 2015

The EDUCATION Committee reports out **H 309**, **H 313**, and **H 314** with the recommendation that they do pass.

MORTIMER, Chairman

H 309, **H 313**, and **H 314** were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 301** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Winder. Total - 33.

NAYS–None.

Absent and excused–Lacey, Ward-Engelking. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 301** was before the Senate for final consideration.

H 301 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Thayn, Tippets, Vick, Winder. Total - 30.

NAYS–Buckner-Webb, Burgoyne, Jordan, Stennett, Ward-Engelking. Total - 5.

Paired and voting included in roll call:

AYE - Martin NAY - Ward-Engelking

Total - 35.

Whereupon the President declared **H 301** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SJM 103
BY STATE AFFAIRS COMMITTEE
A JOINT MEMORIAL
TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Sixty-third Idaho Legislature, do hereby respectfully represent that:

WHEREAS, President Calvin Coolidge designated the Craters of the Moon National Monument in 1924 with the intent to eventually make it a national park, yet Idaho remains the only western state without a national park; and

WHEREAS, Craters of the Moon is the largest young basaltic lava field in the continental United States and has a stunning array of volcanism; and

WHEREAS, Craters of the Moon is an outstanding outdoor classroom that attracts thousands of students every year; and

WHEREAS, Craters of the Moon National Monument contains the first wilderness lands managed by the National Park Service and therefore has historical significance to the National Park System; and

WHEREAS, redesignating Craters of the Moon National Monument as a national park would greatly increase the number of visitors to Craters of the Moon, thereby greatly enhancing the economic development of Butte County, Blaine County and all surrounding areas; and

WHEREAS, legislation to change the 54,000 acres of Craters of the Moon National Monument, as it existed prior to November 9, 2000, into a national park would not affect land use as allowed by the Bureau of Land Management and the National Park Service, such as hunting, grazing and any other multiple land use; and

WHEREAS, redesignating Craters of the Moon National Monument as a national park would not affect the park's boundaries, funding, management or park fees.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that Congress should pass legislation redesignating Craters of the Moon National Monument as Craters of the Moon National Park for the betterment of the park, the surrounding communities and the people of Idaho.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

SJM 103 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 31, 2015

The JUDICIARY AND RULES Committee reports that **SJM 103** has been correctly printed.

LODGE, Chairman

SJM 103 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 31, 2015

The FINANCE Committee reports out **S 1183**, **S 1184**, **S 1185**, **S 1186**, **S 1187**, **S 1188**, **S 1189**, **S 1190**, and **S 1191** with the recommendation that they do pass.

CAMERON, Chairman

S 1183, **S 1184**, **S 1185**, **S 1186**, **S 1187**, **S 1188**, **S 1189**, **S 1190**, and **S 1191** were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 31, 2015

Dear Mr. President:

I transmit herewith **H 318** and **HJM 11**, which have passed the House.

ALEXANDER, Chief Clerk

H 318 and **HJM 11** were filed for first reading.

March 31, 2015

Dear Mr. President:

I return herewith **S 1033**, as amended, which has failed to pass the House.

ALEXANDER, Chief Clerk

S 1033, as amended, was ordered filed in the office of the Secretary of the Senate.

March 31, 2015

Dear Mr. President:

I return herewith **S 1159**, **S 1165**, **S 1071**, as amended, **S 1041**, as amended, **S 1136**, **S 1062**, as amended, as amended, **S 1066**, **S 1113**, and **S 1047**, which have passed the House.

ALEXANDER, Chief Clerk

S 1159, **S 1165**, **S 1071**, as amended, **S 1041**, as amended, **S 1136**, **S 1062**, as amended, as amended, **S 1066**, **S 1113**, and **S 1047** were referred to the Judiciary and Rules Committee for enrolling.

March 31, 2015

Dear Mr. President:

I transmit herewith Enrolled **H 182**, as amended, **H 212**, **H 213**, **H 214**, **H 216**, as amended, **H 219**, **H 242**, **H 245**, **H 246**, and **HCR 17** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 182**, as amended, **H 212**, **H 213**, **H 214**, **H 216**, as amended, **H 219**, **H 242**, **H 245**, **H 246**, and **HCR 17** and ordered them returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 318, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

HJM 11, by Ways and Means Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:30 p.m. until the hour of 9 a.m., Wednesday, April 1, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

EIGHTIETH LEGISLATIVE DAY
WEDNESDAY, APRIL 1, 2015

Senate Chamber

President Little called the Senate to order at 9 a.m.

Roll call showed all members present except Senators McKenzie and Mortimer, absent and formally excused by the Chair; and Senators Lodge, Schmidt, and Thayn, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Savannah Martin, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 31, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senator Thayn was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 1, 2015

The JUDICIARY AND RULES Committee reports that **S 1159**, **S 1165**, **S 1071**, as amended, **S 1041**, as amended, **S 1136**, **S 1062**, as amended, as amended, **S 1066**, **S 1113**, and **S 1047** have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled **S 1159**, **S 1165**, **S 1071**, as amended, **S 1041**, as amended, **S 1136**, **S 1062**, as amended, as amended, **S 1066**, **S 1113**, and **S 1047** and ordered them transmitted to the House for the signature of the Speaker.

Senator Lodge was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Siddoway, granted by unanimous consent, **SJM 102** was referred to the State Affairs Committee.

The President announced that **SJM 103** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Siddoway, seconded by Senator Stennett, **SJM 103** was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1178, **S 1179**, and **S 1180**, by Finance Committee, were read the second time at length and filed for third reading.

H 316, by Ways and Means Committee, was read the second time at length and filed for third reading.

H 309, **H 313**, and **H 314**, by Education Committee, were read the second time at length and filed for third reading.

S 1183, **S 1184**, **S 1185**, **S 1186**, **S 1187**, **S 1188**, **S 1189**, **S 1190**, and **S 1191**, by Finance Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, **H 257**, as amended in the Senate, was recommitted to the Local Government and Taxation Committee.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **S 1178** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 32.

NAYS–None.

Absent and excused–McKenzie, Mortimer, Schmidt. Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **S 1178** was before the Senate for final consideration.

S 1178 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Cameron, Davis, Den Hartog, Hagedorn, Heider, Hill, Keough, Lakey, Lodge, Nonini, Nuxoll, Patrick, Rice, Souza, Thayn, Tippets, Vick, Winder. Total - 21.

NAYS–Buckner-Webb, Burgoyne, Guthrie, Johnson, Jordan, Lacey, Lee, Martin, Siddoway, Stennett, Ward-Engelking. Total - 11.

Absent and excused–McKenzie, Mortimer, Schmidt. Total - 3.

Total - 35.

Whereupon the President declared **S 1178** passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **S 1179** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 32.

NAYS–None.

Absent and excused–McKenzie, Mortimer, Schmidt. Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **S 1179** was before the Senate for final consideration.

S 1179 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate.

On request by Senator Davis, granted by unanimous consent, **S 1179** retained its place on the Third Reading Calendar for one legislative day.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **S 1180** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–McKenzie, Mortimer. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **S 1180** was before the Senate for final consideration.

S 1180 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–McKenzie, Mortimer. Total - 2.

Total - 35.

Whereupon the President declared **S 1180** passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 316** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–McKenzie, Mortimer. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 316** was before the Senate for final consideration.

H 316 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–McKenzie, Mortimer. Total - 2.

Total - 35.

Whereupon the President declared **H 316** passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 309** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–McKenzie, Mortimer. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 309** was before the Senate for final consideration.

H 309 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate.

On request by Senator Thayn, granted by unanimous consent, **H 309** retained its place on the Third Reading Calendar.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 313** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Thayn. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 313** was before the Senate for final consideration.

H 313 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 29.

NAYS–Bayer, Den Hartog, Martin, Nonini, Nuxoll, Vick. Total - 6.

Total - 35.

Whereupon the President declared **H 313** passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 314** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 314** was before the Senate for final consideration.

H 314 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 314** passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **S 1183** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **S 1183** was before the Senate for final consideration.

S 1183 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared S 1183 passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1184 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1184 was before the Senate for final consideration.

S 1184 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared S 1184 passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1185 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1185 was before the Senate for final consideration.

S 1185 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Cameron and Nonini disclosed possible conflicts of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared S 1185 passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1186 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1186 was before the Senate for final consideration.

S 1186 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared S 1186 passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1187 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1187 was before the Senate for final consideration.

S 1187 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **S 1187** passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **S 1188** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **S 1188** was before the Senate for final consideration.

S 1188 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **S 1188** passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **S 1189** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **S 1189** was before the Senate for final consideration.

S 1189 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **S 1189** passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **S 1190** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **S 1190** was before the Senate for final consideration.

S 1190 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 32.

NAYS–Den Hartog, Nuxoll, Vick. Total - 3.

Total - 35.

Whereupon the President declared **S 1190** passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **S 1191** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **S 1191** was before the Senate for final consideration.

S 1191 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **S 1191** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:35 a.m. until the hour of 10 a.m., Thursday, April 2, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

EIGHTY-FIRST LEGISLATIVE DAY
THURSDAY, APRIL 2, 2015

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Brackett, Davis, and Lodge, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Samantha Mooney, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 1, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senator Brackett was recorded present at this order of business.

April 1, 2015

The RESOURCES AND ENVIRONMENT Committee reports out **HJM 11** with the recommendation that it do pass.

BAIR, Chairman

HJM 11 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

April 1, 2015

Dear Mr. President:

I transmit herewith **HJM 12**, which has passed the House.

ALEXANDER, Chief Clerk

HJM 12 was filed for first reading.

April 1, 2015

Dear Mr. President:

I return herewith **S 1098**, as amended in the House, which has passed the House.

ALEXANDER, Chief Clerk

On request by Senator Vick, granted by unanimous consent, **S 1098**, as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

April 1, 2015

Dear Mr. President:

I return herewith **S 1171**, **S 1172**, **S 1175**, **S 1176**, **S 1152**, **S 1154**, as amended, **S 1170**, **S 1169**, **SCR 103**, **SCR 117**, **SCR 118**, **SCR 121**, and **SCR 119**, which have passed the House.

ALEXANDER, Chief Clerk

S 1171, **S 1172**, **S 1175**, **S 1176**, **S 1152**, **S 1154**, as amended, **S 1170**, **S 1169**, **SCR 103**, **SCR 117**, **SCR 118**, **SCR 121**, and **SCR 119** were referred to the Judiciary and Rules Committee for enrolling.

April 1, 2015

Dear Mr. President:

I transmit herewith Enrolled **H 94**, as amended in the Senate, and **H 170**, as amended in the Senate, for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 94**, as amended in the Senate, and **H 170**, as amended in the Senate, and ordered them returned to the House.

April 1, 2015

Dear Mr. President:

I return herewith Enrolled **S 1104**, as amended in the House, **S 1073**, as amended in the House, and **S 1069**, as amended, as amended, as amended in the House, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1104**, as amended in the House, **S 1073**, as amended in the House, and **S 1069**, as amended, as amended, as amended in the House, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Senator Davis was recorded present at this order of business.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, **HJM 3** was recommitted to the State Affairs Committee.

The President announced that the House amendments to **S 1098**, as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to **S 1098**, as amended in the House?"

On request by Senator Vick, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to **S 1098**, as amended in the House.

S 1098, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1192
BY FINANCE COMMITTEE
AN ACT
REDUCING THE APPROPRIATION TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2015; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2015; APPROPRIATING MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2016; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING AN APPROPRIATION AND TRANSFER OF MONEYS TO THE WORKFORCE DEVELOPMENT TRAINING FUND; PROVIDING LEGISLATIVE INTENT FOR LOCAL DEPARTMENT OF LABOR OFFICES; PROVIDING LEGISLATIVE INTENT ON ACTIVITIES OF THE WORKFORCE DEVELOPMENT TRAINING FUND; AND DECLARING AN EMERGENCY.

S 1192 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

HJM 12, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Cameron, granted by unanimous consent, **S 1173** was recommitted to the Finance Committee.

On request by Senator Cameron, granted by unanimous consent, **S 1179** was recommitted to the Finance Committee.

On request by Senator Mortimer, granted by unanimous consent, **H 309** was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 10:30 a.m. until the hour of 1:30 p.m., Monday, April 6, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

EIGHTY-FIFTH LEGISLATIVE DAY
MONDAY, APRIL 6, 2015

Senate Chamber

President Little called the Senate to order at 1:30 p.m.

Roll call showed all members present except Senator McKenzie, absent and formally excused by the Chair; and Senators Buckner-Webb, and Nonini, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Joshua Price, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 2, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senator Nonini was recorded present at this order of business.

Senators Buckner-Webb and McKenzie were recorded present at this order of business.

The Senate advanced to the Fourth Order of Business.

Reading of Communications

April 6, 2015

The Honorable Brad Little
President
Idaho State Senate

Dear President Little:

This communication reflects that Senate Bill 1011 was returned to my office at 8:52 am on April 6, 2015. To the best of my knowledge no earlier return was attempted to my office, nor was I asked to receive such a return at any earlier time. The return of S 1011 being due at 4:54 pm on April 4, 2015 and such deadline having passed, the provisions of Article IV, §10 of the Idaho Constitution and Idaho Code §67-504 and 505 appear to apply.

Sincerely,
/s/ Brent Hill
President Pro Tempore

The correspondence was ordered filed in the office of the Secretary of the Senate.

April 6, 2015

The Honorable Brad Little
President
Idaho State Senate

Dear Mr. President:

This communication reflects that S 1011 was not returned to my office by 4:54 p.m. on April 4, 2015 in my capacity as the Secretary of the Senate. Other correspondence of legislation were slipped under my door and returned in accordance with Article IV, §10 and Idaho Code §§67-504 & 505. Correspondence of legislation is routinely returned to me in this fashion. To the best of my knowledge no earlier return was attempted to my office, nor was I asked to receive such a return at any earlier time.

