JOURNAL

of the

STATE SENATE

ORGANIZATIONAL SESSION

and

FIRST REGULAR SESSION

of the

SIXTY-SECOND LEGISLATURE

of the

STATE OF IDAHO
2013

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2013

SENATE JOURNAL

2013

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SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

ORGANIZATIONAL SESSION
SIXTY-SECOND LEGISLATURE

FIRST LEGISLATIVE DAY
THURSDAY, DECEMBER 6, 2012

Senate Chamber

At the hour of 9 a.m. on Thursday, December 6, 2012, the members-elect of the Senate of the Sixty-second Idaho Legislature convened in the Senate Chamber of the Capitol in the City of Boise for an organizational session, President Brad Little presiding.

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

STATE OF IDAHO
OFFICE OF THE SECRETARY OF STATE

CERTIFICATE OF ELECTION

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

DISTRICT	NAME
1	Shawn A. Keough (R)
2	Steve Vick (R)
3	Bob Nonini (R)
4	John W. Goedde (R)
5	Dan J. Schmidt (D)
6	Dan Johnson (R)
7	Sheryl L. Nuxoll (R)
8	Steven Thayn (R)
9	Monty J. Pearce (R)
10	Jim Rice (R)
11	Patti Anne Lodge (R)
12	Todd Lakey (R)
13	Curt McKenzie (R)
14	Marv Hagedorn (R)
15	Fred S. Martin (R)
16	Les Bock (D)
17	Elliot Werk (D)
18	Branden J. Durst (D)
19	Cherie Buckner-Webb (D)
20	Chuck Winder (R)
21	Clifford R. "Cliff" Bayer (R)
22	Russell M. Fulcher (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	R. Steven Bair (R)
32	John H. Tippets (R)
33	Bart M. Davis (R)
34	Brent Hill (R)
35	Jeff C. Siddoway (R)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Idaho. Done at Boise, the Capital of Idaho, this Twenty-eighth day of November, in the year of our Lord, Two Thousand and Twelve, and of the Independence of the United States of America, the Two Hundred and Thirty-seventh.

/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 President Brad Little.

Prayer was offered by Senator Todd Lakey.

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

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

The question being, "Shall the motion prevail?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared that the motion prevailed and Senator Brent Hill was elected President Pro Tempore of the Senate for the Sixty-second Idaho Legislature.

The President administered the Oath of Office to President Pro Tempore Hill.

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

The question being, "Shall the motion prevail?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared that the motion prevailed and Jennifer Novak was elected Secretary of the Senate for the Sixty-second Idaho Legislature.

The President administered the Oath of Office to Secretary of the Senate Jennifer 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-first Idaho Legislature were adopted as the temporary Rules of the Senate and Joint Rules of the Senate and House of Representatives of the Sixty-second 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-second Idaho Legislature.

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 Russell M. Fulcher

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 Senate recessed at 9:45 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 Little presiding.

Roll call showed all members present except Senators Pearce and Siddoway, absent and excused.

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

Senators Pearce and Siddoway were recorded present at this order of business.

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

AGRICULTURAL AFFAIRS (9)
Bair, Chairman
Guthrie, Vice Chairman

Brackett	Durst
Tippets	Buckner-Webb
Rice	
Nonini	
Patrick	

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

Cameron	Schmidt
Goedde	Durst
Guthrie	
Martin	
Lakey	

EDUCATION (9)
Goedde, Chairman
Mortimer, Vice Chairman

Pearce	Durst
Fulcher	Buckner-Webb
Nonini	
Thayn	
Patrick	

FINANCE (10)
Cameron, Chairman
Keough, Vice Chairman

Mortimer	Schmidt
Vick	Lacey
Nuxoll	
Johnson	
Bayer	
Thayn	

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

Lodge	Bock
Hagedorn	Schmidt
Guthrie	
Martin	
Lakey	

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

Davis	Bock
Mortimer	Werk
Nuxoll	
Hagedorn	
Lakey	

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

Hill	Werk
McKenzie	Lacey
Johnson	
Vick	
Bayer	

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

Cameron	Stennett
Siddoway	Lacey
Brackett	
Heider	
Tippets	

STATE AFFAIRS (9)
McKenzie, Chairman

Davis	Stennett
Fulcher	Werk
Hill	
Winder	
Lodge	
Siddoway	

TRANSPORTATION (9)
Brackett, Chairman
Johnson, Vice Chairman

Keough	Bock
Winder	Buckner-Webb
Rice	
Nonini	
Hagedorn	

On request by Senator Davis, granted by unanimous consent, President Little appointed a committee consisting of Senator Goedde, Chairman, and Senators Martin 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 Little appointed a committee consisting of Senator Brackett, Chairman, and Senators Guthrie and Lacey 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-second Legislature adjourned *Sine Die* at 3:30 p.m., Thursday, December 6, 2012.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

FIRST LEGISLATIVE DAY
MONDAY, JANUARY 7, 2013

Senate Chamber

At the hour of 12 noon on Monday, January 7, 2013, the time established for the convening of the First Regular Session of the Sixty-second 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.

Prayer was offered by Chaplain James R. Wibberding, Cloverdale Seventh-day Adventist Church, Boise, Idaho.

On request by Senator Davis, granted by unanimous consent, the Sergeant-at-Arms, Sarah Jane McDonald, escorted the Idaho State Police Honor Guard into the Senate chambers to present and post the colors for the 62nd Idaho Senate legislative session.

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

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 State flag is raised over the Chamber when the Senate convenes and will be retired when the Senate adjourns *sine die*.

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

On request by Senator Davis, granted by unanimous consent, the Sergeant-at-Arms escorted the Cecil D. Andrus Elementary School's Ambassadors Honor Choir into the Senate chambers for the purpose of singing the *Idaho State Song*, *Be a Candle of Hope* and *America the Beautiful*.

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

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, President Little appointed a committee consisting of Senator Rice, Chairman, and Senator Durst to escort the committee from the House of Representatives into the Senate Chamber. Representatives Boyle, Batt, and Pence informed the Senate that the House is now organized and ready to conduct business.

The Senate committee was discharged.

On request by Senator Davis, granted by unanimous consent, President Little appointed a committee consisting of Senator Heider, Chairman, and Senators Lakey 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 Pearce, Chairman, and Senators Patrick and Buckner-Webb to notify the House of Representatives that the Senate is now organized and ready to conduct business.

The committee was excused.

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

The committee was discharged.

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

The committee was discharged.

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

Messages from the House

January 7, 2013

Dear Mr. President:

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

ALEXANDER, Chief Clerk

HCR 1 was filed for first reading.

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

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

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

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate consideration of **HCR 1** were suspended.

The President declared the rules suspended and announced that **HCR 1** was now before the Senate for final consideration. The question being, Shall the resolution be adopted?"

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.

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.

Roll call of the Senate showed all members present.

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

Prayer was offered 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 Lodge and Bock and Representatives Wills and Burgoyne 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 Fulcher and Werk and Representatives Gibbs and Smith 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, my fellow constitutional officers, distinguished legislators and members of my Cabinet, honored guests, friends, my family and our First Lady my fellow Idahoans.

Thank you for inviting me to provide my perspective on where the past year has taken us and where we should go from here.

Before I begin, please join me in paying tribute to Colonel Jerry Russell, who's retiring as Idaho State Police director after a distinguished career in law enforcement; and also to Donna Jones, our dear friend and former legislator who stepped down as State Controller to focus on recovering from a terrible car accident in 2012.

They have my sincere thanks and deep regard for their years of dedicated service to the people of Idaho.

I also want to congratulate all the members of this 62nd Idaho Legislature on your election. Thank you for your public service. It's an honorable pursuit, and I appreciate your willingness to take it on.

My congratulations as well to the Legislature's newly elected leadership teams - House and Senate, Republican and Democrat. Thank you for stepping up to the challenge of constructively channeling the civic virtue within your respective caucuses into public policy that reflects the will of your constituents, the directives of our Constitution, and the better angels of your own conscience.

As many of you know, March 4th of this year - 2013 - marks the 150th anniversary of Idaho officially becoming a U.S. territory.

President Abraham Lincoln signed the act of Congress just two months after issuing the Emancipation Proclamation, and eight months before speaking some of the most cherished and timeless words in American history at the site where thousands of Americans lost their lives in battle - Gettysburg.

I'm sure many of you also know that the new Idaho Territory was created by carving out areas from other newly formed jurisdictions.

That made for a geographic hybrid, and in a wartime wilderness Idaho was left to create its own identity and its own way forward.

It was the birth of Idaho's fierce independence and steadfast commitment to individual liberty that remain defining qualities of our state and our people.

Now most of us live in relative comfort and plenty - the frontier tamed, the desert abloom, our state and the world seemingly filled with marvels our pioneer forefathers never imagined. But the search for our own identity and way forward continues.

Idaho is a work in progress, and what's past is prologue.

No less today than in 1863 - and in many ways more than ever - WE citizens of Idaho have the opportunity and indeed the obligation to chart a path forward reflecting our independence, our self-reliance and our love of liberty.

We are the products of the "new birth of freedom" that Lincoln proclaimed at Gettysburg.

Today I'd like to talk with you about how we use that freedom to advance our shared goals and values.

That involves thinking about public policy and the proper role of government in terms of the next generation - not just the next election - in order to build a more responsible, sustainable and inclusive future.

We all want an Idaho where government wisely uses the people's resources to provide the public services and infrastructure needed for our citizens' safety, health and security.

We all want an Idaho where government encourages the creation of career opportunities and ensures citizens can prepare for those careers right here at home.

We all want an Idaho where government works fairly and effectively to improve public efficiency, transparency and what the Founders called the "general welfare" of the people.

We all want an Idaho where government promotes and protects equal justice under law while carefully, consistently and fiercely safeguarding individual and private property rights guaranteed by the Constitution.

And as other institutions, states and nations struggle and often fail to find fiscal balance, we all understand that our responsibilities must be met within the people's means.

I hope you share my commitment to ensuring that our State government never grows as fast as our economy and the people's ability to pay for it.

So with that as a starting point, I am submitting a budget recommendation today calling for a 3.1 percent increase in General Fund spending. That reflects slow but steady growth in our economy - an estimated 5.3 percent revenue increase for fiscal year 2014.

It also reflects great uncertainty due to irresponsible federal leadership, and our continuing need for caution and prudence in the collection and expenditure of the people's hard-earned dollars.

But I am pleased to report that I've done as promised and brought you a General Fund budget recommendation that is structurally sound, with no one-time revenue used for ongoing financial obligations.

Like you, my highest priority remains public schools. You will find that my budget recommendation includes increased funding for K-12 education.

However, I do NOT seek to simply revisit issues related to school improvement that were raised in the recent election. Instead, I've asked the State Board of Education to assemble a broad cross-section of stakeholders to study the message voters sent us and identify elements of school improvement on which there is broad agreement.

I'm convinced that acting too quickly or without due deliberation will generate needless distraction from our goals of improving efficiency, effectiveness, transparency and accountability in our education system.

There was no electoral mandate for the changes we proposed on November 6th. But I also heard no clarion call for the status quo.

What I heard was dissatisfaction with the process and a plea for more collaborative leadership. We must respond with appropriate sensitivity and care.

Let me say it again: I am neither calling for nor expecting major school improvement measures this year. But I believe there are areas in which we can make progress, and I encourage you and all citizens to engage in that public discussion. It's our very best chance to strengthen the foundation of our future.

Likewise, it is with our future in mind that my budget recommendation for fiscal 2014 builds on the great work you have already done in starting to refill our rainy day accounts. As you know, we are putting a total of almost $71 million in the Budget and Public Education stabilization funds by the end of this fiscal year.

For next year I'm calling for that effort to continue as a hedge against national and global economic and fiscal uncertainty.

The Great Recession showed us beyond any doubt the value of maintaining a healthy financial reserve. As much as any other factor, it set Idaho apart from most other states in response to tough times.

We must exercise foresight and frugality while working to sustain and grow our economy. Building up our rainy day funds provides the kind of budget stability that Idaho taxpayers need and expect.

Budget stability and fiscal responsibility also are key parts of our State efforts to promote economic development and job creation. They are essential to enabling existing businesses to grow and new enterprises to make their home here, as well as advancing the kinds of public-private partnerships that will be an increasing part of America's 21st century social dynamic.

Neither government nor business alone can provide all the ingredients necessary for progress. We must leverage our limited resources toward realizing unlimited opportunities together.

That's the idea behind IGEM - the Idaho Global Entrepreneurial Mission, which you created last year. You will hear much more about its work as the IGEM Council reports to the germane House and Senate committees.

But I can tell you that never before have our three research universities worked together more collaboratively or been more committed to finding common ground and mutual benefit with our business leaders.

Together with the Idaho National Laboratory and the Center for Advanced Energy Studies - and given time and our sustained support - they will nurture a rising tide of economic activity that will lift all our boats.

Meanwhile, Commerce Director Jeff Sayer, Labor Director Roger Madsen and the State Board of Education, our universities and our community colleges are preparing our workforce, encouraging our employers and putting the right policies and programs in place for a more prosperous Idaho.

At North Idaho College, new President Joe Dunlap is using a $3 million federal grant to create an aerospace center in Coeur d'Alene to meet the workforce demands of a growing industry in the Panhandle. It's a watershed event for the region. Such employers as Empire Aerospace, Tamarack Aerospace and Quest Aircraft are building a critical mass of manufacturing, service and support operations.

Growing a highly skilled northern Idaho workforce will help advance that process.

At the College of Western Idaho, President Bert Glandon is working with the Idaho Technology Council on developing an industry certified software developer program to help address a chronic shortage of qualified workers for the growing technology sector here in the Treasure Valley.

CWI also recently opened an impressive Professional Technical Education center in Nampa to help meet rapidly expanding employer and student needs.

And at the College of Southern Idaho, new and growing businesses like Chobani and Glanbia have President Jerry Beck working to accommodate the workforce needs of the Magic Valley's rapidly expanding value-added industry by building an $8.5 million Applied Technology and Innovation Center.

I would be remiss today if I failed to extend my gratitude to the J.A. and Kathryn Albertson Foundation for its continued generous financial support of Idaho education.

It most recently granted $5 million to the University of Idaho and Northwest Nazarene University to establish technology learning and innovation centers for teachers.

That's a godsend for our efforts to improve and expand technology in Idaho classrooms, and I'm confident it will result in development of more educators like Katie Pemberton of Canfield Middle School in Coeur d'Alene.

Many of you know that Katie is our 2013 Idaho Teacher of the Year, and she's earned that recognition in part by making technology a cornerstone of her math classes at Canfield.

Such responsive, forward-looking people and programs are helping lift our statewide economic activity to almost $58 billion a year. That's up from about $51.5 billion just a few years ago. And that puts achievement of my Project 60 economic development goal well within reach, and soon.

But $60 billion a year isn't a finish line; it's only a benchmark.

Let me tell you just how committed many of our Idaho entrepreneurs are to seeing that milestone in the rearview mirror.

Doug Sayer of Premier Technology in Blackfoot recently made a simple but profound change in the way he does business - shifting to Idaho suppliers for a greater share of everything he buys for his company's operations. And he did it without sacrificing quality or profitability.

Now he's challenging other Idaho business leaders to join him in that endeavor.

Doug is working with the Idaho Association of Commerce and Industry and other organizations to spread the word, and I've agreed to help by issuing a challenge of my own to Idaho businesses: Make it a priority to invest here at home. Join Premier Technology and others in devoting a greater percentage of your supply-chain purchases to Idaho vendors.

That step alone can help ensure we're providing Idaho enterprises with every possible chance for success, and creating more Idaho jobs in the process.

This goes well beyond the Buy Idaho organization that's still flourishing more than 25 years after I helped start it. And it's especially gratifying to see a grassroots initiative from our responsible and engaged corporate citizens and employers.

My thanks to them for advancing this proposal, and for working to see that its promise is realized.

There's another investment that Idaho taxpayers are making in job creation.

It's called the Hire One Act, which you approved at my request in 2011.

We'll soon see how many employers took advantage of the income tax credit it provides for creating new jobs as those businesses start filing their 2012 tax returns.

But a number of companies already have told us that the terms and conditions of qualifying for that incentive are too complex and onerous to be the useful tool we'd hoped in economic development.

So I'm bringing you legislation this year to address those concerns and reflect our changing conditions and needs. It simplifies, clarifies and streamlines the law so that our local and state economic development experts can maximize its potential for growing our workforce and our tax base.

In addition, my new Hire One More Employee or HOME Act recognizes the special needs and our special responsibility to veterans - including the brave men and women returning home from the Global War on Terror, whose unemployment rate is much higher than the overall percentage of jobless Americans.

That's a national disgrace, and our State agencies are working together to focus public attention and address the problem through the Hire One Hero program.

My new legislation is intended to provide one more reason for employers to consider veterans, besides their skills, training and work ethic. Beyond a 4 percent income tax credit for each new employee they hire, it also would add $1,000 to the employer's tax credit for each of those new employees who also are veterans.

Tragically, some of our Idaho heroes don't come home. In 2012, we lost:

Lance Corporal Kenneth Cochran of rural Canyon County

Sergeant Daniel J. Brown of Twin Falls

Specialist Chris Workman of Rupert

Specialist Cody Moosman of Preston

Specialist Ethan Martin of Bonners Ferry, and

Private First Class Shane Wilson of Kuna

And yes, we still await the release from Taliban custody and pray for the homecoming of Bowe Bergdahl. Please join me in honoring the valor and sacrifice of these Idaho war fighters, and in reaffirming our own commitment to protecting and defending the American and Idaho way of life.

For those Idaho veterans now returning to civilian life, even our difficult job market is substantially better than it was a year ago.

Our unemployment rate has fallen more than 20 percent in the past 17 months.

And while growth has been limited, our economy IS recovering from the loss of more than 50,000 jobs during the Great Recession.

One significant sign of recovery is Idaho's first reduction in unemployment insurance rates in several years. It will result in about $50 million in savings to Idaho employers in 2013 alone.

That will give those businesses more flexibility to invest in capital improvements, expansion, and we hope even more job creation.

Career and economic growth opportunities are also at the heart of the work being done by my Leadership in Nuclear Energy or LINE Commission.

Contrary to what you might see in the news, its work is not about making Idaho the nation's nuclear dumping ground.

Rather, it's focused on assessing our long-term options for securing, enhancing and leveraging work being done at the Idaho National Laboratory and the Center for Advanced Energy Studies.

To do otherwise ignores the existing impact and the enormous untapped potential of those operations and their private-sector spinoffs - not just in eastern Idaho, but throughout our state and the entire region.

I am as committed as ever to enforcing the terms of our 1995 agreement with the federal government to get all nuclear waste out of Idaho by 2035.

But the Yucca Mountain facility in Nevada may never open, leaving fulfillment of the agreement at the mercy of the feds' failure to secure a permanent waste repository. That leaves the matter of preparing for an uncertain future to us.

A 30-day public comment period on the seven key questions raised by the LINE Commission ended last Friday. A final report will be submitted to me by January 31.

Mr. Speaker, Mr. Pro Tem, I encourage you to add hearings on that report to your busy legislative agenda in order to broaden and advance the discussion.

Of course, your agenda already includes discussions on eliminating the personal property tax - which nearly everyone agrees is an unfair drag on our economy.

I believe we now have consensus that accomplishing that should be a priority for this legislative session. The question is how.

As you know, personal property tax receipts are a significant part of how some of our counties pay for public services. Whether the tax is eliminated all at once or phased out over a few years is less important to me than an exit strategy that considers our counties' financial stability.

That isn't necessarily about using State revenues to make counties "whole." In fact, my preference is granting local-option taxing authority that enables county voters to decide for themselves how to address their most pressing needs. However, I also have set aside $20 million in my budget for easing counties' transition. I look forward to hearing your debate and considering your alternatives.

Like our counties, our State has the right and we certainly have the responsibility to keep as many options as possible open to the people.

That's part of the dynamic behind my recent decision to pursue a state-based health insurance exchange rather than defaulting to total federal control of that process.

Rejecting the opportunity to assert ourselves will result in an unresponsive, one-size-fits-all federal exchange wreaking havoc on some of America's most reasonable costs of coverage.

At its core, this is a matter of state's rights.

You all know how I feel about Obamacare. I will continue encouraging and supporting efforts by our Idaho congressional delegation and many others to repeal and replace the law. But the fact remains that for now and for the foreseeable future it is the law.

And as responsible elected officials we're sworn to uphold the rule of law - not just those laws that we support.

So I urge you to look beyond the important work of changing a misguided federal law to the essential task at hand for those of us in this chamber today - preserving for Idaho citizens the option of having a voice in how one element of that law is implemented.

I soon will be introducing legislation affirming my decision.

My door is open to discussing the challenges and our shared frustrations, and Department of Insurance Director Bill Deal is ready to answer your questions and explain the process. I'm grateful to Bill and the working group that he led on this issue, including Senator John Goedde, Representative John Rusche and Representative Lynn Luker.

The other Obamacare provision I want to address briefly today is Medicaid.

As you know, the U.S. Supreme Court exempted states from the mandate to expand Medicaid eligibility to more low-income adults. But that leaves us with both a question and an opportunity: What will federal Medicaid changes mean for our own Catastrophic Health Care or "Cat" fund, and is there a better way forward for Idaho?

Health and Welfare Director Dick Armstrong led a Medicaid working group I assembled last summer that included Representative Fred Wood, Senator Patti Anne Lodge and Senator Dan Schmidt. They did a great job of analyzing this sensitive issue and developing a thoughtful recommendation.

It sets some specific and significant conditions on expanding coverage for the working poor in Idaho. They include a greater focus on personal accountability and steps for encouraging preventive measures and healthy behaviors.

In addition, the working group called for basing incentives for Medicaid reimbursements not on the number of patients a provider sees but rather on how successfully they keep people healthy.

As you'll hear in a moment, we have some pretty good ideas about that kind of managed care model. But there's a lot more work to do, and we face no immediate federal deadline. We have time to do this right, and there is broad agreement that the existing Medicaid program is broken. So I'm seeking no expansion of those benefits.

Instead, I'm asking Director Armstrong to lead an effort to flesh out a plan for changing Idaho's system with an eye toward the potential costs, savings and economic impact. I hope to return in 2014 with specific proposals based on that work, and I encourage all Idahoans to get involved with this process.

Now, putting aside our federal challenges, I'd like to update you on what the State of Idaho is doing to help achieve our own goal of more affordable, accessible health care for all our citizens.

First, here are some scary numbers: Idaho has the sixth-oldest physician workforce in America, and we rank 49th in the nation for doctors per capita.

That's a formula for trouble unless we step up our efforts to get beyond the 20 medical school seats available for Idaho students each year. It's the same number available to us since 1972, when Idaho's population was less than half the 1.5 million people we have today.

You will find in my budget recommendation two proposals for improvement.

One would fund rural rotation training for each of the 24 participants in the Internal Medicine Residency program at the Boise VA Medical Center. The federal government pays for student costs in other aspects of the program, but not rural rotations.

We know that internal medicine residency graduates are twice as likely to practice primary care if they have a rural training experience.

In fact, a recent national study found that rural training is the only kind of residency program that increases the number of new physicians entering the primary care field.

Besides giving us a better chance of keeping these doctors in Idaho after their residency, the rural training itself provides direct care to more than 25,000 Idaho citizens - including 1,500 Idaho National Guard members who returned from deployment a little over a year ago.

My second budget recommendation calls for funding five additional seats in the WWAMI collaborative medical school program at the University of Washington. Those extra seats would go to students in the Targeted Rural and Under-Served Track or TRUST program, designed to turn more Idaho students into Idaho physicians.

Like the rest of my budget, both these requests deserve your strong support.

Before I leave the topic of health care, let me tell you a little about a program for which there is no General Fund request but which could have a major impact on how we administer Medicaid in the years to come. It's called the Idaho Medical Home Collaborative, and it was established by my executive order in September 2010 to implement a patient-centered model of care.

That involves improving accountability by building personal relationships between medical home physicians and their patients - a new approach to the old-fashioned idea of making health care decisions a more personal process.