Sincerely,
/s/ Jennifer L. Novak
Secretary of the Senate

The correspondence was ordered filed in the office of the Secretary of the Senate.

April 6, 2015

The Honorable Brad Little
President
Idaho State Senate

Dear President Little:

This communication reflects that Senate Bill 1011 was returned to the Senate Pro Tem's office at 8:52 am on April 6, 2015. To the best of my knowledge no earlier return was attempted or effectuated to the Senate, nor was anyone asked to receive such a return at any earlier time. The return of S1011, being due at 4:54 pm on April 4, 2015, and such deadline having passed, S1011 is law pursuant to the provisions of Article IV, Section 10 of the Idaho Constitution and Idaho Code Sections 67-504 and 67-505.

Sincerely,
/s/ Michelle Stennett
Senate Minority Leader

The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 6, 2015

The JUDICIARY AND RULES Committee reports that S 1192 has been correctly printed.

LODGE, Chairman

S 1192 was referred to the Finance Committee.

April 2, 2015

The JUDICIARY AND RULES Committee reports that S 1098, as amended in the House, has been correctly engrossed.

LODGE, Chairman

S 1098, as amended in the House, was filed for first reading.

April 2, 2015

The JUDICIARY AND RULES Committee reports that S 1171, S 1172, S 1175, S 1176, S 1152, S 1154, as amended, S 1170, S 1169, SCR 103, SCR 117, SCR 118, SCR 121, and SCR 119 have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled S 1171, S 1172, S 1175, S 1176, S 1152, S 1154, as amended, S 1170, S 1169, SCR 103, SCR 117, SCR 118, SCR 121, and SCR 119 and ordered them transmitted to the House for the signature of the Speaker.

April 2, 2015

The JUDICIARY AND RULES Committee reports that Enrolled S 1104, as amended in the House, S 1073, as amended in the House, and S 1069, as amended, as amended, as amended in the House, were delivered to the Office of the Governor at 10:35 a.m., April 2, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 2, 2015

The TRANSPORTATION Committee reports out H 312 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, H 312 was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 2, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1076

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

April 3, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1025, S 1030, S 1040, as amended, S 1053, as amended, S 1056, as amended, S 1072, as amended, S 1088, as amended in the House, S 1091, S 1109, S 1120, S 1121, S 1148, S 1149, S 1150, S 1151, S 1157, S 1158, S 1160, S 1161, S 1162, S 1163, S 1164, and S 1166

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

April 3, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I hereby advise you that I have returned without my approval, disapproved and vetoed, the following Senate Bill, to wit:

S 1011

within the time limited by law, the same having arrived in the Office of the Governor at the hour of 4:54 p.m. on March 30, 2015.

When the Legislature legalized pari-mutuel betting on historical horse races during its 2013 session, it was my hope that it would serve as a supplement, a shot in the arm for a struggling industry. I neither expected nor desired it to supplant live horse racing in Idaho, and it is my firm intention to limit and restrict this type of gambling in Idaho to race tracks.

Unfortunately, a beleaguered industry eager to get back on its feet financially expanded historical horse racing too quickly and without adequate safeguards to withstand inevitable scrutiny and criticism - not out of any enmity against a beloved Idaho tradition, but rather against the insidious specter of gambling's expansion unchecked in Idaho communities.

However, I do not believe it is too late to fulfill the promise of 2013 and refocus our attention on limiting and more effectively regulating rather than eliminating historical horse racing. In my view, a precious part of Idaho's western culture is at stake.

There are some actions that can be taken, even in the waning days of this legislative session, to salvage something for the many Idahoans whose livelihoods and lifestyles are tied to traditional horse racing. For instance, legislators still could act quickly to restrict historical horse racing to existing tracks as was envisioned in 2013. I also would welcome creation of a Gaming Commission to help fulfill the Legislature's constitutional responsibility to oversee pari-mutuel racing.

Meanwhile, I have directed the Racing Commission to issue a moratorium on licensing new facilities to conduct historical horse racing or introducing additional historical horse racing terminals (see attached letter) until a Gaming Commission has been created and established operating rules that are sensitive to both community and industry concerns.

In the interim, the Racing Commission must more carefully and stringently regulate historical racing operations to ensure their consistency with legislative intent. Indeed, the Commission has opportunity this very day to ensure that legislative intent is recognized in its reconsideration of an off-track facility's proposed operation in Idaho Falls.

And in an effort to establish definitively what so far has been the subject of opinion and speculation, I would ask the Legislature to join with me in appointing a special outside investigator as soon as possible to assess the legality of machines used at every facility that now conducts historical racing.

In vetoing this bill, what I'm seeking is an alternative capable of restoring public confidence in horse racing as a legitimate and even ennobling industry that is tied directly and irrevocably to race tracks, to stalls and starting gates, to paddocks and jockeys, and to people who love the sport.

I would also welcome working with the Legislature toward a more comprehensive and holistic review of the laws and policies governing all gaming in Idaho. Through that process, it is my hope that stakeholders and interested citizens will come together in a spirit of broader agreement on the proper limits to gambling in our state.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The question being, "Shall **S 1011** become law, the Governor's veto notwithstanding?"

Roll call resulted as follows:

AYES–Bair, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Heider, Hill, Jordan, Lacey, Lakey, Martin, McKenzie, Mortimer, Schmidt, Siddoway, Stennett, Thayn, Tippets. Total - 19.

NAYS–Bayer, Brackett, Guthrie, Hagedorn, Johnson, Keough, Lee, Lodge, Nonini, Nuxoll, Patrick, Rice, Souza, Vick, Ward-Engelking, Winder. Total - 16.

Total - 35.

Less than two-thirds having voted in the affirmative, the President declared that **S 1011** has failed to become law, the Governor's veto sustained. **S 1011** and the Governor's message will be filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

April 2, 2015

Dear Mr. President:

I transmit herewith **H 320**, **H 321**, and **H 319**, which have passed the House.

ALEXANDER, Chief Clerk

H 320, **H 321**, and **H 319** were filed for first reading.

April 2, 2015

Dear Mr. President:

I return herewith **SCR 112**, **S 1168**, **S 1155**, and **S 1177**, which have passed the House.

ALEXANDER, Chief Clerk

SCR 112, **S 1168**, **S 1155**, and **S 1177** were referred to the Judiciary and Rules Committee for enrolling.

April 2, 2015

Dear Mr. President:

I transmit herewith Enrolled **H 291**, **H 298**, **H 300**, **H 301**, **H 302**, **H 308**, **HCR 8**, **HCR 24**, **HJM 9**, and **HJM 10** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 291**, **H 298**, **H 300**, **H 301**, **H 302**, **H 308**, **HCR 8**, **HCR 24**, **HJM 9**, and **HJM 10** and ordered them returned to the House.

April 2, 2015

Dear Mr. President:

I return herewith Enrolled **S 1159**, **S 1165**, **S 1071**, as amended, **S 1041**, as amended, **S 1136**, **S 1062**, as amended, as amended, **S 1066**, **S 1113**, and **S 1047**, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1159**, **S 1165**, **S 1071**, as amended, **S 1041**, as amended, **S 1136**, **S 1062**, as amended, as amended, **S 1066**, **S 1113**, and **S 1047** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1098, as amended in the House, by Resources and Environment Committee, was read the first time at length and filed for second reading.

H 320 and **H 321**, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 319, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:35 p.m. until the hour of 10:30 a.m., Tuesday, April 7, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

EIGHTY-SIXTH LEGISLATIVE DAY
TUESDAY, APRIL 7, 2015

Senate Chamber

President Little called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Brackett, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Nolan Cole, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 6, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senator Brackett was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 6, 2015

The JUDICIARY AND RULES Committee reports that **SCR 112**, **S 1168**, **S 1155**, and **S 1177** have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled **SCR 112**, **S 1168**, **S 1155**, and **S 1177** and ordered them transmitted to the House for the signature of the Speaker.

April 7, 2015

The JUDICIARY AND RULES Committee reports that Enrolled **S 1159**, **S 1165**, **S 1071**, as amended, **S 1041**, as amended, **S 1136**, **S 1062**, as amended, as amended, **S 1066**, **S 1113**, and **S 1047** were delivered to the Office of the Governor at 8:30 a.m., April 7, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 7, 2015

The FINANCE Committee reports out **H 320**, **H 321**, and **S 1192** with the recommendation that they do pass.

CAMERON, Chairman

H 320, **H 321**, and **S 1192** were filed for second reading.

April 7, 2015

The STATE AFFAIRS Committee reports out **H 319** and **HJM 12** with the recommendation that they do pass.

MCKENZIE, Chairman

H 319 was filed for second reading.

HJM 12 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 6, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

> **S 1069**, as amended, as amended, as amended in the House, **S 1073**, as amended in the House, and **S 1104**, as amended in the House
>
> As Always - Idaho, *Esto Perpetua*
> /s/ C.L. "Butch" Otter
> Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

April 6, 2015

Dear Mr. President:

I transmit herewith **HCR 25**, which has passed the House.

ALEXANDER, Chief Clerk

HCR 25 was filed for first reading.

April 6, 2015

Dear Mr. President:

I return herewith **S 1146**, as amended, **SCR 127**, **SCR 128**, **SCR 129**, **S 1178**, **S 1183**, **S 1184**, **S 1185**, **S 1186**, **S 1187**, **S 1188**, **S 1189**, and **S 1190**, which have passed the House.

ALEXANDER, Chief Clerk

S 1146, as amended, SCR 127, SCR 128, SCR 129, S 1178, S 1183, S 1184, S 1185, S 1186, S 1187, S 1188, S 1189, and S 1190 were referred to the Judiciary and Rules Committee for enrolling.

April 6, 2015

Dear Mr. President:

I transmit herewith Enrolled H 313, H 314, and H 316 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 313, H 314, and H 316 and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that HJM 11 was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Johnson, seconded by Senator Lacey, HJM 11 was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1193
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO HEALTH CARE; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 35, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-3559, IDAHO CODE, TO ESTABLISH A COMMUNITY PRIMARY CARE PILOT PROGRAM WITHIN THE CATASTROPHIC HEALTH CARE COST PROGRAM; AND PROVIDING A SUNSET DATE.

S 1193 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

HCR 25, by State Affairs Committee, was introduced, read at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1098, as amended in the House, by Resources and Environment Committee, was read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out H 309, without recommendation, amended as follows:

SENATE AMENDMENT TO H 309
AMENDMENT TO SECTION 1

On page 2 of the printed bill, following line 33, insert:

"(6) If money has been withdrawn from the public charter school debt reserve fund for a public charter school pursuant to subsection (5) of this section, then the superintendent of public instruction shall redirect the money from such public charter school's allocation of facilities funds pursuant to section 33-5208(5), Idaho Code. Any money redirected shall be according to a determined time and sequence of payments, over a period of years until the amount so withdrawn has been repaid to the fund so long as the redirection does not cause an event of default under the agreement(s) governing the public charter school's obligation for which the debt reserve was made available, excepting that any money withdrawn during any fiscal year shall be repaid within ten (10) years.".

CORRECTION TO THE TITLE

On page 1, in line 9, following "DEBT" insert: ", TO PROVIDE FOR REPAYMENT OF MONEY WITHDRAWN FROM THE PUBLIC CHARTER SCHOOL DEBT RESERVE FUND;".

The Committee also has H 312 under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

H 309, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1098, as amended in the House, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1098, as amended in the House, was before the Senate for final consideration.

S 1098, as amended in the House, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared S 1098, as amended in the House, passed, title was approved, and the bill was referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 11:20 a.m. until the hour of 2:30 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 2:30 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senator Winder, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 7, 2015

The JUDICIARY AND RULES Committee reports that S 1193 has been correctly printed.

LODGE, Chairman

S 1193 was referred to the Health and Welfare Committee.

April 7, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to H 309 have been correctly printed.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 7, 2015

The JUDICIARY AND RULES Committee reports that S 1146, as amended, SCR 127, SCR 128, SCR 129, S 1178, S 1183, S 1184, S 1185, S 1186, S 1187, S 1188, S 1189, S 1190, and S 1098, as amended in the House, have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled S 1146, as amended, SCR 127, SCR 128, SCR 129, S 1178, S 1183, S 1184, S 1185, S 1186, S 1187, S 1188, S 1189, S 1190, and S 1098, as amended in the House, and ordered them transmitted to the House for the signature of the Speaker.

April 7, 2015

The STATE AFFAIRS Committee reports out H 318 and HCR 23 with the recommendation that they do pass.

MCKENZIE, Chairman

H 318 was filed for second reading.

HCR 23 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

April 7, 2015

Dear Mr. President:

I transmit herewith H 323 and H 324, which have passed the House.

ALEXANDER, Chief Clerk

H 323 and H 324 were filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 309, as amended in the Senate, by Education Committee, was read the first time at length and filed for second reading.

H 323, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 324, by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Senator Winder was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out H 312, without recommendation, amended as follows:

SENATE AMENDMENT TO H 312

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 16 through 20, and insert:

"Vehicles one (1) and two (2) years old ..... $4~~8~~73.00
Vehicles three (3) and four (4) years old ..... $~~36~~61.00
Vehicles five (5) and six (6) years old ..... $~~36~~61.00
Vehicles seven (7) and eight (8) years old ..... $~~24~~49.00
Vehicles over eight (8) years old ..... $~~24~~49.00".

On page 2, in line 6, delete "fifteen" and insert: "nineteen"; and also in line 6, delete "($~~9~~15.00)" and insert: "($~~9~~19.00)".

AMENDMENT TO SECTION 2

On page 4, in line 19, delete "fifteen dollars ($15.00)." and insert: "twenty-five dollars ($25.00)."; and on page 8, in line 2, delete "fifteen dollars ($15.00)." and insert: "twenty-five dollars ($25.00).".

AMENDMENT TO SECTION 3

On page 9, in line 10, delete "one hundred fifty dollars ($150)" and insert: "one hundred forty dollars ($140)"; in line 13, delete "one hundred dollars ($100)" and insert: "seventy-five dollars ($75.00)"; and following line 18, insert:

"(4) For purposes of this chapter, "electric vehicle" means a vehicle powered only by a form of electricity and "hybrid vehicle" means a motor vehicle with a hybrid propulsion system that operates on both an alternative fuel, including electricity, and traditional fuel.".

AMENDMENT TO THE BILL

On page 9, following line 18, insert:

"SECTION 4. That Section 63-2402, Idaho Code, be, and the same is hereby amended to read as follows:

63-2402. IMPOSITION OF TAX UPON MOTOR FUEL. (1) A tax is hereby imposed upon the distributor who receives motor fuel in this state. The legal incidence of the tax imposed under this section is borne by the distributor. The tax becomes due and payable upon receipt of the motor fuel in this state by the distributor unless such tax liability has previously accrued to another distributor pursuant to this section. The tax shall be imposed without regard to whether use is on a governmental basis or otherwise, unless exempted by this chapter.

(2) On and after July 1, 2015, t~~T~~he tax imposed in this section shall be at the rate of ~~twenty-five~~ twenty-nine cents (~~25~~29) per gallon of motor fuel received. This tax shall be subject to the exemptions, deductions and refunds set forth in this chapter.

(3) On and after July 1, 2017, the tax imposed in this section shall be at the rate of thirty-three cents (33) per gallon of motor fuel received. This tax shall be subject to the exemptions, deductions and refunds set forth in this chapter.

(4) On and after July 1, 2019, the tax imposed in this section shall be at the rate of thirty-five cents (35) per gallon of motor fuel received. This tax shall be subject to the exemptions, deductions and refunds set forth in this chapter.

(5) Nothing in this chapter shall prohibit the distributor who is liable for payment of the tax imposed under subsection (1) of this section from including as part of the selling price an amount equal to such tax on motor fuels sold or delivered by such distributor; provided however, that nothing in this chapter shall be deemed to impose tax liability on any person to whom such fuel is sold or delivered except as provided in subsection (~~6~~8) of this section.

(4~~6~~) Any person coming into this state in a motor vehicle may transport in the manufacturer's original tank of that vehicle, for his own use only, not more than thirty (30) gallons of motor fuel for the purpose of operating that motor vehicle, without complying with the provisions of this chapter.

(~~5~~7) The tax imposed in this section does not apply to:

(a) Special fuels that have been dyed at a refinery or terminal under the provisions of 26 U.S.C. section 4082 and regulations adopted thereunder, or under the clean air act and regulations adopted thereunder except as provided in section 63-2425, Idaho Code; or

(b) Special fuel dispensed into a motor vehicle which uses gaseous special fuels and which displays a valid gaseous special fuels permit under section 63-2424, Idaho Code; or

(c) Special fuels that are gaseous special fuels, as defined in section 63-2401, Idaho Code, except that part thereof that is delivered into the fuel supply tank or tanks of a motor vehicle; or

(d) Aircraft engine fuel subject to tax under section 63-2408, Idaho Code.

(~~6~~8) Should the distributor of first receipt be exempt from imposition of the tax as a matter of federal law, by virtue of its status as a ~~federally-recognized~~ federally recognized Indian tribe or member of such tribe, such distributor shall not bear the tax's legal incidence and must pass the tax through as part of the selling price of the fuel. Such distributor shall retain the administrative obligation to remit the tax, and such obligation shall accrue upon receipt in accordance with subsection (1) of this section. Should a retailer otherwise subject to the tax be exempt from imposition of the tax as a matter of federal law, by virtue of its status as a ~~federally-recognized~~ federally recognized Indian tribe or member of such tribe, the retailer shall not bear the tax's legal incidence and must pass the tax through as part of the selling price of the fuel to the consumer, unless such consumer is exempt from imposition of the tax as a matter of federal law, by virtue of its status as a ~~federally-recognized~~ federally recognized Indian tribe or membership in such tribe, and the retailer shall be entitled to claim a credit against taxes otherwise due and owing under this chapter or a tax refund, together with interest, attributable to the fuel purchased by such consumer.

SECTION 5. That Section 63-2424, Idaho Code, as amended by Section 2, Chapter 175, Laws of 2015, be, and the same is hereby amended to read as follows:

63-2424. GASEOUS SPECIAL FUELS. (1) In the case of gaseous special fuels, the commission shall provide by rule the method to be used for converting the measurement of the fuel to the equivalent of gallons for the purpose of applying tax rates. The method provided shall cause the tax rate provided in section 63-2402, Idaho Code, to apply to an amount of gaseous special fuels having energy equal to one (1) gallon of gasoline.

(2) The commission shall use the following measurement for natural gas:

(a) When determining the tax on liquefied natural gas, a "diesel gallon equivalent" is a quantity that weighs six and six hundredths (6.06) pounds; and

(b) When determining the tax on compressed natural gas, a "gasoline gallon equivalent" is one hundred twenty-six and sixty-seven hundredths (126.67) cubic feet of natural gas at sixty (60) degrees Fahrenheit and fourteen and seven-tenths (14.7) pounds per square inch absolute or a quantity of compressed natural gas that weighs five and sixty-six hundredths (5.66) pounds.

(3) (a) For the period starting July 1, 2015, and ending June 30, 2016, the tax rate applied to gaseous special fuels shall be one-third (1/3) of the equivalent amount as provided in this section.

(b) For the period starting July 1, 2016, and ending June 30, 2017, the tax rate applied to gaseous special fuels shall be two-thirds (2/3) of the equivalent amount as provided in this section.

(4) As used in this chapter, "gaseous special fuels" means a motor fuel that is a gas at standard pressure and temperature (i.e., at sixty (60) degrees Fahrenheit and fourteen and seven-tenths (14.7) pounds per square inch absolute).

SECTION 6. LEGISLATIVE INTENT. It is the intent of the Legislature that on or before January 1, 2021, there shall be imposed on all commercial vehicles, irrespective of body type, and on all farm vehicles having a maximum gross weight in excess of sixty thousand (60,000) pounds, an annual registration fee and in addition thereto, an operating fee by weight class based on the total miles the owner operated such vehicle on roads and highways in the state, county, city and highway district systems in Idaho during each quarter of the calendar year.

SECTION 7. LEGISLATIVE INTENT. It is the intent of the Legislature that all additional funds collected under the provisions of this act, remitted to the Idaho Transportation Department or entities subject to the distribution provisions of Section 40-709, Idaho Code, shall be used exclusively for road and bridge maintenance and replacement projects both at the state and local level.

SECTION 8. LEGISLATIVE INTENT. It is the intent of the Legislature that the Idaho Transportation Department, and all local units of government receiving funds collected under the provisions of this act, shall prepare an annual report and deliver the same to the Senate Transportation Committee and the House Transportation and Defense Committee on or before the first day of each legislative session. Local units of government shall submit report information to the Local Highway Technical Assistance Council, which shall compile the reporting information into one report for submission. The reports shall include a full accounting of the additional funds collected under the provisions of this act and how such funds were expended. Such report shall also include an updated assessment of the ongoing maintenance funding needs.

SECTION 9. LEGISLATIVE INTENT. It is the intent of the Legislature that the Idaho State Police and the State Tax Commission shall, no later than the first day of the 2016 legislative session, provide recommendations to the Senate Transportation Committee and the House Transportation and Defense Committee on greater enforcement of the prohibition of dyed fuel and other untaxed fuel use on Idaho roads and highways.

SECTION 10. LEGISLATIVE INTENT. This legislation is intended to be an interconnected solution to raise revenue for Idaho's transportation infrastructure and maintenance.".

CORRECTION TO TITLE

On page 1, in line 4, delete "AND"; in line 6, delete "VEHICLES AND" and insert: "VEHICLES,"; and in line 7, following "FEES" insert: ", AND TO DEFINE TERMS; AMENDING SECTION 63-2402, IDAHO CODE, TO REVISE THE TAX IMPOSED ON MOTOR FUEL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-2424, IDAHO CODE, AS AMENDED BY SECTION 2, CHAPTER 175, LAWS OF 2015, TO REVISE PROVISIONS RELATING TO THE TAX RATE APPLIED TO GASEOUS SPECIAL FUELS; AND TO PROVIDE LEGISLATIVE INTENT".

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

H 312, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Twelfth Order of Business.

Second Reading of Bills

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 309**, as amended in the Senate, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 309**, as amended in the Senate, was before the Senate for final consideration.

H 309, as amended in the Senate, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared **H 309**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **S 1192** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1192 was before the Senate for final consideration.

S 1192 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 32.

NAYS–Lacey, Schmidt, Stennett. Total - 3.

Total - 35.

Whereupon the President declared S 1192 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

April 7, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to H 312 have been correctly printed.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 312, as amended in the Senate, by Ways and Means Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Senator Stennett made a unanimous consent request to refer **H 312**, as amended in the Senate, to the Transportation Committee. Senator Davis objected.

Moved by Senator Burgoyne, seconded by Senator Stennett, that H 312, as amended in the Senate, be referred to the Transportation Committee. The question being, "Shall the motion prevail?"

Roll call resulted as follows:

AYES–Buckner-Webb, Burgoyne, Jordan, Lacey, Schmidt, Stennett, Ward-Engelking. Total - 7.

NAYS–Bair, Bayer, Brackett, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Tippets, Vick, Winder. Total - 27.

Absent and excused–Thayn. Total - 1.

Total - 35.

Whereupon the President declared that the motion to refer H 312, as amended in the Senate, to the Transportation Committee did not prevail.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 320 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Tippets, Vick, Ward-Engelking, Winder. Total - 31.

NAYS–None.

Absent and excused–Brackett, Mortimer, Nonini, Thayn. Total - 4.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 320 was before the Senate for final consideration.

H 320 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Tippets, Vick, Ward-Engelking, Winder. Total - 31.

NAYS–None.

Absent and excused–Brackett, Mortimer, Nonini, Thayn. Total - 4.

Total - 35.

Whereupon the President declared H 320 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 319 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Tippets, Vick, Ward-Engelking, Winder. Total - 31.

NAYS–None.

Absent and excused–Brackett, Mortimer, Nonini, Thayn. Total - 4.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 319 was before the Senate for final consideration.

H 319 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Tippets, Vick, Ward-Engelking, Winder. Total - 32.

NAYS–None.

Absent and excused–Brackett, Nonini, Thayn. Total - 3.

Total - 35.

Whereupon the President declared **H 319** passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by President Pro Tempore Hill, that all rules of the Senate interfering with the immediate consideration of **H 312**, as amended in the Senate, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Tippets, Vick, Ward-Engelking, Winder. Total - 28.

NAYS–Buckner-Webb, Burgoyne, Jordan, Martin, Stennett. Total - 5.

Absent and excused–Nonini, Thayn. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 312**, as amended in the Senate, was before the Senate for final consideration.

H 312, as amended in the Senate, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Brackett, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Patrick, Rice, Schmidt, Thayn, Tippets, Ward-Engelking, Winder. Total - 22.

NAYS–Bayer, Buckner-Webb, Burgoyne, Den Hartog, Jordan, Martin, Mortimer, Nonini, Nuxoll, Siddoway, Souza, Stennett, Vick. Total - 13.

Paired and voting included in roll call:

AYE - Thayn	NAY - Stennett
AYE - Ward-Engelking	NAY - Martin
AYE - Lacey	NAY - Jordan

Total - 35.

Whereupon the President declared **H 312**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 6:05 p.m. until the hour of 10:30 a.m., Wednesday, April 8, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

EIGHTY-SEVENTH LEGISLATIVE DAY
WEDNESDAY, APRIL 8, 2015

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Schmidt, absent and formally excused by the Chair.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Molly Ashby, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 7, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 8, 2015

The EDUCATION Committee reports out **H 323** with the recommendation that it do pass.

MORTIMER, Chairman

H 323 was filed for second reading.

April 8, 2015

The TRANSPORTATION Committee reports out **H 310** with the recommendation that it do pass.

BRACKETT, Chairman

H 310 was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

April 7, 2015

Dear Mr. President:

I return herewith **S 1182**, which has passed the House.

ALEXANDER, Chief Clerk

S 1182 was referred to the Judiciary and Rules Committee for enrolling.

April 7, 2015

Dear Mr. President:

I transmit herewith Enrolled **H 152**, as amended in the Senate, for the signature of the President.

ALEXANDER, Chief Clerk

The President Pro Tempore signed Enrolled **H 152**, as amended in the Senate, and ordered it returned to the House.

April 7, 2015

Dear Mr. President:

I return herewith Enrolled **S 1171**, **S 1172**, **S 1175**, **S 1176**, **S 1152**, **S 1154**, as amended, **S 1170**, and **S 1169**, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1171**, **S 1172**, **S 1175**, **S 1176**, **S 1152**, **S 1154**, as amended, **S 1170**, and **S 1169** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

April 7, 2015

Dear Mr. President:

I return herewith Enrolled **SCR 103**, **SCR 117**, **SCR 118**, **SCR 121**, and **SCR 119**, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **SCR 103**, **SCR 117**, **SCR 118**, **SCR 121**, and **SCR 119** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced that **HJM 12** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Davis, **HJM 12** was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The President Pro Tempore announced that **HCR 23** was before the Senate for final consideration.

Moved by Senator Lakey, seconded by Senator Burgoyne, that **HCR 23** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Schmidt. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **HCR 23** adopted, title was approved, and the resolution ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 321, by Appropriations Committee, was read the second time at length and filed for third reading.

H 318, by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Rice, granted by unanimous consent, **H 95** was referred to the Fourteenth Order of Business, General Calendar.

S 1174, having been held, having previously been read the third time at length and debate having previously been opened, was before the Senate for final consideration. Senator Keough arose as sponsor of the bill and reopened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Schmidt. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **S 1174** passed, title was approved, and the bill ordered transmitted to the House.

The Senate advanced to the Fourteenth Order of Business.