Starting this month, 23 organizations will participate in a pilot program involving 290,000 patients. It will test medical home theory in urban and rural areas and in medical practices large and small.

All three of Idaho's private health insurers are participating, as well as Medicaid. I look forward to watching the progress of our Medical Home Collaborative in improving care and holding down costs for Idaho patients.

There is another population of Idahoans for whom "care" is a matter of public safety.

We all saw just a few weeks ago the terrible impact on a community and a nation when mental illness leads to tragedy.

Cost is just one of the enormous barriers to effectively addressing the challenges of protecting the public from those whose illness leads them to commit unspeakable acts. Those challenges deserve our earnest discussion. But we also must act where and how we can to reduce the risk.

More than a quarter of the inmates in our State prison system have some level of mental illness.

Many can be housed safely within appropriate settings in our existing facilities. But others need higher levels of care, more treatment and more intensive intervention for their own safety and that of others. That's why I support the Department of Correction's request for permission to issue $70 million in bonds for a 579-bed secure mental health facility at the prison complex south of Boise.

Correction Director Reinke has discussed this proposal with some of you. Now he stands ready to make his case for reauthorizing the previous request you approved - which would have built a smaller facility at the same cost.

No one likes spending money on prisons or inmates. But public safety is increasingly compromised by our inability to provide secure housing and appropriate treatment for mentally ill offenders.

So I appreciate your careful and considered attention to helping us avoid more costly measures being imposed by federal courts.

We're all painfully aware of the damage that federal court rulings can do to our traditional industries and our Idaho lifestyle. We need look no further than the Endangered Species Act to see the essential conflict between federal and state priorities - especially when it comes to our natural resources.

Even putting aside wolves and grizzly bears, there's no doubt that the threat of federal edicts on sage-grouse, slickspot peppergrass, woodland caribou and other species have a profound impact not only on public policy here in Idaho but also on how our farmers, ranchers and others can pursue their livelihoods.

We are working proactively to avoid worst-case scenarios and to assert our rights as a state.

However, this past year we reaped the whirlwind sown by federal neglect and mismanagement of our public lands.

Wildfire suppression costs alone approached a quarter-billion dollars - not counting huge impacts on the environment, public health, property, and the unrealized benefits of healthy, actively managed forests and rangeland.

Then there was Anne Veseth, a 20-year-old Lewis-Clark State College student from Moscow.

Ann was killed in August while working as a seasonal firefighter for the U.S. Forest Service in Clearwater County.

We owe her and thousands like her a fighting chance while protecting our forests and rangelands. That's why my budget includes a $400,000 request to help create four more volunteer fire protection associations like the one formed by Mountain Home-area ranchers last summer.

Nonprofit groups like theirs can assist the BLM, Idaho Department of Lands and rural fire districts in fighting and maybe even preventing catastrophic wildfires on the nearly two-thirds of Idaho land "managed" by the federal government.

Another example of our Idaho preference for actively managing our precious natural resources is the newly revised State Water Plan being submitted for your approval this session.

It's the first update since 1996, and it reflects use of the latest technology in better evaluating our needs and the status of our water supplies.

Just as importantly, for the first time the plan is about more than our goals - it also includes strategies and milestones for executing our management policies and evaluating their effectiveness.

It goes to the very heart of the data-driven policy making I've been promoting throughout my administration.

My thanks to Water Resources Director Gary Spackman and members of the Water Resource Board, the water-user community and the public at large for participating in this important work. It will help guide how we use, protect and replenish our water supplies for a more sustainable future.

Of course, our best chance for sustaining our Idaho way of life is an engaged public.

During the past year I've conducted Capitol for a Day in communities throughout Idaho, from Nordman to Victor and Ashton to Fruitland. I've met with hundreds of individual citizens of every age, education, occupation and political view - including many legislators, and I thank you for participating in those open community forums.

What all of the people I've met at Capitol for a Day have in common - and what they share with those of us in this chamber - are civic virtue and a deep commitment to retaining and building on what is great about Idaho.

That greatness plays out not only in what makes the headlines or the evening news, and certainly not only in what we do here, but more fundamentally in what our people do in their own lives and communities.

I was proud to note that Idaho recently was ranked as second only to our neighbor Utah for the rate at which our citizens volunteer to uplift and improve the lives of others. More than a third of us gave of ourselves in 2011, and we as a state contributed an estimated $1.4 billion worth of service.

I'm confident that level of personal philanthropy continued and even grew in 2012, and that we'll keep paying it forward in 2013 and beyond - because volunteering and taking care of our own is in our DNA. It's who we are. It's who you are, and I'm proud to join you in pressing ahead toward an ever-brighter and more hopeful future for us all.

Thank you for your time and attention. I wish you all the best in your work here, and may God continue to bless Idaho and the United States of America.

The Speaker thanked Governor Otter for his message.

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

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

On motion by Representative Moyle, seconded by Representative Rusche, 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., pursuant to recess, President Little presiding.

Prior to recess the Senate was at the Twelfth Order of Business, Second Reading of 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 2:05 p.m. until the hour of 11:30 a.m., Tuesday, January 8, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

SECOND LEGISLATIVE DAY
TUESDAY, JANUARY 8, 2013

Senate Chamber

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

Roll call showed all members present except Senators Goedde, Nonini, and Patrick, absent and formally excused by the Chair; and Senators Mortimer, and Pearce, absent and excused.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Ivy Christopherson, 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 6, 2012, and January 7, 2013, were read and approved as corrected.

LODGE, Chairman

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

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

Messages from the Governor

January 7, 2013

NOVAK, Secretary
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 2012 and 2013.

Balance as of July 1, 2011 $83,744.48

No activity in fiscal year 2012

Balance as of June 30, 2012 $83,744.48

No activity year-to-date in
fiscal year 2013

Balance as of December 31, 2012 $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

Senator Pearce 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 11:30 a.m., Wednesday, January 9, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

THIRD LEGISLATIVE DAY
WEDNESDAY, JANUARY 9, 2013

Senate Chamber

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

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

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Taylor Davis, 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 8, 2013, was read and approved as corrected.

LODGE, Chairman

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

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

Motions and Resolutions

Moved by Senator Davis, seconded by Senator Stennett that the following attaches be elected to fill the offices provided for by Idaho Code and Senate Rule 7(c).

Assistant to Majority Leader ..... Marian Smith
Assistant to Assistant Majority Leader ..... Lizzie Kukla
Secretary to the Secretary of the Senate ..... Jan Snell
Journal Clerk ..... Sarah Hendrick
Minority Chief of Staff ..... Diane Kelly
Minority Staff Assistant ..... Caitlin Lister
Minority Staff Assistant ..... Jesse Holmes
Minority Staff Assistant ..... Lindsey Peterson
Doorkeeper ..... Al Henderson
Sergeant at Arms ..... Sarah Jane McDonald
Assistant Sergeant at Arms ..... Jerry Csutoras

Majority Staff Assistants:

Minutes Editor ..... Lauren Stevens
Secretary ..... Carol Deis
Secretary ..... Todd Czaplicki
Secretary ..... Danya Dickerson
Secretary ..... Kara Machado

Committee Secretaries:

Agricultural Affairs ..... Denise McNeil
Commerce & Human Resources ..... Linda Kambeitz
Education ..... Elaine Leedy
Finance ..... Peggy Moyer
Health & Welfare ..... Linda Hamlet
Judiciary & Rules ..... Leigh Hinds
Local Government & Taxation ..... Christy Stansell
Resources & Environment ..... Juanita Budell
State Affairs ..... Twyla Melton
Transportation ..... Gaye Bennett
Senate Chaplain ..... James R. Wibberding

Pages:
Ivy Christopherson, Pocatello
Taylor Davis, Nampa
Emma Fredericksen, Gooding
Jessica Kennedy, Lewisville
Mattison McDaniel, Boise
Brooks Nielson, Boise
Austin Petellin, Dalton Gardens
Michael Swanson, Rigby
Chace Tolman, Bancroft
Megan Whitlock, Meridian

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Patrick. Total - 1.

Total - 35.

Whereupon the President instructed the Sergeant at Arms to escort the attaches to the Desk at which time the Oath of Office was administered to the elected attaches and they were escorted from the Chamber.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the 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 10, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

FOURTH LEGISLATIVE DAY
THURSDAY, JANUARY 10, 2013

Senate Chamber

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

Roll call showed all members present.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Emma Fredericksen, 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 9, 2013, 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 9, 2013

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 most recent 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/ Ben Ysursa
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 Ninth Order of Business.

Messages from the House

January 9, 2013

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

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., Friday, January 11, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

FIFTH LEGISLATIVE DAY
FRIDAY, JANUARY 11, 2013

Senate Chamber

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

Roll call showed all members present except Senators Goedde, Lacey, and Nonini, absent and formally excused by the Chair; and President Pro Tempore Hill, absent and excused.

Prayer was offered by Senator Todd Lakey.

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

The Senate advanced to the Third Order of Business.

President Pro Tempore Hill was recorded present at this order of business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 10, 2013, 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 10, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Leland G. Heinrich of Cascade, Idaho, was appointed as a member of the Board of Tax Appeals to serve a term commencing September 27, 2012, and expiring June 30, 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.

January 10, 2013

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 appointed as a member of the Commission on Pardons and Parole to serve a term commencing June 21, 2012, and expiring January 1, 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 Judiciary and Rules Committee.

January 10, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Mike H. Matthews of Declo, Idaho, was reappointed as a member of the Commission on Pardons and Parole to serve a term commencing January 1, 2013, and expiring January 1, 2016.

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 10, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Anna Jane "Janie" Dressen of Coeur d'Alene, Idaho, was reappointed as a member of the Commission on Pardons and Parole to serve a term commencing January 1, 2013, and expiring January 1, 2016.

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 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., Monday, January 14, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

EIGHTH LEGISLATIVE DAY
MONDAY, JANUARY 14, 2013

Senate Chamber

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

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

Prayer was offered by Senator Jim Rice.

The Pledge of Allegiance was led by Mattison McDaniel, 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 11, 2013, 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 11, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Brandon D. Woolf of Boise, Idaho, was appointed to complete the unfinished term of Controller Donna Jones to serve a term commencing October 15, 2012, and expiring December 31, 2014.

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 11, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Joan Veronica Hurlock of Buhl, Idaho, was appointed as a member of the Idaho Fish and Game Commission to serve a term commencing July 1, 2012, and expiring June 30, 2016.

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

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

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

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

January 11, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that William M. Naillon of Challis, Idaho, was appointed as a member of the Idaho Fish and Game Commission to serve a term commencing July 1, 2012, and expiring June 30, 2016.

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

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

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

The Gubernatorial appointment was referred to the 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 Werk, by voice vote, the Senate adjourned at 11:40 a.m. until the hour of 11:30 a.m., Tuesday, January 15, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

NINTH LEGISLATIVE DAY
TUESDAY, JANUARY 15, 2013

Senate Chamber

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

Roll call showed all members present except Senators Lodge and Pearce, absent and excused.

Prayer was offered by Senator Brandon Durst.

The Pledge of Allegiance was led by Brooks Nielson, 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, 2013, was read and approved as corrected.

LODGE, Chairman

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

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

Petitions, Resolutions, and Memorials

SJR 101
BY DURST
A JOINT RESOLUTION
PROPOSING AN AMENDMENT TO SECTION 8, ARTICLE III, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO SESSIONS OF THE LEGISLATURE; TO PROVIDE THAT DURING EACH ODD-NUMBERED YEAR, THE REGULAR SESSION OF THE LEGISLATURE SHALL NOT BE MORE THAN ONE HUNDRED FIFTY CONSECUTIVE DAYS AND DURING EACH EVEN-NUMBERED YEAR, THE REGULAR SESSION OF THE LEGISLATURE SHALL NOT BE MORE THAN SIXTY CONSECUTIVE DAYS AND TO PROVIDE THAT THE LEGISLATURE MAY ENACT LAW EXTENDING REGULAR SESSIONS OF THE LEGISLATURE BEYOND SUCH LENGTHS OF TIME; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

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

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 RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO FISH AND GAME; AMENDING SECTION 36-107, IDAHO CODE, TO REVISE PROVISIONS RELATING TO DISEASE RESEARCH, TO REMOVE OBSOLETE LANGUAGE AND TO MAKE A TECHNICAL CORRECTION.