General Calendar

The President Pro Tempore declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President Pro Tempore called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out **H 95**, without recommendation, amended as follows:

SENATE AMENDMENT TO H 95

AMENDMENT TO THE BILL

On page 1 of the printed bill, following line 41, insert:

"SECTION 2. This act shall be in full force and effect on and after July 1, 2016, and shall apply to contracts entered into on and after July 1, 2016.".

CORRECTION TO TITLE

On page 1, in line 5, following "TERMS" insert: "; PROVIDING AN EFFECTIVE DATE AND PROVIDING APPLICATION TO CERTAIN CONTRACTS".

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

H 95, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

April 8, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to **H 95** have been correctly printed.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 95, as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 321** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Schmidt. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that H 321 was before the Senate for final consideration.

H 321 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Schmidt. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 321 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 318 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Schmidt. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that H 318 was before the Senate for final consideration.

H 318 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Brackett, Buckner-Webb, Burgoyne, Guthrie, Hagedorn, Jordan, Keough, Lacey, Lakey, Lodge, McKenzie, Nonini, Nuxoll, Patrick, Souza, Stennett, Ward-Engelking, Winder. Total - 18.

NAYS–Bair, Bayer, Cameron, Davis, Den Hartog, Heider, Hill, Johnson, Lee, Martin, Mortimer, Rice, Siddoway, Thayn, Tippets, Vick. Total - 16.

Absent and excused–Schmidt. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 318 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Twelfth Order of Business.

Second Reading of Bills

President Little assumed the Chair.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 95, as amended in the Senate, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Schmidt. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 95, as amended in the Senate, was before the Senate for final consideration.

H 95, as amended in the Senate, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Lakey disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Cameron, Davis, Den Hartog, Hagedorn, Heider, Hill, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Tippets, Vick, Winder. Total - 25.

NAYS–Buckner-Webb, Burgoyne, Guthrie, Johnson, Jordan, Keough, Lacey, Stennett, Ward-Engelking. Total - 9.

Absent and excused–Schmidt. Total - 1.

Total - 35.

Whereupon the President declared H 95, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:25 p.m. until the hour of 4 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present.

Prior to recess the Senate was at the Fourth Order of Business, Reading of Communications.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 8, 2015

The JUDICIARY AND RULES Committee reports that S 1182 has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled S 1182 and ordered it transmitted to the House for the signature of the Speaker.

April 8, 2015

The JUDICIARY AND RULES Committee reports that Enrolled SCR 103, SCR 117, SCR 118, SCR 121, and SCR 119 were delivered to the Office of the Secretary of State at 11:05 a.m., April 8, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 8, 2015

The JUDICIARY AND RULES Committee reports that Enrolled S 1171, S 1172, S 1175, S 1176, S 1152, S 1154, as amended, S 1170, and S 1169 were delivered to the Office of the Governor at 11:30 a.m., April 8, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

April 8, 2015

Dear Mr. President:

I transmit herewith H 326 and H 328, which have passed the House.

ALEXANDER, Chief Clerk

H 326 and H 328 were filed for first reading.

April 8, 2015

Dear Mr. President:

I transmit herewith Enrolled H 319, H 320, and HJM 11 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 319, H 320, and HJM 11 and ordered them returned to the House.

April 8, 2015

Dear Mr. President:

I return herewith Enrolled SCR 112, SCR 127, SCR 128, and SCR 129, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled SCR 112, SCR 127, SCR 128, and SCR 129 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

April 8, 2015

Dear Mr. President:

I return herewith Enrolled S 1168, S 1155, S 1177, S 1146, as amended, S 1178, S 1183, S 1184, S 1185, S 1186, S 1187, S 1188, S 1189, S 1190, and S 1098, as amended in the House, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled S 1168, S 1155, S 1177, S 1146, as amended, S 1178, S 1183, S 1184, S 1185, S 1186, S 1187, S 1188, S 1189, S 1190, and S 1098, as amended in the House, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 326, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 328, by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 130
BY JUDICIARY AND RULES COMMITTEE
A CONCURRENT RESOLUTION
PROVIDING FOR PRINTING THE SESSION LAWS, FIXING THE PRICE FOR PRINTING THE SAME, AND THE PRICE WHICH THE PUBLIC SHALL BE CHARGED FOR COPIES OF THE SESSION LAWS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, Section 67-904, Idaho Code, has made provisions for the printing of the Session Laws.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature,

the Senate and the House of Representatives concurring therein, in accordance with a written contract duly made and entered into by the President Pro Tempore of the Senate and the Speaker of the House of Representatives and the Senate Judiciary and Rules Committee and the House Judiciary, Rules and Administration Committee of the Legislature of the State of Idaho, hereinafter referred to as the Joint Printing Committee, that the contract for the printing of the Session Laws of the First Regular Session and any Extraordinary Sessions of the Sixty-third Idaho Legislature in accordance with the provisions of law and in accordance with the written contract between the Speaker of the House of Representatives and the President Pro Tempore of the Senate and the Joint Printing Committee as party of the first part, and THE CAXTON PRINTERS, LTD., Caldwell, Idaho, as party of the second part, be, and the same is hereby ratified and confirmed, and is incorporated herein and made a part of the resolution, in words and figures following, to wit:

PRINTING CONTRACT

THIS AGREEMENT, made and entered into the 8th day of April, 2015, by and between the President Pro Tempore of the Senate and the Speaker of the House of Representatives and the Joint Printing Committee, hereinafter referred to as party of the first part, and THE CAXTON PRINTERS, LTD., Caldwell, Idaho, hereinafter referred to as party of the second part:

WITNESSETH:

That pursuant to a resolution of said party of the first part and written quotation submitted to the said party of the first part by the party of the second part, a contract for legislative printing is hereby awarded to said THE CAXTON PRINTERS, LTD., as follows:

SESSION LAWS
FIRST REGULAR SESSION
AND ANY EXTRAORDINARY SESSIONS
SIXTY-THIRD LEGISLATURE

As outlined in the April 6, 2015, quote of the party of the second part, the Session Laws will be printed and charged at a price per hard bound volume not to exceed forty-six dollars and sixty cents ($46.60) based on incremental numbers of copies ordered, except that if the total number of pages exceeds the page count or quantity count or the quantity of copies ordered from the 2014 Session Laws, then such other appropriate incremental adjustment as approved by the parties thereto. The number of copies to be supplied under this contract shall be specified at the time of order. The party of the second part shall provide additional copies to be made available for sale to the general public, and based on the number of copies ordered by the party of the first part, the price to the general public shall not exceed fifty dollars ($50.00) for single volumes and sixty-three dollars ($63.00) per set of two volumes if a second volume is required. The Session Laws of any Extraordinary Session adjourned prior to June 1, 2015, shall be included in the Session Laws of the First Regular Session. No charge shall be made by the party of the second part for proofreading or blank pages.

IT IS AGREED between the parties hereto that all of said printing shall be done in the form and manner as submitted in the quote of the party of the second part dated April 6, 2015, in compliance with the statutes of the State of Idaho where not otherwise provided, such statutes shall be controlling.

IT IS FURTHER AGREED that said Session Laws shall be printed, delivered and be ready for distribution by the Secretary of State in conformity with the provisions of Section 67-904, Idaho Code, which section is hereby referred to and by such reference made a part of this contract as though set forth herein at length.

IN WITNESS WHEREOF, the party of the second part has caused these presents to be executed by its proper official, and the party of the first part, by Concurrent Resolution, has caused these presents to be executed by its proper officials.

Party of the First Part

By /s/ Brent Hill
BRENT HILL, President Pro Tempore

SENATE JUDICIARY AND RULES COMMITTEE
By /s/ Patti Anne Lodge
PATTI ANNE LODGE, Chairman

By /s/ Scott Bedke
SCOTT BEDKE, Speaker of the House

HOUSE JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE
By /s/ Rich Wills
RICH WILLS, Chairman

Party of the Second Part

THE CAXTON PRINTERS, LTD.
By /s/ Dave Gipson
DAVE GIPSON, President

SCR 131
BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF BROADBAND ACCESS FOR THE STATE AND TO MAKE RECOMMENDATIONS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature of the State of Idaho agrees with the overarching vision of consistent private broadband services being available for use by the school districts in the State of Idaho; and

WHEREAS, coordination of a statewide network will help drive investment in fiber optic and other high-bandwidth transmission media in some communities; and

WHEREAS, a statewide network or set of standards for broadband functionality and interconnectivity enables the sharing of courses among school districts and equal access by students to concurrent enrollment offered by higher education; and

WHEREAS, the Legislature is concerned about the current inability to access E-Rate funds now paid by Idaho citizens to the Universal Service Fund and desires that school districts have the ability to access those funds; and

WHEREAS, the Legislature believes it is requisite to first determine the proper network architecture and oversight before attempting to access these E-Rate funds; and

WHEREAS, Idaho's local school districts appear to have been able to contract for public Internet access at drastically reduced costs in the short-term; and

WHEREAS, intent language in the current fiscal year appropriation for the Department of Administration requires an analysis and justification of the cost, benefits, and flexibility of a statewide contract, as compared to individual contracts issued by state agencies, for the purchase of broadband and related services for state agencies that may be applicable to education broadband services as well; and

WHEREAS, a thorough and complete study of our state broadband service should include a comprehensive review of best practices in the field.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of and make recommendations for broadband services and governance for the State of Idaho. The committee shall make recommendations regarding minimum Service Level Agreements (SLAs). The committee will consider opportunities for local districts to contract outside any statewide network with a service provider that can meet those SLAs with additional costs beyond those of participating in the statewide network, if any, to be borne by the local district. The Legislative Council shall determine the number of legislators and membership from each house appointed to the committee and shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature. The committee will determine whether there is a need for a professional facilitator to assist in the facilitation of discussions and/or the preparation of a request for proposals. If the committee determines a facilitator is needed, they will work with the Governor's office to determine who will bear the cost of the facilitator.

BE IT FURTHER RESOLVED that nonlegislative members of the committee may be appointed by the co-chairs of the committee who are appointed by the Legislative Council. Nonlegislative members of the advisory committee shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges regarding the committee's recommendations or proposed legislation.

BE IT FURTHER RESOLVED that the committee shall report its findings, recommendations and proposed legislation, if any, to the Second Regular Session of the Sixty-third Idaho Legislature.

SCR 130 and SCR 131 were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 8, 2015

The JUDICIARY AND RULES Committee reports that SCR 130 and SCR 131 have been correctly printed.

LODGE, Chairman

SCR 130 and SCR 131 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

April 8, 2015

The STATE AFFAIRS Committee reports out H 324 and H 328 with the recommendation that they do pass.

MCKENZIE, Chairman

H 324 and H 328 were filed for second reading.

April 8, 2015

The FINANCE Committee reports out H 326 with the recommendation that it do pass.

CAMERON, Chairman

H 326 was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

April 8, 2015

Dear Mr. President:

I return herewith S 1192 and SCR 126, which have passed the House.

ALEXANDER, Chief Clerk

S 1192 and SCR 126 were referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 323 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Cameron, Hill. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 323 was before the Senate for final consideration.

H 323 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Cameron, Hill. Total - 2.

Total - 35.

Whereupon the President declared H 323 passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 324 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Cameron, Hill. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 324** was before the Senate for final consideration.

H 324 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Hagedorn, Heider, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 29.

NAYS–Guthrie, Johnson, Schmidt, Tippets. Total - 4.

Absent and excused–Cameron, Hill. Total - 2.

Total - 35.

Whereupon the President declared **H 324** passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 328** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Cameron, Hill. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 328** was before the Senate for final consideration.

H 328 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 32.

NAYS–None.

Absent and excused–Hagedorn, Hill, Stennett. Total - 3.

Total - 35.

Whereupon the President declared **H 328** passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Bair, that all rules of the Senate interfering with the immediate consideration of **H 326** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 32.

NAYS–None.

Absent and excused–Hagedorn, Hill, Stennett. Total - 3.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 326** was before the Senate for final consideration.

H 326 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Guthrie, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 30.

NAYS–Den Hartog, Martin. Total - 2.

Absent and excused–Hagedorn, Hill, Schmidt. Total - 3.

Total - 35.

Whereupon the President declared **H 326** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Tenth Order of Business.

Motions and Resolutions

Moved by Senator Davis, seconded by Senator Buckner-Webb, that all rules of the Senate interfering with the immediate consideration of **SCR 130** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Hagedorn. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **SCR 130** was before the Senate for final consideration.

Moved by Senator Davis, seconded by Senator Burgoyne, that **SCR 130** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Hagedorn. Total - 1.

Total - 35.

Whereupon the President declared **SCR 130** adopted, title was approved, and the resolution ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **SCR 131** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS–None.

Absent and excused–Hagedorn. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **SCR 131** was before the Senate for final consideration.

Moved by Senator Lakey, seconded by Senator Burgoyne, that **SCR 131** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 33.

NAYS–None.

Absent and excused–Hagedorn, Hill. Total - 2.

Total - 35.

Whereupon the President declared **SCR 131** adopted, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

Messages from the House

April 8, 2015

Senator Brent Hill
President Pro Tempore
Idaho State Senate

Dear Senator Hill:

This letter serves as my request that you appoint three Senate members to a Conference Committee who will meet together with three House members which I will appoint, for the purpose of considering amendments to House Bill 312aaS.

The House appointees to the Conference Committee are Representative Joe Palmer, Representative John Vander Woude, and Representative Mat Erpelding.

If this is agreeable, we propose that the Conference Committee convene a meeting at 9:00 a.m. on Thursday, April 9, 2015, in Room WW17, and continue meeting until an agreement is reached.

Sincerely,
/s/ Scott Bedke
Speaker of the House

The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Fourth Order of Business.

Reading of Communications

April 8, 2015

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

Pursuant to Joint Rule 10, and the request of the request of Speaker Bedke of the Idaho House of Representatives, I hereby appoint the following Senators to serve as the Senate's committee members to the conference committee on HB 312 aaS:

Senator Bert Brackett, Chair

Senator Dean Cameron

Senator Roy Lacey

Sincerely,
/s/ Brent Hill
President Pro Tempore

The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Buckner-Webb, by voice vote, the Senate adjourned at 7 p.m. until the hour of 11 a.m., Thursday, April 9, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

EIGHTY-EIGHTH LEGISLATIVE DAY
THURSDAY, APRIL 9, 2015

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senators Brackett, Cameron, and Lacey, absent and formally excused by the Chair; and Senator Bair, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Tim Bush, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 8, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 8, 2015

The JUDICIARY AND RULES Committee reports that **S 1192** and **SCR 126** have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled **S 1192** and **SCR 126** and ordered them transmitted to the House for the signature of the Speaker.

April 9, 2015

The JUDICIARY AND RULES Committee reports that Enrolled **SCR 112**, **SCR 127**, **SCR 128**, and **SCR 129** were delivered to the Office of the Secretary of State at 9:20 a.m., April 9, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 9, 2015

The JUDICIARY AND RULES Committee reports that Enrolled **S 1168**, **S 1155**, **S 1177**, **S 1146**, as amended, **S 1178**, **S 1183**, **S 1184**, **S 1185**, **S 1186**, **S 1187**, **S 1188**, **S 1189**, **S 1190**, and **S 1098**, as amended in the House, were delivered to the Office of the Governor at 9:24 a.m., April 9, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 310, by Ways and Means Committee, was read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Seventh Order of Business.

Reports of Special Committees

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 11:25 a.m. until the hour of 1:30 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senators Brackett, Cameron, and Lacey, absent and formally excused by the Chair; and Senators Den Hartog, McKenzie, and Nuxoll, absent and excused.

Prior to recess the Senate was at the Seventh Order of Business, Reports of Special Committees.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

April 9, 2015

Dear Mr. President:

I transmit herewith **H 330** and **HCR 26**, which have passed the House.

ALEXANDER, Chief Clerk

H 330 and **HCR 26** were filed for first reading.

April 9, 2015

Dear Mr. President:

I return herewith **S 1174** and **SCR 130**, which have passed the House.

ALEXANDER, Chief Clerk

S 1174 and **SCR 130** were referred to the Judiciary and Rules Committee for enrolling.

April 9, 2015

Dear Mr. President:

I transmit herewith Enrolled **H 318**, **H 321**, **H 323**, **H 324**, **H 326**, **H 328**, **HCR 23**, and **HJM 12** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 318**, **H 321**, **H 323**, **H 324**, **H 326**, **H 328**, **HCR 23**, and **HJM 12** and ordered them returned to the House.

April 9, 2015

Dear Mr. President:

I return herewith Enrolled **S 1182**, which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1182** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 330, by State Affairs Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

HCR 26, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Seventh Order of Business.

Reports of Special Committees

Senators Den Hartog, McKenzie, and Nuxoll were recorded present at this order of business.

President Little called President Pro Tempore Hill to the Chair.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

April 9, 2015

The JUDICIARY AND RULES Committee reports that **S 1174** and **SCR 130** have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled **S 1174** and **SCR 130** and ordered them transmitted to the House for the signature of the Speaker.

April 9, 2015

The JUDICIARY AND RULES Committee reports that Enrolled **S 1182** was delivered to the Office of the Governor at 2:23 p.m., April 9, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 9, 2015

The STATE AFFAIRS Committee reports out **HCR 26** with the recommendation that it do pass.

MCKENZIE, Chairman

HCR 26 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 3:35 p.m. until the hour of 10:30 a.m., Friday, April 10, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

EIGHTY-NINTH LEGISLATIVE DAY
FRIDAY, APRIL 10, 2015

Senate Chamber

President Little called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Brackett, Cameron, and Lacey, absent and formally excused by the Chair; and Senator Lodge, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Kayla Christensen, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 9, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

April 9, 2015

Dear Mr. President:

I return herewith S 1135, as amended, which has passed the House.

ALEXANDER, Chief Clerk

S 1135, as amended, was referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that HCR 26 was before the Senate for final consideration.

Moved by Senator Lakey, seconded by Senator Jordan, that HCR 26 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES–Bair, Bayer, Buckner-Webb, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 30.

NAYS–Burgoyne. Total - 1.

Absent and excused–Brackett, Cameron, Lacey, Lodge. Total - 4.

Total - 35.

Whereupon the President declared HCR 26 adopted, title was approved, and the resolution ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Seventh Order of Business.

Reports of Special Committees

Senators Lodge, Cameron, and Lacey were recorded present at this order of business.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 10:55 a.m. until the hour of 1:30 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senators Brackett, Burgoyne, Cameron and Lacey, absent and formally excused by the Chair; and Senator Lee, absent and excused.

Prior to recess the Senate was at the Seventh Order of Business, Reports of Special Committees.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

April 10, 2015

The JUDICIARY AND RULES Committee reports that S 1135, as amended, has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled S 1135, as amended, and ordered it transmitted to the House for the signature of the Speaker.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 9, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1041, as amended, S 1047, S 1062, as amended, as amended, S 1066, S 1071, as amended, S 1113, S 1136, S 1159, and S 1165

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

April 10, 2015

Dear Mr. President:

I return herewith S 1112, which has passed the House.

ALEXANDER, Chief Clerk

S 1112 was referred to the Judiciary and Rules Committee for enrolling.

April 10, 2015

Dear Mr. President:

I transmit herewith Enrolled H 309, as amended in the Senate, and H 92, as amended, as amended in the Senate, for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 309, as amended in the Senate, and H 92, as amended, as amended in the Senate, and ordered them returned to the House.

April 10, 2015

Dear Mr. President:

I return herewith Enrolled S 1192 and S 1174, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled S 1192 and S 1174 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

April 10, 2015

Dear Mr. President:

I return herewith Enrolled SCR 126 and SCR 130, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled SCR 126 and SCR 130 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Seventh Order of Business.

Reports of Special Committees

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 5:05 p.m. until the hour of 7:30 p.m. of this day.

RECESS
EVENING SESSION

The Senate reconvened at 7:30 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senators Cameron and McKenzie, absent and excused.

Prior to recess the Senate was at the Seventh Order of Business, Reports of Special Committees.

April 10, 2015

The Honorable Senator Brent Hill
President Pro Tempore of the Senate

Dear President Pro Tempore Hill:

The Senate Conference Committee appointed to confer on H312, as amended in the Senate, has conferred and the Committees do jointly agree and recommend:

That H312, as amended in the Senate, be returned to the Senate; and that H312, as amended in the Senate be further amended in the Senate as follows:

1. An additional $21 registration fee be placed on automobiles and that additional registration fees on certain trucks and electric and hybrid cars are imposed.

2. That the tax on moter fuels be increased to thirty-two cents per gallon with the increase to be ongoing.

3. All new revenue raised by this act shall be subject to a 60-40 split between the State Highway Account and Local Units of Government.

4. That the Section in the Senate amendments to H312 relating to gaseous special fuels be removed from the amendment so the language reads like it is in H132 which is law.

5. Agreed to create a Strategic Initiative Program in the Idaho Transportation Department that provides for a program for transportation projects that are proposed by the Department's six districts and rated competitively on their return on investment in safety, mobility, economic opportunity, repair and maintenance of bridges, and the purchase of right-of-way. The legislation also creates the Strategic Initiatives Program Fund. It will receive a distribution from the General Fund at the end of each fiscal year after it is determined that the General Fund balance is sufficient to provide for amounts necessary to be carried over into the next fiscal year as determined by the Legislature, to cover encumbrances, and to cover any reappropriation authorized by the Legislature. The amount distributed will be fifty percent of the excess at the end of the fiscal year as determined by the State Controller. A two-year sunset clause is placed upon the section of law authorizing the transfer from the General Fund to the Strategic Initiatives Program Fund in the surplus eliminator.

6. Include additional provisions to amend the statutes governing the Budget Stabilization Fund to move the transfer from the General Fund to the Budget Stabilization Fund in the current fiscal year rather than the following fiscal year, and provide an additional distribution to the Budget Stabilization Fund from the General Fund at the end of each fiscal year, after it is determined that the cash balance is sufficient to provide for amounts necessary to be carried over into the next fiscal year as determined by the Legislature, to cover encumbrances, and to cover any reappropriation authorized by the Legislature. The amount distributed will be fifty percent of the excess at the end of

the fiscal year as determined by the State Controller. A two-year sunset clause is placed upon the section of law authorizing the transfer from the General Fund to the Budget Stabilization Fund in the surplus eliminator.

7. Agreed to remove the cap of 10% of the total General Fund receipts for the fiscal year just ending, on the Budget Stabilization Fund.

8. All additional funds collected under the provisions of this act, remitted to the Idaho Transportation Department or entities subject to the distribution provisions of Section 40-709, Idaho Code, shall be used exclusively for road and bridge maintenance and replacement projects both at the state and local level.

9. It is the intent of the Legislature that on or before January 1, 2019, there shall be imposed on all commercial vehicles, irrespective of body type, and on all farm vehicles having a maximum weight in excess of sixty thousand (60,000) pounds, an operating fee by weight class based on total miles the owner operated such vehicles on roads and highways.

Senators
/s/ Bert Brackett, Chairman
/s/ Dean Cameron
/s/ Roy Lacey
Representatives
/s/ Joe Palmer, Chairman
/s/ John Vander Woude
/s/ Mat Erpelding

On request by Senator Davis, granted by unanimous consent, the Conference Committee Report and **H 312**, as amended in the Senate, were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day, pursuant to Senate Rule 21(A).

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate consideration of the Conference Committee Report pertaining to **H 312**, as amended in the Senate, were suspended, and the report was placed before the Senate for final consideration at this time.

The question being, "Shall the report be adopted?"

On request by Senator Davis, granted by unanimous consent, the Conference Committee Report was adopted.

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, **H 312**, as amended in the Senate, was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, **H 310** was recommitted to the Transportation Committee.

The Senate advanced to the Fourteenth Order of Business.

Senator Cameron was recorded present at this order of business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out **H 312**, as amended in the Senate, without recommendation, amended as follows:

SENATE AMENDMENT TO SENATE AMENDMENT TO H 312

AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 9 through 42; and delete pages 2 through 9.

AMENDMENT TO THE AMENDMENT

On page 1 of the printed amendment, delete lines 1 through 34; delete pages 2 and 3; and on page 4, delete lines 1 through 23, and insert:

"SECTION 1. That Section 49-402, Idaho Code, be, and the same is hereby amended to read as follows:

49-402. ANNUAL REGISTRATION. (1) The annual fee for operating each pickup truck, each neighborhood electric vehicle and each other motor vehicle having a maximum gross weight not in excess of eight thousand (8,000) pounds and that complies with the federal motor vehicle safety standards as defined in section 49-107, Idaho Code, shall be:

Vehicles one (1) and two (2) years old ..... $~~48~~69.00
Vehicles three (3) and four (4) years old ..... $~~36~~57.00
Vehicles five (5) and six (6) years old ..... $~~36~~57.00
Vehicles seven (7) and eight (8) years old ..... $~~24~~45.00
Vehicles over eight (8) years old ..... $~~24~~45.00

There shall be twelve (12) registration periods, starting in January for holders of validation registration stickers numbered 1, and proceeding consecutively through December for holders of validation registration stickers numbered 12, each of which shall start on the first day of a calendar month and end on the last day of the twelfth month from the first day of the beginning month. Registration periods shall expire midnight on the last day of the registration period in the year designated by the validation registration sticker. The numeral digit on the validation registration stickers shall, as does the registration card, fix the registration period under the staggered registration system for the purpose of reregistration and notice of expiration.

A vehicle that has once been registered for any of the above designated periods shall, upon reregistration, be registered for the period bearing the same number, and the registration card shall show and be the exclusive proof of the expiration date of registration and licensing. Vehicles may be initially registered for less than a twelve (12) month period, or for more than a twelve (12) month period, and the fee prorated on a monthly basis if the fractional registration tends to fulfill the purpose of the monthly series registration system.

(2) For all school buses operated either by a nonprofit, nonpublic school or operated pursuant to a service contract with a school district for transporting children to or from school or in connection with school approved activities, the annual fee shall be twenty-four dollars ($24.00) and shall be subject to staggered registration for the purpose of reregistration and notice of expiration.

(3) For all motorcycles and motor-driven cycles which comply with the federal motor vehicle safety standards, operated upon the public highways, the annual fee shall be ~~nine~~ nineteen dollars ($~~9~~19.00) and shall be subject to staggered registration for the purpose of reregistration and notice of expiration.

(4) For operation of an all-terrain vehicle, utility type vehicle or motorbike, excluding a motorbike with an engine displacement of fifty (50) cubic centimeters or less, on city, county or highway district roads or highways open to such use, a restricted vehicle license plate fee pursuant to section 49-450, Idaho Code, shall be paid. In addition, the registration fee specified in section 67-7122, Idaho Code, shall be paid as provided in section 67-7122, Idaho Code. The registration and restricted vehicle license plate exemption provided in section 49-426(2), Idaho Code, applies to all-terrain vehicles, utility type vehicles, motorbikes and motorcycles used for the purposes described in subsection (2) of section 49-426, Idaho Code. Nonresidents shall be allowed to purchase a restricted vehicle license plate and sticker for an all-terrain vehicle, utility type vehicle or motorbike.

(5) For all motor homes the fee shall be as specified in subsection (1) of this section and shall be in addition to the fees provided for in section 49-445, Idaho Code.

(6) Registration fees shall not be subject to refund.

(7) A financial institution or repossession service contracted to a financial institution repossessing vehicles under the terms of a security agreement shall move the vehicle from the place of repossession to the financial institution's place of business on a repossession plate. The repossession plate shall also be used for demonstrating the vehicle to a prospective purchaser for a period not to exceed ninety-six (96) hours. The registration fees for repossession plates shall be as required in subsection (1) of this section for a vehicle one (1) and two (2) years old. All other fees required under chapter 4, title 49, Idaho Code, shall be in addition to the registration fee. The repossession plate shall be subject to staggered registration for the purpose of reregistration and notice of expiration.