S 1002
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO FISH AND GAME; AMENDING SECTION 36-111, IDAHO CODE, TO EXEMPT SPECIFIED CLASSES OF LICENSES FROM REQUIREMENTS RELATING TO THE DEPOSIT OF CERTAIN PROCEEDS FROM THE SALE OF THE LICENSES INTO THE FISH AND GAME SET-ASIDE ACCOUNT AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 36-404, IDAHO CODE, TO PROVIDE FOR CLASS NINE LICENSES AND TO PROVIDE FOR THE REPLACEMENT OF LOST OR MUTILATED PERMITS; AND AMENDING SECTION 36-406, IDAHO CODE, TO PROVIDE THAT TRAPPING LICENSES SHALL ENTITLE THE PURCHASER TO TRAP WOLVES, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS.

S 1003
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO FISH AND GAME; AMENDING SECTION 36-404, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CLASS 2 LICENSES, TO PROVIDE THAT CERTAIN PERSONS WITH A CLASS 2 LICENSE SHALL NOT HUNT BIG GAME AND SHALL BE ACCOMPANIED IN THE FIELD BY AN ADULT LICENSED TO HUNT IN IDAHO, TO REMOVE PROVISIONS RELATING TO YOUTH SMALL GAME LICENSES AND YOUTH HUNTER EDUCATION GRADUATE LICENSES AND TO PROVIDE THAT DISABLED HUNTING LICENSES ARE CLASS 6 LICENSES; AMENDING SECTION 36-406, IDAHO CODE, TO REVISE TERMINOLOGY, TO PROVIDE THAT A TRAPPING LICENSE SHALL ENTITLE THE PURCHASER TO TRAP WOLVES, TO REMOVE PROVISIONS RELATING TO YOUTH SMALL GAME LICENSES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 36-407, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN NONRESIDENT LICENSES, TO PROVIDE THAT NONRESIDENT TRAPPING LICENSES SHALL ENTITLE A PERSON TO TRAP WOLVES, TO PROVIDE THAT NONRESIDENT COMBINATION LICENSES SHALL ENTITLE PERSONS TO PURCHASE CERTAIN GAME TAGS, TO PROHIBIT CERTAIN PURCHASERS OF NONRESIDENT JUNIOR MENTORED HUNTING LICENSES FROM HUNTING BIG GAME, TO REMOVE PROVISIONS RELATING TO NONRESIDENT YOUTH SMALL GAME LICENSES AND TO REMOVE PROVISIONS RELATING TO YOUTH HUNTER EDUCATION GRADUATE

LICENSES; AND AMENDING SECTION 36-416, IDAHO CODE, TO REMOVE LICENSE FEE PROVISIONS FOR YOUTH SMALL GAME LICENSES AND YOUTH HUNTER EDUCATION GRADUATE HUNTING LICENSES, TO REMOVE A FEE FOR NONRESIDENT DISABLED COMBINATION LICENSES, TO PROVIDE A FEE FOR NONRESIDENT DISABLED HUNTING LICENSES AND TO REVISE TERMINOLOGY RELATING TO DISABLED HUNTING LICENSES.

S 1004
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO FISH AND GAME; AMENDING SECTION 36-406, IDAHO CODE, TO PROVIDE FOR SPECIFIED RESIDENT THREE YEAR LICENSES, TO PROVIDE FOR FEES AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 36-407, IDAHO CODE, TO PROVIDE FOR SPECIFIED NONRESIDENT THREE YEAR LICENSES AND TO PROVIDE FOR FEES.

S 1005
BY DURST
AN ACT
RELATING TO EDUCATION; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1624A, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO ADMINISTRATIVE RULES AND ONLINE COURSES.

S 1001, **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.

Senators Pearce and Lodge were recorded present at this order of business.

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

Miscellaneous Business

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 16, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

TENTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 16, 2013

Senate Chamber

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

Roll call showed all members present.

Prayer was offered by Senator Sheryl Nuxoll.

The Pledge of Allegiance was led by Austin Petellin, 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, 2013, was read and approved as corrected.

LODGE, Chairman

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

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

Reports of Standing Committees

January 16, 2013

The JUDICIARY AND RULES Committee reports that **S 1001**, **S 1002**, **S 1003**, **S 1004**, **S 1005**, and **SJR 101** have been correctly printed.

LODGE, Chairman

S 1001, **S 1002**, **S 1003**, and **S 1004** were referred to the Resources and Environment Committee.

S 1005 was referred to the Education Committee.

SJR 101 was referred to the State Affairs Committee.

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

Messages from the Governor

January 15, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that William Craig Corbett of Grace, Idaho, was appointed as a member of the Idaho Lottery Commission to serve a term commencing April 17, 2012, and expiring January 1, 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 State Affairs Committee.

January 15, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Thomas E. Limbaugh of Fruitland, Idaho, was reappointed as a member of the Idaho Industrial Commission to serve a term commencing January 14, 2013, and expiring January 14, 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.

January 15, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jani Lynn Revier of Meridian, Idaho, was appointed Administrator of the Division of Financial Management to serve a term commencing January 2, 2013, 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 15, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kevin Settles of Boise, Idaho, was appointed as a member of the Idaho Commission on Human Rights to serve a term commencing January 7, 2013, and expiring July 1, 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 State Affairs Committee.

January 15, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that John Albert Stevenson of Rupert, Idaho, was appointed as a member of the Idaho Water Resource Board to serve a term commencing January 1, 2013, 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 Resources and Environment Committee.

January 15, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Mack A. Redford of Boise, Idaho, was reappointed as a member of the Public Utilities Commission to serve a term commencing January 9, 2013, and expiring January 9, 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.

January 15, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Randolph J. Hill of Eagle, Idaho, was appointed as a member of the Idaho Energy Resources Authority to serve a term commencing January 3, 2013, and expiring June 30, 2017.

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

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

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 15, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Diana M. Bishop of Orofino, Idaho, was appointed as a member of the Idaho Personnel Commission to serve a term commencing December 6, 2012, 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.

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 1006
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO THE IDAHO TRANSPORTATION BOARD; AMENDING SECTION 40-310, IDAHO CODE, TO PROVIDE THAT ABANDONMENT SHALL PROCEED PURSUANT TO LAW AND TO REMOVE LANGUAGE RELATING TO CERTAIN POWERS AND DUTIES OF THE BOARD AS THEY RELATE TO A BOARD DECISION TO ABANDON, RELOCATE OR REPLACE CERTAIN HIGHWAYS.

S 1007
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO MOTOR VEHICLE REGISTRATION; AMENDING SECTION 49-402, IDAHO CODE, TO REVISE A TERM, TO REMOVE A REFERENCE TO IDAHO AND TO ADD LANGUAGE RELATING TO STAGGERED REGISTRATION; AMENDING SECTION 49-402A, IDAHO CODE, TO ADD LANGUAGE RELATING TO STAGGERED REGISTRATION; AMENDING SECTION 49-434, IDAHO CODE, TO ADD LANGUAGE RELATING TO STAGGERED REGISTRATION; AND PROVIDING AN EFFECTIVE DATE.

S 1008
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO THE ISSUANCE OF SALVAGE CERTIFICATES OF TITLE; AMENDING SECTION 49-524, IDAHO CODE, TO REMOVE THE REQUIREMENT TO ISSUE SALVAGE CERTIFICATES FROM INSURANCE COMPANIES AND SALVAGE POOLS, TO PROVIDE FOR THE SUBMISSION OF APPLICATIONS FOR SALVAGE CERTIFICATES BY INSURANCE COMPANIES AND SALVAGE POOLS, TO PROVIDE FOR THE ISSUANCE OF SALVAGE CERTIFICATES BY THE DEPARTMENT, TO PROVIDE FOR THE NOTATION "THEFT RECOVERY" TO APPEAR ON CERTIFICATES OF TITLE IN ADDITION TO THE TITLE RECORD WHEN AN INSURER HAS ACQUIRED A VEHICLE IN A SETTLEMENT OF A THEFT CLAIM AND, UPON RECOVERY, THE VEHICLE IS NOT A SALVAGE VEHICLE AND TO MAKE TECHNICAL CORRECTIONS.

S 1009
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT
RELATING TO APPEALS FROM THE COUNTY BOARD OF EQUALIZATION; AMENDING SECTION 63-511, IDAHO CODE, TO REVISE THE DEADLINE FOR THE SUBMITTAL OF APPEALS TO THE BOARD OF TAX APPEALS FROM THE COUNTY BOARD OF EQUALIZATION.

S 1010
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO MEDICAL ASSISTANCE SERVICES; AMENDING SECTION 56-255, IDAHO CODE, TO REVISE PROVISIONS OF BEHAVIORAL HEALTH SERVICES FOR MEDICAID PARTICIPANTS.

S 1011
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO NOTIFICATION OF IMMUNIZATION; AMENDING SECTION 39-4804, IDAHO CODE, TO CLARIFY TERMINOLOGY REGARDING REMOVAL OF INFORMATION FROM THE IMMUNIZATION REGISTRY.

S 1012
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO IMMUNIZATION REGISTRY; AMENDING SECTION 39-4803, IDAHO CODE, TO REVISE TERMINOLOGY, TO PROVIDE FOR BOTH ADULTS AND CHILDREN IN THE IMMUNIZATION REGISTRY, TO PROVIDE FOR A HEALTH DATA EXCHANGE IN DISCLOSURE OF INFORMATION, TO REVISE A PROVISION RELATING TO REMOVAL OF INFORMATION FROM THE REGISTRY AND TO REVISE A PROVISION RELATING TO DISCLOSURE OF CONFIDENTIAL INFORMATION.

S 1013
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO TELECOMMUNICATIONS SERVICE ASSISTANCE; AMENDING SECTION 56-901, IDAHO CODE, TO REMOVE REFERENCE TO LINK-UP CONTRIBUTIONS; AND AMENDING SECTION 56-902, IDAHO CODE, TO REMOVE REFERENCE TO LINK-UP CONTRIBUTIONS.

S 1014
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO FEES AND TAXES; AMENDING SECTION 41-406, IDAHO CODE, TO REMOVE THE REQUIREMENT THAT A SPECIFIC PERCENTAGE OF FUNDS BE ALLOCATED TO SPECIFIC PROGRAMS; AND PROVIDING A SUNSET DATE.

S 1015
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO PUTATIVE FATHERS; AMENDING SECTION 7-1107, IDAHO CODE, TO PROVIDE A CODE REFERENCE AND TO REVISE PROVISIONS RELATING TO A PROCEEDING TO ESTABLISH PATERNITY OF A CHILD; AMENDING SECTION 7-1115, IDAHO CODE, TO PROVIDE FOR EVIDENCE THAT IS INADMISSIBLE IN A PROCEEDING TO ESTABLISH PATERNITY; AMENDING SECTION 16-1504, IDAHO CODE, TO REVISE TERMINOLOGY, TO REVISE PROVISIONS RELATING TO THE RIGHTS OF PUTATIVE FATHERS WHOSE CHILDREN HAVE BEEN PLACED WITH ADOPTIVE PARENTS, TO REVISE PROVISIONS RELATING TO PUTATIVE FATHERS WHO DO NOT COMPLY WITH THE PROCEDURES FOR ESTABLISHING PARENTAL RIGHTS, TO PROVIDE THAT AN UNMARRIED BIOLOGICAL FATHER MUST FILE A PROCEEDING TO ESTABLISH PATERNITY PRIOR TO THE DATE OF FILING OF A PROCEEDING TO TERMINATE RIGHTS OF THE BIRTH MOTHER AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 16-1513, IDAHO CODE, TO PROVIDE THAT REGISTRATION OF NOTICE OF FILING OF PROCEEDINGS COMMENCES ESTABLISHMENT OF PATERNITY, TO PROVIDE CODE REFERENCES, TO PROVIDE THAT NOTICE TO A PUTATIVE FATHER OF PROCEEDINGS FOR ADOPTION CONSTITUTES IMPLIED CONSENT, TO PROVIDE FOR REVOCATION OF NOTICE OF INTENT TO CLAIM PATERNITY, TO PROVIDE FOR REMOVAL OF A PUTATIVE FATHER FROM THE PUTATIVE FATHER REGISTRY, TO PROVIDE FOR FEES TO COVER COSTS, TO REVISE TERMINOLOGY, TO PROVIDE FOR PAMPHLETS AND PUBLIC NOTICE REGARDING THE PUTATIVE FATHER REGISTRY, TO PROVIDE A PENALTY FOR FALSELY REGISTERING AS A PUTATIVE FATHER AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 16-2007, IDAHO CODE, TO PROVIDE A CODE REFERENCE AND TO PROVIDE FOR FATHERS WHO HAVE FAILED TO TIMELY FILE NOTICE OF FILING

OF PROCEEDINGS; AND AMENDING SECTION 16-2008, IDAHO CODE, TO PROVIDE A CODE REFERENCE, TO PROVIDE FOR FATHERS WHO HAVE FAILED TO TIMELY FILE NOTICE OF FILING OF PROCEEDINGS AND TO MAKE TECHNICAL CORRECTIONS.