(8) A wrecker or towing business engaged in the process of towing motorized vehicles, which have been wrecked, abandoned, salvaged or may be disabled, may apply for a wrecker plate to be displayed on those vehicles being towed, provided the power unit is properly registered under this chapter. The registration fees for wrecker plates shall be as required in subsection (1) of this section for a vehicle one (1) and two (2) years old. All other fees required under chapter 4, title 49, Idaho Code, shall be in addition to the registration fee and shall be subject to staggered registration for the purpose of reregistration and notice of expiration.

(9) In addition to the annual registration fee in this section, there shall be an initial program fee of twenty-five dollars ($25.00) and an annual program fee of fifteen dollars ($15.00) for all special license plate programs for those license plates issued pursuant to sections 49-404A, 49-407, 49-408, 49-409, 49-414, 49-416, 49-418 and 49-418D, Idaho Code. For special plates issued pursuant to sections 49-406 and 49-406A, Idaho Code, there shall be an initial program fee of twenty-five dollars ($25.00) but there shall be no annual renewal fee. For special plates issued pursuant to sections 49-415C, 49-415D, 49-415E, 49-416A, 49-416B, 49-416C, 49-416D, 49-416E, 49-417, 49-417A, 49-417B, 49-417C, 49-417D, 49-417E, 49-418A, 49-418B, 49-418C, 49-418E, 49-419, 49-419A, 49-419B, 49-419C, 49-419D, 49-419E, 49-420, 49-420A, 49-420B, 49-420C, 49-420D, 49-420E, 49-420G, 49-420H, 49-420I, 49-420J, 49-420K, 49-420L and 49-420M, Idaho Code, and any new special plate program effective on and after January 1, 2013, pursuant to section 49-402D, Idaho Code, there shall be an initial program fee of thirty-five dollars ($35.00) and an annual program fee of twenty-five dollars ($25.00). The fees contained in this subsection shall be applicable to all new special plate programs and shall be subject to staggered registration for the purpose of reregistration and notice of expiration. The initial program fee and the annual program fee shall be deposited in the state highway account and shall be used to fund the cost of administration of special license plate programs, unless otherwise specified by law.

(10) Any vehicle that does not meet federal motor vehicle safety standards shall not be registered and shall not be permitted to operate on public highways of the state, as defined in section 40-117, Idaho Code, unless otherwise specifically authorized.

(11) In addition to annual registration fees as provided in this section, registrants may pay a fee to purchase an Idaho state parks passport authorizing resident motor vehicle entry into all Idaho state parks. Registrants may pay the fee for a one (1) year or two (2) year period of time. The fee shall be ten dollars ($10.00) for one (1) year and twenty dollars ($20.00) for two (2) years. All fees collected pursuant to this subsection shall be deposited into the park and recreation fund and shall be subject to appropriation. Fees collected pursuant to this subsection shall not be considered a motor vehicle registration fee as provided in section 17, article VII, of the constitution of the state of Idaho.

SECTION 2. That Section 49-434, Idaho Code, be, and the same is hereby amended to read as follows:

49-434. OPERATING FEES. (1) There shall be paid on all commercial vehicles, noncommercial vehicles, and on all farm vehicles having a maximum gross weight not in excess of sixty thousand (60,000) pounds, an annual registration fee or a staggered registration fee for the purpose of reregistration and notice of expiration in accordance with the following schedule.

Unladen Weight for Wreckers Maximum Gross Weight For Other Vehicles (Pounds)	Annual Registration Fee	
	Noncommercial and Farm Vehicles	Commercial Vehicles and Wreckers
8,001-16,000 inc.	$ 48.00	$ 48.00
16,001-26,000 inc.	61.08	143.40
26,001-30,000 inc.	91.68	223.80
30,001-40,000 inc.	130.08	291.60
40,001-50,000 inc.	188.28	360.00
50,001-60,000 inc.	311.88	515.40

In addition to the registration fees provided for in this subsection, there shall be an additional registration fee imposed of twenty-five dollars ($25.00).

(2) There shall be paid on all commercial vehicles, irrespective of body type, and on all farm vehicles having a maximum gross weight in excess of sixty thousand (60,000) pounds, an annual registration fee in the amount prescribed by subsection (8) of this section, as applicable.

(3) In addition, the annual registration fee for trailers shall be:

(a) Trailer or semitrailer in a combination of vehicles $15.00

(b) Rental utility trailer with a gross weight of two thousand (2,000) pounds or less $8.00

(c) Rental utility trailer with a gross weight over two thousand (2,000) pounds $15.00

(4) As an option to the trailer and semitrailer and rental utility trailer annual registrations issued pursuant to subsection (3) of this section, the department may provide a nonexpiring plate and registration for trailers and semitrailers, and an optional, extended registration for rental utility trailers.

(a) For trailers and semitrailers, the nonexpiring registration fee shall be ninety-nine dollars ($99.00). The license plate shall remain on the trailer or semitrailer until the registration is canceled or revoked. No part of the fee is subject to refund. However, the registrant may transfer the nonexpiring plate and registration to another trailer or semitrailer titled to the registrant if the original registration date is prior to July 1, 2009. The registration document shall be the official record of the status of the nonexpiring registration and no registration fee shall be required after the initial registration is paid. No validation sticker shall be required or issued for such nonexpiring license plate.

(i) Registration of a trailer or semitrailer based in another jurisdiction may be issued when the registrant provides a valid jurisdiction title or ownership document and certification statement, and no title transfer will be required.

(ii) Periodic verification will be made to confirm ownership status. Failure of the owner to comply with the verification request to confirm ownership within thirty (30) days, shall result in cancellation of the permanent plate registration.

(b) Idaho based trailer manufacturers may purchase trailer and semitrailer registration from the department. The manufacturer may issue the annual registration to foreign-based purchasers utilizing a manufacturer's certificate of origin or manufacturer's statement of origin as proof of ownership. If the foreign-based purchaser subsequently obtains an Idaho nonexpiring registration as provided in paragraph (a) of this subsection prior to annual registration expiration, the amount of the annual registration fee shall be applied to the nonexpiring registration fee provided that the customer acquires a title for such vehicle.

(c) For rental utility trailers, the registrant may prepay the annual registration for an additional one (1), two (2), three (3) or four (4) years, but in no event shall the optional registration period extend beyond five (5) years. The fee shall be as specified in subsection (3)(b) or (c) of this section. A pressure-sensitive sticker shall be used to validate the license plate. The license plate shall become void if the owner's interest in the rental utility trailer changes during the five (5) year period. If the owner fails to enter the rental utility trailer on the annual renewal application during the five (5) year period, the registration record shall be purged. Any unrenewed plate shall be returned to the department if it is not entered on the renewal application.

(5) A fleet registration option is available to owners who have twenty-five (25) or more commercial or farm vehicles or any combination thereof. Such owners may register all of their company vehicles with the department in lieu of registering with a county assessor. To qualify the fleet must be owned and operated under the unified control of one (1) person and the vehicles must be physically garaged and maintained in two (2) or more counties. Fleet registration shall not include fleets of rental vehicles. The department shall provide a registration application to the owner and the owner shall provide all information that the department determines is necessary. The department shall devise a special license plate numbering system for fleet-registered vehicles as an alternative to county license plates. The fleet registration application and all subsequent registration renewals shall include the physical address where a vehicle is principally used, garaged and maintained. The fleet owner shall report the physical address to the department upon initial registration, on each renewal, and at any time a vehicle registered under this option is permanently transferred to another location.

(6) If the ownership of a vehicle changes during the registration period, the original owner may transfer the plate to another vehicle. The remaining fee shall be credited against the cost of the new registration. Refunds may be given for any unexpired portion of the vehicle registration fee if the plate is not transferred by the owner to another vehicle. Any request for refund shall include surrender of the license plate, validation sticker and registration document. Owners of vehicles registered under the international registration plan may request a refund of the unexpired portion of the Idaho vehicle registration fee by presenting evidence from the base jurisdiction that the license plate, validation sticker and registration document have been surrendered. A license plate shall not be transferred to another owner when the ownership of a vehicle changes. The owner shall obtain a replacement plate, validation sticker if required, and a registration document when a plate is lost, destroyed or becomes illegible.

(7) An administrative fee of four dollars ($4.00) shall be paid and deposited to the state highway account on all registrations completed by the department under subsection (1) or (8)(a) of this section. Vehicles registered under subsection (8)(b) of this section shall pay the fee provided in section 49-435(2), Idaho Code.

(8) There shall be paid on all commercial and farm vehicles having a maximum gross weight in excess of sixty thousand (60,000) pounds, a registration fee based upon the maximum gross weight of a vehicle as declared by the owner and the total number of miles driven on roads and highways in the state, county, city and highway district systems in Idaho, and if registered under the international registration plan (IRP), in all other jurisdictions. The appropriate registration fee shall be determined as follows:

(a) If the owner registers vehicles under the international registration plan (IRP), the appropriate mileage column shall be determined by the total miles an owner operated a fleet of vehicles on roads and highways in the state, county, city and highway district systems in Idaho and in all other jurisdictions in the preceding year, as defined in section 49-117, Idaho Code, and by the maximum gross weight of each vehicle within a fleet.

(b) If the owner registers vehicles under the international registration plan and determines that the average international registration plan fleet miles, calculated by dividing the total IRP fleet miles in all jurisdictions by the number of registered vehicles, is less than fifty thousand

one (50,001) miles, the owner may apply to the department for refund of a portion of the registration fees paid, consistent with the fee schedules set forth in this section. The department shall provide an application for the refund. An owner making application for refund under this section shall be subject to auditing as provided in section 49-439, Idaho Code.

(c) If the owner is not registering vehicles under the international registration plan, the appropriate mileage column shall be determined by the total miles the owner operated each of the vehicles to be registered on roads and highways in the state, county, city and highway district systems in Idaho in the preceding year and by the maximum gross weight of each vehicle.

Maximum Gross Weight of Vehicle (Pounds)	Total Miles Driven				
	1 to 7,500	**7,501 to 20,000**	**20,001 to 35,000**	**35,001 to 50,000**	**Over 50,000**
60,001-62,000	$223	$ 511	$ 789	$1,068	$1,560
62,001-64,000	$251	$ 576	$ 890	$1,205	$1,760
64,001-66,000	$280	$ 642	$ 992	$1,342	$1,960
66,001-68,000	$309	$ 707	$1,093	$1,479	$2,160
68,001-70,000	$337	$ 773	$1,194	$1,615	$2,360
70,001-72,000	$366	$ 838	$1,295	$1,752	$2,560
72,001-74,000	$394	$ 904	$1,396	$1,889	$2,760
74,001-76,000	$423	$ 969	$1,498	$2,026	$2,960
76,001-78,000	$451	$1,035	$1,599	$2,163	$3,160
78,001-80,000	$480	$1,100	$1,700	$2,300	$3,360
80,001-82,000	$494	$1,133	$1,751	$2,368	$3,460
82,001-84,000	$509	$1,165	$1,801	$2,437	$3,560
84,001-86,000	$523	$1,198	$1,852	$2,505	$3,660
86,001-88,000	$537	$1,231	$1,902	$2,574	$3,760
88,001-90,000	$551	$1,264	$1,953	$2,642	$3,860
90,001-92,000	$566	$1,296	$2,004	$2,711	$3,960
92,001-94,000	$580	$1,329	$2,054	$2,779	$4,060
94,001-96,000	$594	$1,362	$2,105	$2,848	$4,160
96,001-98,000	$609	$1,395	$2,155	$2,916	$4,260
98,001-100,000	$623	$1,427	$2,206	$2,985	$4,360
100,001-102,000	$637	$1,460	$2,257	$3,053	$4,460
102,001-104,000	$651	$1,493	$2,307	$3,121	$4,560
104,001-106,000	$666	$1,526	$2,358	$3,190	$4,660
106,001-108,000	$680	$1,558	$2,408	$3,258	$4,760
108,001-110,000	$694	$1,591	$2,459	$3,327	$4,860
110,001-112,000	$709	$1,624	$2,510	$3,395	$4,960

Maximum Gross Weight of Vehicle (Pounds)	Total Miles Driven				
	1 to 7,500	**7,501 to 20,000**	**20,001 to 35,000**	**35,001 to 50,000**	**Over 50,000**
112,001-114,000	$723	$1,657	$2,560	$3,464	$5,060
114,001-116,000	$737	$1,689	$2,611	$3,532	$5,160
116,001-118,000	$751	$1,722	$2,661	$3,601	$5,260
118,001-120,000	$766	$1,755	$2,712	$3,669	$5,360
120,001-122,000	$780	$1,788	$2,763	$3,738	$5,460
122,001-124,000	$794	$1,820	$2,813	$3,806	$5,560
124,001-126,000	$809	$1,853	$2,864	$3,874	$5,660
126,001-128,000	$823	$1,886	$2,914	$3,943	$5,760
128,001-129,000	$837	$1,918	$2,965	$4,011	$5,860

In addition to the registration fees provided for in this subsection, there shall be an additional registration fee imposed of twenty-five dollars ($25.00).

(d) In addition to the fees set forth in paragraphs (a) and (c) of this subsection (8), an owner or operator may purchase a temporary permit as provided in section 49-432(2), Idaho Code, for operation of a vehicle at a weight in excess of the current, valid, registered maximum gross vehicle weight. The permit so issued shall be specific to the motor vehicle to which it is issued. No permit or fee shall be transferable or apportionable to any other vehicle, nor shall any such fee be refundable.

(e) Any commercial or farm vehicle registered for more than sixty thousand (60,000) pounds up to one hundred six thousand (106,000) pounds traveling fewer than two thousand five hundred (2,500) miles annually on roads and highways in the state, county, city and highway district systems in Idaho shall pay an annual registration fee of two hundred fifty-five dollars ($255). The provisions of section 49-437(2), Idaho Code, shall not apply to vehicles registered under this subsection (8)(e).

(9) (a) During the first registration year that the fee schedule in subsection (8)(c) of this section is in use, an owner shall use the mileage data from the records used to report the mileage use fee in the immediately preceding year as the basis for determining the appropriate registration fee schedule.

(b) Any owner who registers a motor vehicle for the first time and who has no mileage history for the vehicle shall estimate the miles to determine the appropriate fee schedule in subsection (8)(c) of this section. When estimating the miles, the owner shall provide a statement on the application of the method used to arrive at the estimated miles.

(c) Any owner using any fee schedule other than the highest fee schedule under subsection (8)(c) of this section, shall certify at the time of registration that the miles operated in the preceding year do not exceed the schedule applied for. Any owner using a fee schedule under subsection (8)(c) of this section that is less than the highest schedule shall maintain records to substantiate the use of the schedule as required by section 49-439, Idaho Code.

(10) An owner registering under subsection (8)(a) or (8)(c) of this section may elect to pay the full annual registration fee at the time of registration or renewal of registration, or an owner may pay at least one-quarter (1/4) of the annual registration fee due. The remainder of the annual Idaho registration fee shall be paid in three (3) equal installments on dates as billed by the department.

(11) An owner registering or renewing a registration under subsection (8) (a) of this section electing to use installment payments as provided in subsection (10) of this section, shall pay all of the fees due to other IRP jurisdictions in addition to one-quarter (1/4) of the Idaho fee due at the time of registration or reregistration. The remainder of the annual Idaho registration fee shall be paid in three (3) equal installments on dates as billed by the department.

(12) If any vehicle or combinations of vehicles haul nonreducible loads, as authorized under the provisions of section 49-1004, Idaho Code, and weigh less than the starting weights per axle configuration listed in column 1 of subsection (2), section 49-1004, Idaho Code, then and in that event there shall be paid for that vehicle, in addition to the other fees required in this section, an additional use fee of 2.1 mills per mile for each two thousand (2,000) pounds or fraction thereof of the maximum gross weight in excess of those set forth in section 49-1001, Idaho Code.

SECTION 3. That Chapter 4, Title 49, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 49-457, Idaho Code, and to read as follows:

49-457. ELECTRIC VEHICLE FEE – HYBRID VEHICLE FEE. (1) An electric vehicle fee of one hundred forty dollars ($140) shall be collected in addition to all other registration fees assessed pursuant to this chapter on each electric vehicle registered.

(2) A hybrid vehicle fee of seventy-five dollars ($75.00) shall be collected in addition to all other registration fees assessed pursuant to this chapter on each hybrid vehicle registered.

(3) All fees provided for in this section shall be deposited to the highway distribution account as established in section 40-701, Idaho Code, and shall be apportioned as provided for in that section.

(4) For purposes of this chapter, "electric vehicle" means a vehicle powered only by a form of electricity and "hybrid vehicle" means a motor vehicle with a hybrid propulsion system that operates on both an alternative fuel, including electricity, and traditional fuel.

SECTION 4. That Section 63-2402, Idaho Code, be, and the same is hereby amended to read as follows:

63-2402. IMPOSITION OF TAX UPON MOTOR FUEL. (1) A tax is hereby imposed upon the distributor who receives motor fuel in this state. The legal incidence of the tax imposed under this section is borne by the distributor. The tax becomes due and payable upon receipt of the motor fuel in this state by the distributor unless such tax liability has previously accrued to another distributor pursuant to this section. The tax shall be imposed without regard to whether use is on a governmental basis or otherwise, unless exempted by this chapter.

(2) The tax imposed in this section shall be at the rate of ~~twenty-five~~ thirty-two cents (~~25~~32¢) per gallon of motor fuel received. This tax shall be subject to the exemptions, deductions and refunds set forth in this chapter.

(3) Nothing in this chapter shall prohibit the distributor who is liable for payment of the tax imposed under subsection (1) of this section from including as part of the selling price an amount equal to such tax on motor fuels sold or delivered by such distributor; provided however, that nothing in this chapter shall be deemed to impose tax liability on any person to whom such fuel is sold or delivered except as provided in subsection (6) of this section.

(4) Any person coming into this state in a motor vehicle may transport in the manufacturer's original tank of that vehicle, for his own use only, not more than thirty (30) gallons of motor fuel for the purpose of operating that motor vehicle, without complying with the provisions of this chapter.

(5) The tax imposed in this section does not apply to:

(a) Special fuels that have been dyed at a refinery or terminal under the provisions of 26 U.S.C. section 4082 and regulations adopted thereunder, or under the clean air act and regulations adopted thereunder except as provided in section 63-2425, Idaho Code; or

(b) Special fuel dispensed into a motor vehicle which uses gaseous special fuels and which displays a valid gaseous special fuels permit under section 63-2424, Idaho Code; or

(c) Special fuels that are gaseous special fuels, as defined in section 63-2401, Idaho Code, except that part thereof that is delivered into the fuel supply tank or tanks of a motor vehicle; or

(d) Aircraft engine fuel subject to tax under section 63-2408, Idaho Code.

(6) Should the distributor of first receipt be exempt from imposition of the tax as a matter of federal law, by virtue of its status as a ~~federally-recognized~~ federally recognized Indian tribe or member of such tribe, such distributor shall not bear the tax's legal incidence and must pass the tax through as part of the selling price of the fuel. Such distributor shall retain the administrative obligation to remit the tax, and such obligation shall accrue upon receipt in accordance with subsection (1) of this section. Should a retailer otherwise subject to the tax be exempt from imposition of the tax as a matter of federal law, by virtue of its status as a ~~federally-recognized~~ federally recognized Indian tribe or member of such tribe, the retailer shall not bear the tax's legal incidence and must pass the tax through as part of the selling price of the fuel to the consumer, unless such consumer is exempt from imposition of the tax as a matter of federal law, by virtue of its status as a ~~federally-recognized~~ federally recognized Indian tribe or membership in such tribe, and the retailer shall be entitled to claim a credit against taxes otherwise due and owing under this chapter or a tax refund, together with interest, attributable to the fuel purchased by such consumer.

SECTION 5. That Section 63-2412, Idaho Code, be, and the same is hereby amended to read as follows:

63-2412. DISTRIBUTION OF TAX REVENUES FROM TAX ON GASOLINE AND AIRCRAFT ENGINE FUEL. (1) The revenues received from the taxes imposed by sections 63-2402 and 63-2421, Idaho Code, upon the receipt or use of gasoline, and any penalties, interest, or deficiency additions, shall be distributed periodically as follows:

(a) An amount of money equal to the actual cost of collecting, administering and enforcing the gasoline tax requirements by the commission, as determined by it shall be retained by the commission. The amount retained by the commission shall not exceed the amount authorized to be expended by appropriation by the legislature. Any unencumbered balance in excess of the actual cost of collecting, administering and enforcing the gasoline tax requirements by the commission at the end of each fiscal year shall be distributed as listed in paragraph (f) of this subsection.

(b) An amount of money shall be distributed to the state refund account sufficient to pay current refund claims. All refunds authorized by the commission to be paid shall be paid from the state refund account and those moneys are hereby continuously appropriated for that purpose.

(c) As soon as possible after the beginning of each fiscal year, the sum of two hundred fifty thousand dollars ($250,000) shall be distributed to the railroad grade crossing protection account in the dedicated fund, to pay the amounts from the account pursuant to the provisions of section 62-304C, Idaho Code.

(d) As soon as possible after the beginning of each fiscal year, the sum of one hundred thousand dollars ($100,000) shall be distributed to the local bridge inspection account in the dedicated fund, to pay the amounts from the account pursuant to the provisions of section 40-703, Idaho Code.

(e) An amount of money equal to seven percent (7%) shall be distributed to the state highway account established in section 40-702, Idaho Code.

(f) From the balance remaining with the commission after distributing the amounts in paragraphs (a) through (e) of subsection (1) of this section:

1. One and twenty-eight hundredths percent (1.28%) shall be distributed as follows: sixty-six percent (66%) of the one and twenty-eight hundredths percent (1.28%) shall be distributed to the waterways improvement account, as created in chapter 15, title 57, Idaho Code. Up to twenty percent (20%) of the moneys distributed to the waterways improvement account under the provisions of this paragraph may be used by the department of parks and recreation to defray administrative costs. Any moneys unused at the end of the fiscal year by the department of parks and recreation shall be returned to the state treasurer for deposit in the waterways improvement account. Thirty-three percent (33%) of the one and twenty-eight hundredths percent (1.28%) shall be distributed into the park and recreation capital improvement account as created in section 57-1801, Idaho Code. One percent (1%) of the one and twenty-eight hundredths percent (1.28%) shall be distributed to the search and rescue fund created in section 67-2913, Idaho Code;

2. One and twenty-eight hundredths percent (1.28%) shall be distributed as follows: sixty-six percent (66%) of the one and twenty-eight hundredths percent (1.28%) shall be distributed to the off-road motor vehicle account, as created in section 57-1901, Idaho Code. Up to twenty percent (20%) of the moneys distributed to the off-road motor vehicle account by this subparagraph may be used by the department of parks and recreation to defray administrative costs. Any moneys unused at the end of the fiscal year by the department of parks and recreation shall be returned to the state treasurer for deposit in the off-road motor vehicle account. Thirty-three percent (33%) of the one and twenty-eight hundredths percent (1.28%) shall be distributed into the park and recreation capital improvement account as created in section 57-1801, Idaho Code. One percent (1%) of the one and twenty-eight hundredths percent (1.28%) shall be distributed to the search and rescue fund created in section 67-2913, Idaho Code; and

3. Forty-four hundredths percent (.44%) shall be distributed to the park and recreation capital improvement account as created in section 57-1801, Idaho Code, to be used solely to develop, construct, maintain and repair roads, bridges and parking areas within and leading to parks and recreation areas of the state.

4. The balance remaining shall be distributed to the highway distribution account created in section 40-701, Idaho Code.

(2) Provided however, the distribution pursuant to subsection (1) of this section of revenues received from the taxes imposed pursuant to section 63-2402(2), Idaho Code, shall apply only to twenty-five cents (25¢) of every thirty-two cents (32¢) received. The remaining seven cents (7¢) of every thirty-two cents (32¢) received pursuant to the provisions of section 63-2402(2), Idaho Code, shall be distributed as follows:

(a) Sixty percent (60%) to the state highway account; and

(b) Forty percent (40%) to be distributed pursuant to the provisions of section 40-709, Idaho Code.

(3) The revenues received from the taxes imposed by section 63-2408, Idaho Code, and any penalties, interest, and deficiency amounts, shall be distributed as follows:

(a) An amount of money shall be distributed to the state refund account sufficient to pay current refund claims. All refunds authorized by the commission to be paid shall be paid

from the state refund account, and those moneys are hereby continuously appropriated.

(b) The balance remaining of all the taxes collected shall be distributed to the state aeronautics account, as provided in section 21-211, Idaho Code.

SECTION 6. That Chapter 7, Title 40, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 40-719, Idaho Code, and to read as follows:

40-719. STRATEGIC INITIATIVES PROGRAM. (1) The Idaho transportation department shall establish and maintain a strategic initiatives program. The purpose of the program is to fund transportation projects that are proposed by the department's six (6) districts. Proposed projects shall compete for strategic initiative program selection and funding on a statewide basis based on an analysis of their return on investment in the following categories:

(a) Safety, including the projected reduction of crashes, injuries and fatalities;

(b) Mobility, including projected traffic-flow improvements for freight and passenger cars;

(c) Economic opportunity, including the projected cost-benefit ratio for users and businesses;

(d) The repair and maintenance of bridges; and

(e) The purchase of public rights-of-way.

(2) There is hereby established in the state treasury the strategic initiatives program fund to which shall be deposited:

(a) Notwithstanding the provisions of section 57-814, Idaho Code, the provisions of this paragraph shall only be in effect from the effective date of this act through May 31, 2017. The state controller shall transfer fifty percent (50%) of any excess cash balance from the general fund to the strategic initiatives program fund upon the financial close of the current fiscal year subject to the following criteria: When calculating any excess cash balance the state controller shall first provide for the ending balance as determined by the legislative record to be carried over into the next fiscal year, plus an amount sufficient to cover encumbrances as approved by the division of financial management, and an amount sufficient to cover any reappropriation as authorized by the legislature.

(b) Any other appropriated moneys for funding of the strategic initiatives program.

Interest earned on the investment of idle moneys in the fund shall be paid to the fund. All moneys in the fund shall be used for funding the strategic initiatives program.

SECTION 7. That Section 57-814, Idaho Code, be, and the same is hereby amended to read as follows:

57-814. BUDGET STABILIZATION FUND. (1) There is hereby created in the state treasury the budget stabilization fund for the purpose of meeting general fund revenue shortfalls and to meet expenses incurred as the result of a major disaster declared by the governor. All moneys in the budget reserve account at the date of approval of this act shall be transferred to the budget stabilization fund. Interest earnings from the investment of moneys in this fund by the state treasurer shall be credited to the permanent building account subject to the provisions of section 67-1210, Idaho Code.

(2) Subject to the requirements of section 63-3203, Idaho Code, the state controller shall annually transfer moneys from the general fund to the budget stabilization fund ~~subject to the following criteria:~~ if the state controller certifies that the receipts to the general fund for the fiscal year just ending have exceeded the receipts of the previous fiscal year by more than four percent (4%), then the state controller shall transfer all general fund collections in excess of said four percent (4%) to the budget stabilization fund, up to a maximum of one percent (1%) of the actual general fund collections of the prior fiscal year. The state controller shall make the transfer upon the financial close of the current fiscal year.