S 1006, **S 1007**, **S 1008**, **S 1009**, **S 1010**, **S 1011**, **S 1012**, **S 1013**, **S 1014**, and **S 1015** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:50 a.m. until the hour of 11:30 a.m., Thursday, January 17, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

ELEVENTH LEGISLATIVE DAY
THURSDAY, JANUARY 17, 2013

Senate Chamber

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

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

Prayer was offered by Senator Curt McKenzie.

The Pledge of Allegiance was led by Michael Swanson, 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, 2013, was read and approved as corrected.

LODGE, Chairman

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

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

Reports of Standing Committees

January 17, 2013

The JUDICIARY AND RULES Committee reports that **S 1006**, **S 1007**, **S 1008**, **S 1009**, **S 1010**, **S 1011**, **S 1012**, **S 1013**, **S 1014**, and **S 1015** have been correctly printed.

LODGE, Chairman

S 1006, **S 1007**, and **S 1008** were referred to the Transportation Committee.

S 1009 was referred to the Local Government and Taxation Committee.

S 1010, **S 1011**, **S 1012**, **S 1013**, and **S 1015** were referred to the Health and Welfare Committee.

S 1014 was referred to the Commerce and Human Resources Committee.

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

Messages from the Governor

January 16, 2013

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.

I am also transmitting a second list identifying the appointments that require senate confirmation for your convenience ("Senate Confirmation for 2013").

Additional appointments made during this session will be submitted forthwith with the appropriate corresponding information for your consideration. Please do not hesitate to contact me if you have any questions.

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

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

Senator Pearce 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 1016
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO PRODUCER LICENSING; AMENDING SECTION 41-1039, IDAHO CODE, TO REMOVE LANGUAGE PROVIDING THAT A BAIL AGENT'S LICENSE FILED WITH THE CLERK OF THE DISTRICT COURT IS DEEMED PROOF THAT SUCH BAIL AGENT IS LICENSED; AND AMENDING SECTION 19-2918, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES.

S 1017
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO PROCEEDINGS IN MAGISTRATE'S DIVISION; REPEALING SECTION 19-3939, IDAHO CODE, RELATING TO THE UNDERTAKING FOR APPEARANCE OF WITNESSES; REPEALING SECTION 19-3940, IDAHO CODE, RELATING TO THE TRANSMISSION OF PAPERS; REPEALING SECTION 19-3941, IDAHO CODE, RELATING TO BAIL PENDING APPEAL; REPEALING SECTION 19-3942, IDAHO CODE, RELATING TO TRIAL ON APPEAL; REPEALING SECTION 19-3943, IDAHO CODE, RELATING TO COSTS TO ABIDE EVENT; AND REPEALING SECTION 19-3944, IDAHO CODE, RELATING TO JUDGMENT AGAINST SURETIES FOR COSTS.

S 1018
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO JURY SELECTION AND SERVICE; AMENDING SECTION 2-208, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO REVISE PROVISIONS RELATING TO CONTEMPT PROCEEDINGS FOR A PROSPECTIVE JUROR WHO FAILS TO APPEAR PURSUANT TO COURT ORDER.

S 1019
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO NURSES; AMENDING SECTION 54-1401, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CRIMINAL HISTORY CHECKS AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 54-1413, IDAHO CODE, TO REVISE PROVISIONS RELATING TO DISCIPLINARY ACTION AND TO MAKE A TECHNICAL CORRECTION.

S 1020
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO NURSES; AMENDING SECTION 54-1404, IDAHO CODE, TO INCREASE A CERTAIN FINE MAXIMUM, TO REVISE PROVISIONS RELATING TO THE VIOLATIONS FOR WHICH SUCH FINE MAY BE ASSESSED, TO CORRECT A CODIFIER'S ERROR AND TO MAKE TECHNICAL CORRECTIONS.

S 1021
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO NURSES; AMENDING SECTION 54-1413, IDAHO CODE, TO GRANT THE EXECUTIVE DIRECTOR OF THE BOARD OF NURSING CERTAIN AUTHORITY AND TO MAKE A TECHNICAL CORRECTION.

S 1022
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO MANDATORY INCOME WITHHOLDING FOR CHILD SUPPORT; AMENDING SECTION 32-1206, IDAHO CODE, TO PROVIDE THAT INCOME WITHHOLDING ORDERS USE A CERTAIN FORM AND TO PROVIDE THAT INCOME WITHHOLDING PAYMENTS BY EMPLOYERS BE REMITTED TO THE DEPARTMENT OF HEALTH AND WELFARE; AND AMENDING SECTION 32-1210, IDAHO CODE, TO PROVIDE THAT INCOME WITHHOLDING PAYMENTS BY EMPLOYERS BE REMITTED TO THE DEPARTMENT OF HEALTH AND WELFARE.

S 1023
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO BEHAVIORAL HEALTH SERVICES; AMENDING THE HEADING FOR CHAPTER 31, TITLE 39, IDAHO CODE; REPEALING SECTION 39-3123, IDAHO CODE, RELATING TO DECLARATION OF POLICY; AMENDING CHAPTER 31, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-3122, IDAHO CODE, TO PROVIDE DECLARATION OF POLICY; AMENDING CHAPTER 31, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-3123, IDAHO CODE, TO PROVIDE DEFINITIONS; AMENDING SECTION 39-3124, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE FOR STATE SUBSTANCE USE DISORDER AUTHORITY; AMENDING SECTION 39-3125, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE, TO REVISE TERMINOLOGY AND TO REVISE PROVISIONS RELATING TO DUTIES AND APPOINTMENT OF THE STATE BEHAVIORAL HEALTH PLANNING COUNCIL; AMENDING SECTION 39-3126, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 39-3127, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 39-3128, IDAHO CODE, TO REVISE TERMINOLOGY AND TO REVISE BEHAVIORAL HEALTH SERVICES TO BE OFFERED; AMENDING SECTION 39-3129, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING CHAPTER 31, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-3130, IDAHO CODE, TO PROVIDE FOR THE ESTABLISHMENT OF REGIONAL BEHAVIORAL HEALTH BOARDS; AMENDING CHAPTER 31, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-3131, IDAHO CODE, TO PROVIDE FOR AN EXECUTIVE COMMITTEE OF THE REGIONAL BEHAVIORAL HEALTH BOARDS; AMENDING SECTION 39-3130, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE TERMINOLOGY AND TO PROVIDE FOR MEMBERS, TERMS AND APPOINTMENTS FOR THE REGIONAL BEHAVIORAL HEALTH BOARDS; REPEALING SECTION 39-3131, IDAHO CODE, RELATING TO TERMS, VACANCIES AND COMPENSATION; AMENDING SECTION 39-3132, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE TERMINOLOGY AND TO REVISE PROVISIONS RELATING TO POWERS AND DUTIES OF THE HEALTH BOARDS; AMENDING SECTION 39-3133, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE TERMINOLOGY AND TO PROVIDE FOR A DIVISION ADMINISTRATOR FOR EACH REGIONAL BEHAVIORAL HEALTH CENTER; AMENDING SECTION 39-3134, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE TERMINOLOGY; REPEALING SECTION 39-3134A, IDAHO CODE, RELATING TO COOPERATIVE SERVICE PLAN COMPONENT; AMENDING SECTION 39-3135, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE TERMINOLOGY; AMENDING SECTION 39-3136, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE TERMINOLOGY; AMENDING SECTION 39-3137, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE TERMINOLOGY; AMENDING SECTION 39-3138, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE TERMINOLOGY; AMENDING SECTION 39-3139, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE TERMINOLOGY; AND AMENDING CHAPTER 31, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-3141, IDAHO CODE, TO PROVIDE FOR RULEMAKING AUTHORITY.

S 1016, **S 1017**, **S 1018**, **S 1019**, **S 1020**, **S 1021**, **S 1022**, and **S 1023** 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 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., Friday, January 18, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

TWELFTH LEGISLATIVE DAY
FRIDAY, JANUARY 18, 2013

Senate Chamber

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

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

Prayer was offered by Senator Steve Bair.

The Pledge of Allegiance was led by Chace Tolman, 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 17, 2013, 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 101
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND RECOGNIZING POWER COUNTY ON ITS 100TH ANNIVERSARY.

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

WHEREAS, Power County is a county in southeastern Idaho that was given the name because of its hydroelectric development; and

WHEREAS, the county seat of Power County is American Falls, the first settlement in the county; and

WHEREAS, the American Falls Dam was completed in 1927 and created a 56,200 acre reservoir providing irrigation and recreation water; and

WHEREAS, the first settlers to Power County were cattle and sheep ranchers, and Mormon pioneers and German-Russian immigrants homesteaded the land; and

WHEREAS, crops produced in Power County include wheat, barley, corn, sugar beets, oilseeds and Idaho's world famous potatoes; and

WHEREAS, Power County is now the crossroads for the western transmission corridor, the north-south gas, oil and natural gas pipeline and holds the Union Pacific Railroad's mainline to the west coast; and

WHEREAS, Power County is home to the ConAgra Foods potato processing plant, the J.R. Simplot Company fertilizer plant as well as Idaho Power's electrical generation facility; and

WHEREAS, Power County is situated in the heart of the Snake River Plain and offers some of the best trout fishing in Idaho; and

WHEREAS, Power County is well known for its seasonal duck and goose hunting; and

WHEREAS, January 30, 2013, is the 100th anniversary of the founding of Power County by the Idaho Legislature, and February 17, 2013, is the 100th anniversary of the first meeting of Power County commissioners.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that the rich history and achievements of Power County be recognized in this year of its 100th anniversary.

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 18, 2013

The JUDICIARY AND RULES Committee reports that **S 1016**, **S 1017**, **S 1018**, **S 1019**, **S 1020**, **S 1021**, **S 1022**, and **S 1023** have been correctly printed.

LODGE, Chairman

S 1016, **S 1017**, **S 1018**, and **S 1022** were referred to the Judiciary and Rules Committee.

S 1019, **S 1020**, and **S 1021** were referred to the Commerce and Human Resources Committee.

S 1023 was referred to the Health and Welfare Committee.

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

Messages from the Governor

January 17, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Allan R. Schneider of Emmett, Idaho, was reappointed as a member of the Commission for the Blind & Visually Impaired to serve a term commencing July 1, 2012, and expiring July 1, 2015.

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 17, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Vince Alberdi of Kimberly, Idaho, was reappointed as a member of the Idaho Water Resource Board to serve a term commencing January 1, 2013, and expiring January 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 Resources and Environment Committee.

January 17, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Albert P. Barker of Boise, Idaho, was appointed as a member of the Idaho Water Resource Board to serve a term commencing January 1, 2013, 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 Resources and Environment Committee.

January 17, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Gary L. Mahn of Boise, Idaho, was appointed as a member of the Idaho Endowment Fund Investment Board to serve a term commencing November 28, 2012, and expiring April 11, 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 17, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that David A. McClusky of Twin Falls, Idaho, was appointed as a member of the State Board of Correction to serve a term commencing January 2, 2013, and expiring January 1, 2019.

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

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

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 17, 2013

Dear Mr. President:

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

ALEXANDER, Chief Clerk

H 1 was filed for first reading.

On request by Senator 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 1024
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT
RELATING TO SHEEP AND GOATS; AMENDING SECTION 25-127, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE MEMBERSHIP OF THE IDAHO SHEEP AND GOAT HEALTH BOARD AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 25-131, IDAHO CODE, TO PROVIDE THAT THE STATE OF IDAHO MAY AUDIT THE FUNDS OF THE BOARD AT ANY TIME.

S 1024 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 1 , by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

On request by Senator 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 11:45 a.m. until the hour of 11:30 a.m., Monday, January 21, 2013.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

FIFTEENTH LEGISLATIVE DAY
MONDAY, JANUARY 21, 2013

Senate Chamber

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

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

Prayer was offered by Chaplain James R. Wibberding.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 18, 2013, 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 Schmidt 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

January 21, 2013

The JUDICIARY AND RULES Committee reports that **S 1024** and **SCR 101** have been correctly printed.

LODGE, Chairman

S 1024 was referred to the Agricultural Affairs Committee.

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 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 22, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

SIXTEENTH LEGISLATIVE DAY
TUESDAY, JANUARY 22, 2013

Senate Chamber

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

Roll call showed all members present.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Ivy Christopherson, 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, 2013, was read and approved as corrected.

LODGE, Chairman

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

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

Reports of Standing Committees

January 21, 2013

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:

Brandon D. Woolf as the Idaho State Controller, term to expire December 31, 2014.

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.

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

Messages from the Governor

January 21, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Britt Raubenheimer of Sandpoint, Idaho, was reappointed as a member of the Commission for the Blind & Visually Impaired to serve a term commencing July 1, 2012, and expiring July 1, 2015.

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 21, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Sue A. Payne of Boise, Idaho, was appointed as a member of the Commission for the Blind & Visually Impaired to serve a term commencing September 20, 2012, and expiring July 1, 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 Health and Welfare Committee.

January 21, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Melville W. Fisher II of Garden City, Idaho, was reappointed as a member of the Idaho Lottery Commission to serve a term commencing January 1, 2013, 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 State Affairs Committee.

January 21, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Louise D. Stark of Challis, Idaho, was reappointed as a member of the Outfitters and Guides Licensing Board to serve a term commencing April 20, 2012, and expiring April 20, 2015.

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 21, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that H. Norman Wright of American Falls, Idaho, was reappointed as a member of the State Soil and Water Conservation Commission to serve a term commencing July 1, 2012, 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 Agricultural Affairs Committee.

January 21, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Eric R. Anderson of Priest Lake, Idaho, was appointed as a member of the Idaho Energy Resources Authority to serve a term commencing June 21, 2012, and expiring June 30, 2016.

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

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

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

The Gubernatorial appointment was referred to the State Affairs Committee.

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

Motions and Resolutions

The President Pro Tempore announced that **SCR 101** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Guthrie, seconded by Senator Werk, **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 1025
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE COUNTY OPTION KITCHEN AND TABLE WINE ACT; AMENDING SECTION 23-1327, IDAHO CODE, TO REVISE THE SIZE OF A CONTAINER OF WINE A DISTRIBUTOR OR IMPORTER IS ALLOWED TO PURCHASE, RECEIVE OR SELL.

S 1026
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO INITIATIVE AND REFERENDUM ELECTIONS; AMENDING SECTION 34-1801A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE FORM OF CERTAIN PETITIONS; AMENDING SECTION 34-1804, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN SIGNATURE SHEETS; AMENDING SECTION 34-1805, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE NUMBER OF SIGNATURES REQUIRED ON CERTAIN PETITIONS; AND AMENDING SECTION 34-1807, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN PETITIONS AND SIGNATURE SHEETS AND TO MAKE A TECHNICAL CORRECTION.

S 1027
BY EDUCATION COMMITTEE
AN ACT
RELATING TO EDUCATION SCHOLARSHIPS; REPEALING SECTION 33-3722, IDAHO CODE, RELATING TO THE STUDENT EDUCATION INCENTIVE LOAN FORGIVENESS CONTRACT; AMENDING SECTION 33-4301, IDAHO CODE, TO REVISE THE SHORT TITLE; AMENDING SECTION 33-4302, IDAHO CODE, TO ESTABLISH THE ARMED FORCES AND PUBLIC SAFETY OFFICER

SCHOLARSHIP PROGRAM, TO REVISE PROVISIONS RELATING TO INDIVIDUALS ELIGIBLE FOR THE ARMED FORCES AND PUBLIC SAFETY SCHOLARSHIP PROGRAM, TO DEFINE TERMS AND TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION 33-4302A, IDAHO CODE, RELATING TO PUBLIC SAFETY OFFICER DEPENDENT SCHOLARSHIPS; REPEALING SECTION 33-4303, IDAHO CODE, RELATING TO THE IDAHO ROBERT R. LEE PROMISE SCHOLARSHIP PROGRAM; REPEALING SECTION 33-4304, IDAHO CODE, RELATING TO PUBLIC POLICY; REPEALING SECTION 33-4305, IDAHO CODE, RELATING TO PURPOSES; REPEALING SECTION 33-4306, IDAHO CODE, RELATING TO DEFINITIONS; REPEALING SECTION 33-4307, IDAHO CODE, RELATING TO ELIGIBILITY, MAXIMUM AMOUNTS AND CONDITIONS; REPEALING SECTION 33-4308, IDAHO CODE, RELATING TO MAXIMUM NUMBER OF GRANTS; REPEALING SECTION 33-4309, IDAHO CODE, RELATING TO REMITTANCE IN CASE OF DISCONTINUED ATTENDANCE; REPEALING SECTION 33-4310, IDAHO CODE, RELATING TO PROHIBITION OF DISCRIMINATION; REPEALING SECTION 33-4311, IDAHO CODE, RELATING TO CERTIFICATIONS OF ENROLLMENT AND TERMINATION OF ATTENDANCE OF GRANT RECIPIENTS; REPEALING SECTION 33-4312, IDAHO CODE, RELATING TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO AS ADMINISTRATIVE AGENCIES; REPEALING SECTION 33-4313, IDAHO CODE, RELATING TO DUTIES OF THE BOARD; REPEALING SECTION 33-4314, IDAHO CODE, RELATING TO THE APPOINTMENT OF ADMINISTRATOR AND STAFF; REPEALING SECTION 33-4315, IDAHO CODE, RELATING TO NO CONTROL OF NONPUBLIC INSTITUTIONS WHICH ACCEPT GRANT RECIPIENTS; AMENDING CHAPTER 43, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-4303, IDAHO CODE, TO ESTABLISH THE IDAHO OPPORTUNITY SCHOLARSHIP, TO PROVIDE FOR PURPOSE, TO DEFINE TERMS, TO PROVIDE FOR RULES, TO PROVIDE FOR ELIGIBILITY, TO PROVIDE FOR USE OF FUNDS, TO ESTABLISH LIMITS ON COSTS, TO PROVIDE FOR AWARD PAYMENTS, TO ESTABLISH PROVISIONS RELATING TO REMITTANCE, TO PROVIDE FOR THE OPPORTUNITY SCHOLARSHIP PROGRAM ACCOUNT AND TO PROVIDE FOR AN EVALUATION; AMENDING CHAPTER 43, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-4304, IDAHO CODE, ESTABLISHING PROVISIONS RELATING TO SCHOLARSHIP PROGRAM REPORTING REQUIREMENTS; REPEALING CHAPTER 46, TITLE 33, IDAHO CODE; REPEALING CHAPTER 56, TITLE 33, IDAHO CODE; AMENDING SECTION 33-2101A, IDAHO CODE, TO REMOVE CODE REFERENCES; AND PROVIDING EFFECTIVE DATES.

S 1028
BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1620, IDAHO CODE, TO REMOVE REFERENCE TO A PILOT PROGRAM AND TO REMOVE UNNECESSARY LANGUAGE; AMENDING SECTION 33-1621, IDAHO CODE, TO REVISE PROVISIONS RELATING TO PARTICIPATION IN THE MASTERY ADVANCEMENT PROGRAM; AND REPEALING SECTION 7, CHAPTER 275, LAWS OF 2010.

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

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:50 a.m. until the hour of 11:30 a.m., Wednesday, January 23, 2013.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

SEVENTEENTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 23, 2013

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.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Taylor Davis, 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, 2013, 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

January 23, 2013

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

LODGE, Chairman

S 1025 and **S 1026** were referred to the State Affairs Committee.

S 1027 and **S 1028** were referred to the Education Committee.

January 23, 2013

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:

Kevin Settles to the Idaho Commission on Human Rights, term to expire July 1, 2015.

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.

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

Messages from the Governor

January 21, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Gregory J. Schade of Boise, Idaho, was appointed as a member of the State Building Authority to serve a term commencing March 30, 2012, 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 State Affairs Committee.

January 22, 2013

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 as Director of the Idaho Department of Water Resources to serve a term commencing July 10, 2012, and expiring January 1, 2015.

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 22, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Mark William Lliteras of Boise, Idaho, was appointed as a member of the Idaho Energy

Resources Authority to serve a term commencing October 1, 2012, and expiring June 30, 2016.

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

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

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

The Gubernatorial appointment was referred to the State Affairs Committee.

January 22, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Susan Elizabeth Buxton of Boise, Idaho, was appointed as a member of the Park and Recreation Board to serve a term commencing August 1, 2012, 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 Resources and Environment Committee.

January 22, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Wanda Chillingworth Quinn of Coeur d'Alene, Idaho, was reappointed as a member of the Public Charter School Commission to serve a term commencing May 12, 2012, and expiring May 12, 2016.

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 Education Committee.

January 22, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Roger Chase of Pocatello, Idaho, was reappointed as a member of the Idaho Water Resource Board to serve a term commencing January 1, 2013, and expiring January 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 Resources and Environment 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 1029
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO CODIFIER'S CORRECTIONS; AMENDING SECTION 23-404, IDAHO CODE, TO MAKE CODIFIER'S CORRECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 23-1003, IDAHO CODE, TO REMOVE A CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING THE HEADING FOR PART 8, CHAPTER 9, TITLE 28, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-2144, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE, TO MAKE A CODIFIER'S CORRECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-4514, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-6311, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 47-330, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 48-406, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-1908, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 54-3503, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-3504, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-3508, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 59-1302, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 59-1324, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 59-1391, IDAHO CODE, TO MAKE CODIFIER'S CORRECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 65-501, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 65-503A, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION.

S 1030
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 31-703, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE TERM OF OFFICE OF A COUNTY COMMISSIONER; AND AMENDING SECTION 34-617, IDAHO CODE, TO PROVIDE THAT ON AND AFTER A DATE CERTAIN EACH MEMBER OF A BOARD OF COUNTY COMMISSIONERS SHALL BE ELECTED FROM THE DISTRICT IN WHICH HE RESIDES.

S 1029 and **S 1030** 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 11:45 a.m. until the hour of 10:45 a.m., Thursday, January 24, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

EIGHTEENTH LEGISLATIVE DAY
THURSDAY, JANUARY 24, 2013

Senate Chamber

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

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

Prayer was offered by Senator Jeff Siddoway.

The Pledge of Allegiance was led by Emma Fredericksen, 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, 2013, 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 Lodge and Cameron 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

January 24, 2013

The JUDICIARY AND RULES Committee reports that **S 1029** and **S 1030** have been correctly printed.

LODGE, Chairman

S 1029 and **S 1030** were referred to the State Affairs Committee.

January 23, 2013

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 1** with the recommendation that it do pass.

SIDDOWAY, Chairman

H 1 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 23, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Steve Landon of Chubbuck, Idaho, was reappointed as a member of the State Insurance Fund Board to serve a term commencing April 30, 2012, and expiring April 30, 2016.

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.

January 23, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jay F. Kunze of Pocatello, Idaho, was reappointed as a member of the Hazardous Waste Facility Siting License Application Review Panel to serve a term commencing March 30, 2012, and expiring March 6, 2015.

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 23, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Linda Mitchell of Sagle, Idaho, was reappointed as a member of the Lake Pend Oreille Basin Commission to serve a term commencing July 24, 2012, and expiring July 24, 2015.

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.