~~(a) If the state controller certifies that the receipts to the general fund for the fiscal year just ending have exceeded the receipts of the previous fiscal year by more than four percent (4%), then the state controller shall transfer all general fund collections in excess of said four percent (4%) increase to the budget stabilization fund, up to a maximum of one percent (1%) of the actual general fund collections of the fiscal year just ending. The state controller shall make the transfers in four (4) equal amounts during September, December, March and June of the next fiscal year.~~

~~(b) The amount of moneys in the budget stabilization fund shall not exceed ten percent (10%) of the total general fund receipts for the fiscal year just ending.~~

~~(c) The state controller shall transfer moneys in the budget stabilization fund in excess of the limit imposed in subsection (2)(b) of this section to the general fund.~~

(3) The state controller shall transfer fifty percent (50%) of any excess cash balance from the general fund to the budget stabilization fund upon the financial close of the current fiscal year subject to the following criteria: When calculating any excess cash balance the state controller shall first provide for the ending balance as determined by the legislative record to be carried over into the next fiscal year, plus an amount sufficient to cover encumbrances as approved by the division of financial management, and an amount sufficient to cover any reappropriation as authorized by the legislature.

(4) If a majority of the membership of each house of the legislature adopt a concurrent resolution requesting the amount of the transfer specified in subsection (2) of this section be reduced, the state controller shall reduce the amount of the transfer.

(45) Appropriations of moneys from the budget stabilization fund in any year shall be limited to fifty percent (50%) after the fund balance has reached ten percent (10%).

SECTION 8. That Section 57-814, Idaho Code, is, and the same is hereby repealed.

SECTION 9. That Chapter 8, Title 57, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 57-814, Idaho Code, and to read as follows:

57-814. BUDGET STABILIZATION FUND. (1) There is hereby created in the state treasury the budget stabilization fund for the purpose of meeting general fund revenue shortfalls and to meet expenses incurred as the result of a major disaster declared by the governor. All moneys in the budget reserve account at the date of approval of this act shall be transferred to the budget stabilization fund. Interest earnings from the investment of moneys in this fund by the state treasurer shall be credited to the permanent building account subject to the provisions of section 67-1210, Idaho Code.

(2) Subject to the requirements of section 63-3203, Idaho Code, the state controller shall annually transfer moneys from the general fund to the budget stabilization fund subject to the following criteria:

(a) If the state controller certifies that the receipts to the general fund for the fiscal year just ending have exceeded the

receipts of the previous fiscal year by more than four percent (4%), then the state controller shall transfer all general fund collections in excess of said four percent (4%) increase to the budget stabilization fund, up to a maximum of one percent (1%) of the actual general fund collections of the fiscal year just ending. The state controller shall make the transfers in four (4) equal amounts during September, December, March and June of the next fiscal year.

(b) The amount of moneys in the budget stabilization fund shall not exceed ten percent (10%) of the total general fund receipts for the fiscal year just ending.

(c) The state controller shall transfer moneys in the budget stabilization fund in excess of the limit imposed in subsection (2)(b) of this section to the general fund.

(3) If a majority of the membership of each house of the legislature adopt a concurrent resolution requesting the amount of the transfer specified in subsection (2) of this section be reduced, the state controller shall reduce the amount of the transfer.

(4) Appropriations of moneys from the budget stabilization fund in any year shall be limited to fifty percent (50%) after the fund balance has reached ten percent (10%).

SECTION 10. LEGISLATIVE INTENT. It is the intent of the Legislature that on or before January 1, 2019, there shall be imposed on all commercial vehicles, irrespective of body type, and on all farm vehicles having a maximum gross weight in excess of sixty thousand (60,000) pounds, an annual registration fee and in addition thereto, an operating fee by weight class based on the total miles the owner operated such vehicle on roads and highways in the state, county, city and highway district systems in Idaho during each quarter of the calendar year.

SECTION 11. LEGISLATIVE INTENT. It is the intent of the Legislature that all additional funds collected under the provisions of this act, remitted to the Idaho Transportation Department or entities subject to the distribution provisions of Section 40-709, Idaho Code, shall be used exclusively for road and bridge maintenance and replacement projects both at the state and local level.

SECTION 12. LEGISLATIVE INTENT. It is the intent of the Legislature that the Idaho Transportation Department, and all local units of government receiving funds collected under the provisions of this act, shall prepare an annual report and deliver the same to the Senate Transportation Committee and the House Transportation and Defense Committee on or before the first day of each legislative session. Local units of government shall submit report information to the Local Highway Technical Assistance Council, which shall compile the reporting information into one report for submission. The reports shall include a full accounting of the additional funds collected under the provisions of this act and how such funds were expended. Such report shall also include an updated assessment of the ongoing maintenance funding needs.

SECTION 13. LEGISLATIVE INTENT. It is the intent of the Legislature that the Idaho State Police and the State Tax Commission shall, no later than the first day of the 2016 legislative session, provide recommendations to the Senate Transportation Committee and the House Transportation and Defense Committee on greater enforcement of the prohibition of dyed fuel and other untaxed fuel use on Idaho roads and highways.

SECTION 14. LEGISLATIVE INTENT. This legislation is intended to be an interconnected solution to raise revenue for Idaho's transportation infrastructure and maintenance.

SECTION 15. That Section 40-701, Idaho Code, be, and the same is hereby amended to read as follows:

40-701. HIGHWAY DISTRIBUTION ACCOUNT – APPORTIONMENT. (1) There is established in the state treasury an account known as the "Highway Distribution Account," to which shall be credited:

(a) Moneys as provided by sections 63-2412(1)(f)4. and 63-2418(4), Idaho Code;

(b) All moneys collected by the department, their agents and vendors, and county assessors and sheriffs, under the provisions of title 49, Idaho Code, except as otherwise specifically provided for; and

(c) All other moneys as may be provided by law.

(2) The highway distribution account shall be apportioned as follows:

(a) Thirty-eight percent (38%) to local units of government as provided in section 40-709, Idaho Code;

(b) Fifty-seven percent (57%) to the state highway account established in section 40-702, Idaho Code; and

(c) Five percent (5%) to the law enforcement account, established in section 67-2914, Idaho Code. The state controller shall cause the remittance of the moneys apportioned to local units of government not later than January 25, April 25, July 25 and October 25 of each year, and to the state highway account and the law enforcement account as the moneys become available to the highway distribution account.

(3) All new revenues generated by increases in registration fees and fees on electric and hybrid vehicles pursuant to the provisions of House Bill No. 312, as amended in the Senate, as amended in the Senate, during the first regular session of the sixty-third Idaho legislature, shall be apportioned as follows:

(a) Forty percent (40%) to local units of government as provided in section 40-709, Idaho Code; and

(b) Sixty percent (60%) to the state highway account established in section 40-702, Idaho Code.

(4) Interest earned on the investment of idle moneys in the highway distribution account shall be paid to the highway distribution account.

(45) All idle moneys in the dedicated highway trust or asset accounts or subaccounts established from highway user revenues, reimbursements, fees or permits shall be invested by the state treasurer in the same manner as provided under section 67-1210, Idaho Code, with respect to other surplus or idle moneys in the state treasury. Interest earned on the investments shall be returned to the various highway trust or asset accounts and subaccounts.

SECTION 16. SEVERABILITY. The provisions of this act are hereby declared to be severable and if any provision of this act or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this act.

SECTION 17. An emergency existing therefor, which emergency is hereby declared to exist, Sections 6 and 7 of this act shall be in full force and effect on and after passage and approval. Sections 1, 2, 3, 4, 5, 10, 11, 12, 13, 14, 15 and 16 of this act shall be in full force and effect on and after July 1, 2015. Section 7 of this act shall be null, void and of no force and effect on and after May 31, 2017. Sections 8 and 9 of this act shall be in full force and effect on and after May 31, 2017.".

AMENDMENT TO THE CORRECTION TO TITLE

On page 4 of the amendment, delete lines 25 through 31, and insert:

"RELATING TO TRANSPORTATION; AMENDING SECTION 49-402, IDAHO CODE, TO REVISE REGISTRATION FEES; AMENDING SECTION 49-434, IDAHO CODE, TO PROVIDE FOR ADDITIONAL REGISTRATION FEES; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-457, IDAHO CODE, TO PROVIDE A FEE FOR ELECTRIC AND HYBRID VEHICLES, TO PROVIDE FOR THE DEPOSIT OF FEES AND TO DEFINE TERMS; AMENDING SECTION 63-2402, IDAHO CODE, TO REVISE THE TAX IMPOSED ON MOTOR FUEL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-2412, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DISTRIBUTION OF TAX IMPOSED ON MOTOR FUEL; AMENDING CHAPTER 7, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-719, IDAHO CODE, TO PROVIDE FOR THE STRATEGIC INITIATIVES PROGRAM, TO ESTABLISH THE STRATEGIC INITIATIVES PROGRAM FUND, TO PROVIDE FOR THE DEPOSIT OF CERTAIN MONEYS INTO THE FUND AND TO PROVIDE FOR USE OF MONEYS IN THE FUND; AMENDING SECTION 57-814, IDAHO CODE, TO REVISE PROVISIONS RELATING TO TRANSFERS OF MONEYS INTO THE BUDGET STABILIZATION FUND, TO PROVIDE FOR THE TRANSFER OF CERTAIN EXCESS CASH BALANCES INTO THE BUDGET STABILIZATION FUND AND TO REMOVE PROVISIONS RELATING TO THE MAXIMUM FUND BALANCE; REPEALING SECTION 57-814, IDAHO CODE, RELATING TO THE BUDGET STABILIZATION FUND; AMENDING CHAPTER 8, TITLE 57, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 57-814, IDAHO CODE, TO PROVIDE FOR THE BUDGET STABILIZATION FUND; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 40-701, IDAHO CODE, TO PROVIDE FOR DISTRIBUTION OF CERTAIN MONEYS; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.".

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

H 312, as amended in the Senate, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

April 10, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to **H 312**, as amended in the Senate, have been correctly printed.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 312, as amended in the Senate, as amended in the Senate, by Ways and Means Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **H 312**, as amended in the Senate, as amended in the Senate, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Tippets, Vick, Ward-Engelking, Winder. Total - 32.

NAYS–Burgoyne, Thayn. Total - 2.

Absent and excused–McKenzie. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **H 312**, as amended in the Senate, as amended in the Senate, was before the Senate for final consideration.

H 312, as amended in the Senate, as amended in the Senate, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Stennett, Tippets, Ward-Engelking, Winder. Total - 26.

NAYS–Bayer, Burgoyne, Hagedorn, Martin, Nonini, Nuxoll, Souza, Thayn, Vick. Total - 9.

Paired and voting included in roll call:
AYE - McKenzie NAY - Martin

Total - 35.

Whereupon the President declared **H 312**, as amended in the Senate, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On request by Senator Davis, granted by unanimous consent, the President appointed a committee consisting of Senator Heider, Chairman, and Senators Nonini and Lacey to notify the House of Representatives that the Senate had completed its business and was ready to adjourn *Sine Die*. The committee was excused.

On request by Senator Davis, granted by unanimous consent, the President appointed a committee consisting of Senator Mortimer, Chairman, and Senators Tippets and Jordan to notify the Governor that the Senate had completed its business and was ready to adjourn *Sine Die*. The committee was excused.

The committee appointed to wait upon the House of Representatives returned and reported that it had delivered the Senate's message. The committee conveyed the Speaker's response to the President and the members of the Senate.

The President thanked and discharged the committee.

The committee appointed to wait upon the Governor returned and reported that it had delivered the Senate's message. The committee conveyed the Governor's response to the President and the members of the Senate.

The President thanked and discharged the committee.

President Pro Tempore Hill ordered the Sergeant at Arms to retrieve the Idaho State flag that had been raised over the Senate Chamber during the First Regular Session of the Sixty-third Legislature of the State of Idaho. The flag was then presented to Senator Keough in honor of her exemplary service to the Senate.

On request by Senator Davis, granted by unanimous consent, the President appointed a committee consisting of Senator Bair, Chairman, and Senators Brackett and Burgoyne to escort the committee from the House of Representatives into the Senate Chamber.

Representatives Andersen, Perry and Nye informed the Senate that the House was ready to adjourn *Sine Die*.

The President thanked and discharged the committee.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the First Regular Session of the Sixty-third Legislature of the Idaho Senate adjourned *Sine Die* at 1:33 a.m., Saturday, April 11, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

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[Note: The following is action recorded after Senate *Sine Die*:]

April 10, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1177, **S 1178**, **S 1183**, **S 1184**, **S 1185**, **S 1186**, **S 1187**, **S 1188**, **S 1189**, and **S 1190**

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

April 10, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1152, **S 1154**, as amended, **S 1169**, **S 1170**, **S 1171**, **S 1172**, and **S 1176**

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

April 10, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1168

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

April 13, 2015

The JUDICIARY AND RULES Committee reports that **S 1112** has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled **S 1112** and ordered it transmitted to the House for the signature of the Speaker.

April 13, 2015

The JUDICIARY AND RULES Committee reports that Enrolled **SCR 126** and **SCR 130** were delivered to the Office of the Secretary of State at 10:40 a.m., April 13, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 13, 2015

The JUDICIARY AND RULES Committee reports that Enrolled **S 1192** and **S 1174** were delivered to the Office of the Governor at 10:45 a.m., April 13, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 16, 2015

Dear Mr. President:

I transmit herewith Enrolled **HCR 26** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **HCR 26** and ordered it returned to the House.

April 16, 2015

Dear Mr. President:

I transmit herewith Enrolled **H 312**, as amended in the Senate, as amended in the Senate, for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 312**, as amended in the Senate, as amended in the Senate, and ordered it returned to the House.

April 16, 2015

Dear Mr. President:

I return herewith Enrolled **S 1135**, as amended, and **S 1112**, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1135**, as amended, and **S 1112** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

April 16, 2015

The JUDICIARY AND RULES Committee reports that Enrolled **S 1112** and **S 1135**, as amended, were delivered to the Office of the Governor at 2:50 p.m., April 16, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.