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 committee report of the Gubernatorial appointment confirmation of Brandon D. Woolf retained its place on the calendar for Monday, January 28, 2013.

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Kevin Settles retained its place on the calendar for Friday, January 25, 2013.

On request by Senator Davis, granted by unanimous consent, President Little appointed a committee consisting of Senator Mortimer, Chairman, and Senators Vick and Bock to escort Chief Justice Roger S. Burdick into the Senate Chamber where he delivered the **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.

I bring greetings from Idaho's judiciary who handled over 436,000 filed cases and 655 filed appeals in 2012.

I am proud to report to you on the performance and continued accountability of Idaho's third branch of government. Like many of you in this body, we rely heavily on evidence-based practices supported by quantifiable research. My remarks today will describe how the judiciary uses those in furtherance of its mission to provide justice through the timely, fair and impartial resolution of cases.

First are the efforts of our problem solving courts. This is not business as usual. The problem solving court model starts with intense supervision by a judge of a criminal or civil case. This supervision is supported by a multidisciplinary team whose members have significant experience in the field. The problem-solving team monitors, educates and recommends needed action until the participant complies with the necessary requirements. This work necessitates increased analysis, resources, and time, that by all quantifiable research works. The fact that it works can be seen in the expansion from drug courts to mental health courts, to domestic violence courts, to child protection courts and now to veteran's courts. All three branches of government have found this type of problem-solving team approach works and saves counties and state correctional dollars, keeps our communities safe, and holds offenders accountable.

Our goal of quantifiable results is also seen in our Advancing Justice Initiative. The Advancing Justice Initiative was begun to provide assurance that we do our business as efficiently as possible. In that regard, a court committee headed by Senior Judge Barry Wood has been analyzing Idaho's court system. That work includes contacts with Idaho Department of Correction, law enforcement, attorneys, judges, and clerks and analyzes each and every case type which is filed in Idaho. This analysis has helped to identify inefficiencies and to see what processes can be reformed to speed resolution of our citizens' problems. This is not an analysis that is aimed only at speed; it is also an analysis of quality. As a result of the data demands of this initiative, as well as the critical need to upgrade our statewide case management system that you have supported since the 1980's, Idaho's courts have adopted a new vision for court technology.

Our vision includes real-time data from every court in the state immediately available to every other court and to all individuals who require access to court information. This real-time data transfer allows enforcement of court orders for the protection of victims and communities. This capability will extend to every courthouse in Idaho. We are now working diligently on getting that infrastructure in place.

We also envision an expanded statewide telepresence for litigants, attorneys, judges and the public. Our magistrate and district judges travelled over 309,000 miles last year to preside over hearings in courthouses across the state. By the use of advanced technology, mileage costs and travel time will be significantly reduced and attendant cost savings to law enforcement will be realized. Just as private enterprise relies on telepresence to conduct business in the new economy, we will embrace this new technology and look for the efficiencies it will provide. As part of our technology analysis, we are examining how better to collect those fines, fees and other obligations on a coordinated statewide basis. We know there will be significant efficiencies achieved if that can be done.

Our technology plans were started by an in-depth analysis and assessment of our existing systems by three of the nation's foremost experts on court technology. That assessment is available on our website for all of you to examine and read. Following that assessment, a committee was formed to chart dynamic and broad policy decisions for the coming years concerning our use of technology for Idaho's citizens. When I use the word "dynamic," it is actually an understatement. In the thirty-one years that I have been a judge in the Idaho court system, I can't remember a time when the Idaho courts have been as responsive to our citizens' needs and accountable for our performance. Efforts are underway which will affect Idaho's judiciary for decades. We anticipate coming to you next session with a more complete analysis of revenue options as our plans evolve for the electronic filing of all court papers. As we move to "paperless courthouses," we anticipate some of these improvements can be funded by court users, and significant savings realized by counties and courts.

As I reported last year, we have continued with our recruitment efforts to make sure that we are attracting the most qualified judges available. We now hold open discussion groups in those counties where district judges are being replaced concerning the benefits of starting a career in the judiciary and to answer any and all questions concerning that career and application process. During judicial council interviews, we have heard numerous times from applicants who were encouraged by this opportunity to step forward and consider applying for a district judge position.

Despite these and other efforts we have a significant problem in recruiting district judges. The Judicial Council can rarely send a full slate of four names to the governor for appointment. In our surveys, and interviews with bar members and judges, it has become apparent that the district judgeship is no longer a highly sought-after judicial position. The reasons are many – the overwhelming workload that many district judges face in terms of numbers, as well as complexity; the prospect of contested election; as well as the inadequate compensation of that position.

You might ask why are potential applicants so concerned with the prospect of contested elections. The Legislature has wisely placed practice and age requirements on judicial candidates and applicants. The chosen attorney has built a clientele and other professional relationships that must be completely terminated to take a judicial position. If the judge loses a contested election, those clients are gone. The judge must start from scratch, replicating that prior book of business. When you factor in the ethical constraints on a judge's conduct, fund raising, and time away from a full judicial caseload to run an election, you begin to understand the high stakes to a potential applicant and his or her family.

While we have a judiciary that is nationally recognized for its commitment to excellence, performance, and accountability, Idaho ranks 46th in compensation for its general jurisdiction judges. We have recognized for many years there is a need to improve the salary of district judges so we can attract highly qualified private attorneys to that position. We can do better. We will be presenting a comprehensive analysis this session of the need to recruit the most qualified district judges.

I reported last year that we were re-energizing our guardianship and conservatorship work in reaction to the "graying" of America. Did you know the numbers of Idahoans sixty and older grew by 44% - from 2000 to 2010? From 2010 to 2030 it is estimated to increase by 65%. There are now over 6200 active guardianship and conservatorship cases in Idaho, with over 300 million dollars in assets monitored last year by court personnel. This will only increase. I am pleased to report that the guardianship and conservatorship committee headed by Judge Chris Bieter of Ada County has made significant progress. Idaho courts were singled out as a voting delegate to attend the 3rd National Guardianship Summit. We have fixed our vision for Idaho on evidence-based solutions. We look forward to our work with the legislative and executive branches to re-examine all statutes and court rules to make sure that Idaho meets its responsibilities to its oftentimes most vulnerable citizens.

We are also requesting the legislature repeal the sunset provision of House Bill 687, which added an emergency surcharge to felony, misdemeanor and traffic infraction cases. The general fund will not permit you to fill a funding gap over 4 million dollars if the surcharge sunsets. Since you enacted it in 2010, the emergency surcharge has kept the courthouse doors open in each of your counties and provided for such beneficial programs as drug courts, mental health court, and family courts. The repeal of the sunset provision is vital to the judiciary's constitutional role to solve people's disputes and keep our communities safe.

Even with the surcharge, the Court was unable to fill four magistrate judge positions. We have now been able to fill two of those positions. We wish to thank the county officials for their patience and ability to manage with senior retired judges until we could refill those positions. We plan to fill the two remaining vacancies in September, 2013 and early 2014. Numerous court employee positions, however, remain vacant statewide and significant reductions have been made in all court operations.

It is bedrock function of government to properly fund a justice system. A justice system largely based upon user fees cannot continue to provide the requisite funds to protect our communities nor timely resolve our complex civil disputes. At some point the debt load of offenders will not be able to fund that justice system or the attendant agencies that rely on these fees for revenue. This is a recognition which is being debated in statehouses throughout the nation and an area we, as a state need to monitor.

The word "court costs" quite frankly is misleading. Did you know 152 cities share $6.9 million in "court costs" yearly? The 44 counties disburse $16.3 million in 23 different ways. State entities receive a total of $26.3 million; the general fund, $5 million; and other state entities $21.3 million. These are in addition to restitution to victims. This basket is about full and Idaho must proceed carefully when adding to the court cost or fee basket. We hope that a statewide analysis through the Criminal Justice Commission will help you in this regard.

So how can you and other interested citizens follow a branch of government that is so dynamic – so bent on improvement? We promote openness and accountability through the expanded use of the Idaho judiciary's web-site. You can look at all Supreme Court and Court of Appeals opinions on line, the minute they are published. You can follow us on Twitter for Supreme Court and Court of Appeals hearing dates and locations. Since August, 2012, the Supreme Court's Boise oral arguments are streamed on Idaho Public Television's website. I have heard many legislators say they use the district court and magistrate division case information available on-line through our data repository, but we also acknowledge it needs to be modernized. Court assistance, self-help information and forms are available online as a partial answer to the large increase in the number of Idahoans who are proceeding in court without attorneys. Lastly, we invite all legislators to attend interviews in your home counties when the Judicial Council or your Magistrate Commissions interview new judicial candidates.

You can also find on the website all of the rules of the Idaho courts and any impending amendments to those rules. I would like to recognize Judges Russell Comstock and David Day for their vision for specialized rules of procedure for family courts. They and a court committee worked for three years on those rules and we thank them. Their idea came to fruition when their committee's rules became a one-year pilot project in Ada County.

In the near future, this legislature will consider, for the first time in many decades, an analysis of improving the public defense system in each of our counties. It is a basic tenet of our judicial system to be fair to those persons brought before the court, accused by the state of crimes which may take their liberty, their reputation, and their purse.

It can be argued that our statewide system of public defense for those citizens who cannot afford their own private attorney is not balanced throughout the state nor within the courtrooms of Idaho. The Governor's Criminal Justice Commission has made progress in identifying some of the areas that you will need to consider on a public policy basis. We leave it to your solemn analysis as to how Idaho can approach this problem in the near future. The Idaho judiciary supports the appointment of an interim legislative committee to review these issues and we pledge to support that committee with information upon which you can make these important decisions. This is not an issue of guilty persons going free, but of Idaho's citizens sharing in a criminal system that is fair to all concerned.

As a final note, none of this work can be done without the numerous county clerks, bailiffs, attorneys and others who provide the administration arm of the courts. This statewide collection of professionals is guided by Patti Tobias, the Administrative Director of the Courts. Many of you know her as a true professional and friend. Now she has been appropriately

awarded the nation's highest award. This month she was given the Warren E. Burger award for excellence in court administration by the National Center for State Courts. A formal presentation is set for early February and you are all invited. Please join me in a round of applause for this remarkable Idahoan.

In closing, I hope I have given you a glimpse of a judiciary which is dynamic. A judiciary whose members are constantly striving to improve its competency and efficiency, to fulfill its duty as an independent third branch of this great State's government. I hope I have perked your interest so you can contact us for more information.

Thank you.

The President thanked Chief Justice Burdick for his remarks and Senator Mortimer, Chairman, and Senators Vick and Bock escorted Chief Justice Burdick from the Chamber, and the Committee was discharged.

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

On request by Senator Davis, granted by unanimous consent, the Senate 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 11:30 a.m., Friday, January 25, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

NINETEENTH LEGISLATIVE DAY
FRIDAY, JANUARY 25, 2013

Senate Chamber

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

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

Prayer was offered by Senator Lee Heider.

The Pledge of Allegiance was led by Jessica 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 24, 2013, was read and approved as corrected.

LODGE, Chairman

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

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

Reports of Standing Committees

January 24, 2013

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

William M. Naillon to the Idaho Fish and Game Commission, term to expire June 30, 2016.

PEARCE, Chairman

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

January 24, 2013

The LOCAL GOVERNMENT AND TAXATION Committee reports out **S 1009** with the recommendation that it do pass.

SIDDOWAY, Chairman

S 1009 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 23, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Dustin Thomas Miller of Boise, Idaho, was appointed Administrator of the Office of Species Conservation to serve a term commencing July 18, 2012, 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 Resources and Environment Committee.

January 23, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Ford Elsaesser of Sandpoint, Idaho, was reappointed as a member of the Lake Pend Oreille Basin Commission to serve a term commencing July 24, 2012, and expiring July 24, 2015.

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 23, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Andrea Wassner of Boise, Idaho, was reappointed as a member of the Idaho Commission on Human Rights to serve a term commencing July 1, 2012, and expiring July 1, 2015.

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 23, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Carol Mascarenas of Idaho Falls, Idaho, was reappointed as a member of the Board of Environmental Quality to serve a term commencing July 1, 2012, and expiring July 1, 2016.

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 23, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jody Olson of Boise, Idaho, was reappointed as a member of the Public Employee Retirement System of Idaho to serve a term commencing July 1, 2012, 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 Commerce and Human Resources Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 24, 2013

Dear Mr. President:

I transmit herewith **H 2**, **H 3**, and **H 4** , which have passed the House.

ALEXANDER, Chief Clerk

H 2, **H 3**, and **H 4** were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced that the State Affairs Committee report relative to the Gubernatorial appointment of Kevin Settles was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Winder, seconded by Senator Werk, the Gubernatorial appointment of Kevin Settles as a member of the Idaho Commission on Human Rights was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial 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 1031
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO COMMERCIAL TRANSACTIONS; AMENDING SECTION 28-4-608, IDAHO CODE, TO PROVIDE FOR AN EXCEPTION, TO ESTABLISH PROVISIONS RELATING TO CERTAIN REMITTANCE TRANSFERS AND TO ESTABLISH PROVISIONS RELATING TO THE APPLICATION OF LAWS.

S 1031 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 2, **H 3**, and **H 4** , 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 1 , by Revenue and Taxation 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 11:50 a.m. until the hour of 11:30 a.m., Monday, January 28, 2013.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

TWENTY-SECOND LEGISLATIVE DAY
MONDAY, JANUARY 28, 2013

Senate Chamber

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

Roll call showed all members present.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Mattison McDaniel, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 25, 2013, was read and approved as corrected.

LODGE, Chairman

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

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

Reports of Standing Committees

January 28, 2013

The JUDICIARY AND RULES Committee reports that **S 1031** has been correctly printed.

LODGE, Chairman

S 1031 was referred to the Commerce and Human Resources Committee.

January 28, 2013

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:

Mack A. Redford to the Public Utilities Commission, term to expire January 9, 2019.

William Craig Corbett to the Idaho Lottery Commission, term to expire January 1, 2015.

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

January 25, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Warren R. Bakes of Hayden, Idaho, was appointed as a member of the Idaho Endowment Fund Investment Board to serve a term commencing July 3, 2012, and expiring April 11, 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.

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

Motions and Resolutions

The President Pro Tempore announced that the State Affairs Committee report relative to the Gubernatorial appointment of Brandon D. Woolf 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 appointment of Brandon D. Woolf as the Idaho State Controller 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 William M. Naillon was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Siddoway, seconded by Senator Lacey, the Gubernatorial appointment of William M. Naillon as a member of the Idaho Fish and Game 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

President Pro Tempore Hill called Senator Cameron to the Chair.

S 1032
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO PUBLIC ASSISTANCE; AMENDING SECTION 56-227, IDAHO CODE, TO REMOVE ARCHAIC VERBIAGE, TO REMOVE UNNECESSARY VERBIAGE, TO CLARIFY VERBIAGE, TO PROVIDE THAT CONDUCT RELATING TO CERTAIN FRAUDULENT ACTS AND PENALTIES SHALL NOT BE CONSTRUED TO BE MORE RESTRICTIVE THAN FEDERAL OR STATE PROVISIONS REGARDING THE TRANSFER OF PROPERTY FOR PUBLIC ASSISTANCE AND TO PROVIDE THAT CONDUCT RELATING TO SPECIFIED FRAUDULENT ACTS AND PENALTIES SHALL NOT APPLY TO ANY PERSON WHO COMMUNICATES INFORMATION OR RENDERS ADVICE TO ANOTHER REGARDING FEDERAL OR STATE PROVISIONS REGARDING THE TRANSFER OF PROPERTY FOR PUBLIC ASSISTANCE.

S 1033
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO CONSERVATORS AND POWERS OF ATTORNEY; AMENDING SECTION 15-12-108, IDAHO CODE, TO PROVIDE THAT RESPONSIBILITIES RELATING TO AN AGENTS ACCOUNTABILITY TO CERTAIN FIDUCIARIES AND PRINCIPALS SHALL ALSO APPLY TO APPOINTED TEMPORARY CONSERVATORS, TO PROVIDE THAT UNDER CERTAIN CONDITIONS POWERS OF ATTORNEY ARE TERMINATED UNLESS LIMITED OR CONTINUED BY THE COURT AND TO MAKE A TECHNICAL CORRECTION; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR APPLICABILITY.

S 1034
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO COUNTY JAILS; REPEALING SECTION 20-625, IDAHO CODE, RELATING TO THE GOVERNOR'S AUTHORITY TO ORDER REMOVAL OF PRISONERS.

S 1035
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO COUNTY JAILS; AMENDING SECTION 20-603, IDAHO CODE, TO ESTABLISH ADDITIONAL PROVISIONS RELATING TO THE AUTHORITY TO DESIGNATE DETENTION OFFICERS TO ACT AS PEACE OFFICERS AND TO MAKE TECHNICAL CORRECTIONS.

S 1036
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO COUNTY JAILS; AMENDING SECTION 20-607, IDAHO CODE, TO ESTABLISH ADDITIONAL PROVISIONS RELATING TO PRISONER REIMBURSEMENT TO THE COUNTY AND TO MAKE A TECHNICAL CORRECTION.

S 1032, **S 1033**, **S 1034**, **S 1035**, and **S 1036** 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 1009 , 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 1 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the Acting President declared **H 1** passed, title was approved, and the bill ordered returned to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:55 a.m. until the hour of 11:30 a.m., Tuesday, January 29, 2013.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

TWENTY-THIRD LEGISLATIVE DAY
TUESDAY, JANUARY 29, 2013

Senate Chamber

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

Roll call showed all members present except Senators Durst and Thayn, absent and excused.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Brooks Nielson, 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, 2013, was read and approved as corrected.

LODGE, Chairman

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

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

Reports of Standing Committees

January 29, 2013

The JUDICIARY AND RULES Committee reports that **S 1032**, **S 1033**, **S 1034**, **S 1035**, and **S 1036** have been correctly printed.

LODGE, Chairman

S 1032, **S 1033**, **S 1034**, **S 1035**, and **S 1036** were referred to the Judiciary and Rules Committee.

January 28, 2013

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:

Albert P. Barker to the Idaho Water Resource Board, term to expire January 1, 2017.

Gary Spackman as the Director of the Idaho Department of Water Resources, term to expire January 1, 2015.

John Albert Stevenson to the Idaho Water Resource Board, term to expire January 1, 2017.

Roger Chase to the Idaho Water Resource Board, term to expire January 1, 2017.

Vince Alberdi to the Idaho Water Resource Board, term to expire January 1, 2017.

PEARCE, 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

Senators Durst and Thayn were recorded present at this order of business.

January 28, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Charles "Chip" A. Kemper of Idaho Falls, Idaho, was reappointed as a member of the Aeronautics Advisory Board to serve a term commencing January 31, 2013, and expiring January 31, 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 Transportation Committee.

January 28, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Rayelle Anderson of Rathdrum, Idaho, was reappointed as a member of the Bingo-Raffle Advisory Board to serve a term commencing January 7, 2013, and expiring January 7, 2016.

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 28, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Neil Anderson of Blackfoot, Idaho, was appointed as a member of the Idaho Endowment Fund Investment Board to serve a term commencing January 24, 2013, and expiring December 31, 2014.

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 28, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Elizabeth "Liz" Susan Chavez of Lewiston, Idaho, was appointed as a member of the Judicial Council to serve a term commencing July 26, 2012, 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.

January 28, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Fred H. Snook of Salmon, Idaho, was appointed as a member of the Idaho State Racing Commission to serve a term commencing January 17, 2013, 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 State Affairs Committee.

January 28, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that R. James Coleman of Coeur d'Alene, Idaho, was reappointed as a member of the Idaho Transportation Board to serve a term commencing January 31, 2013, and expiring January 31, 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 Transportation Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 28, 2013

Dear Mr. President:

I transmit herewith **H 5**, **H 12**, **H 14**, **H 15**, **H 22**, **H 23**, and **HCR 4** , which have passed the House.

ALEXANDER, Chief Clerk

H 5, **H 12**, **H 14**, **H 15**, **H 22**, **H 23**, and **HCR 4** were filed for first reading.

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 Mack A. Redford was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Winder, seconded by Senator Fulcher, the Gubernatorial reappointment of Mack A. Redford 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 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 William 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 Bock, the Gubernatorial appointment of William Craig Corbett as a member of the Idaho Lottery Commission was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

H 5, **H 12**, **H 14**, **H 15**, **H 22**, and **H 23** , by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

HCR 4 , 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

S 1009 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared **S 1009** 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 11:55 a.m. until the hour of 11:30 a.m., Wednesday, January 30, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

TWENTY-FOURTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 30, 2013

Senate Chamber

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

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

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Austin Petellin, 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, 2013, was read and approved as corrected.

LODGE, Chairman

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

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

Reports of Standing Committees

January 29, 2013

The TRANSPORTATION Committee reports out **S 1007** and **S 1008** with the recommendation that they do pass.

BRACKETT, Chairman

S 1007 and **S 1008** were filed for second reading.

January 29, 2013

The TRANSPORTATION Committee reports out **S 1006** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, **S 1006** was referred to the Fourteenth Order of Business, General Calendar.

January 29, 2013

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

Leland G. Heinrich to the Board of Tax Appeals, term to expire June 30, 2015.

SIDDOWAY, Chairman

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

January 29, 2013

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 2**, **H 3**, and **H 4** with the recommendation that they do pass.

SIDDOWAY, Chairman

H 2, **H 3**, and **H 4** were filed for second reading.

January 30, 2013

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

Sue A. Payne to the Commission for the Blind & Visually Impaired, term to expire July 1, 2015.

HEIDER, Chairman

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

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

Messages from the Governor

January 29, 2013

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 Idaho Endowment Fund Investment Board to serve a term commencing April 11, 2012, and expiring April 11, 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 29, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Gayle L. O'Donahue of Nampa, Idaho, was appointed as a member of the Public Charter School Commission to serve a term commencing May 12, 2012, and expiring May 12, 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 Education Committee.

Senator Bayer 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 1037
BY EDUCATION COMMITTEE
AN ACT
RELATING TO EDUCATION; AMENDING SECTION 33-1275, IDAHO CODE, TO REMOVE LANGUAGE RELATING TO FACT-FINDERS, APPOINTMENT AND HEARINGS, TO ESTABLISH PROVISIONS RELATING TO TERMS OF AGREEMENTS, TO PROVIDE THAT AGREEMENTS SHALL HAVE A ONE YEAR DURATION, TO ESTABLISH PROVISIONS RELATING TO LIMITATIONS ON THE PARTIES' AUTHORITY; AND DECLARING AN EMERGENCY.

S 1038
BY EDUCATION COMMITTEE
AN ACT
RELATING TO EDUCATION; AMENDING SECTION 33-513, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO AN EMPLOYEE'S APPEAL TO THE DISTRICT COURT, TO ESTABLISH PROVISIONS RELATING TO THE DISTRICT COURT'S ACTION, TO PROVIDE THAT THE DETERMINATION OF THE BOARD OF TRUSTEES SHALL BE AFFIRMED UNLESS THE EMPLOYEE'S SUBSTANTIAL RIGHTS ARE VIOLATED AND TO MAKE A CODIFIER'S CORRECTION; AND DECLARING AN EMERGENCY.

S 1039
BY EDUCATION COMMITTEE
AN ACT
RELATING TO EDUCATION; AMENDING SECTION 33-1271, IDAHO CODE, TO REVISE LANGUAGE RELATING TO ENTERING INTO A NEGOTIATION AGREEMENT, TO PROVIDE FOR NEGOTIATIONS IN GOOD FAITH, TO DEFINE A TERM, TO REVISE PROVISIONS RELATING TO A REQUEST FOR NEGOTIATIONS AND TO REVISE PROVISIONS RELATING TO RATIFICATION; AMENDING SECTION 33-1272, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1273, IDAHO CODE, TO CLARIFY THAT THE LOCAL EDUCATION ORGANIZATION SHALL BE THE EXCLUSIVE REPRESENTATIVE FOR CERTAIN EMPLOYEES IN THAT DISTRICT FOR PURPOSES OF NEGOTIATIONS PURSUANT TO LAW AND TO PROVIDE THAT NEGOTIATIONS SHALL ONLY OCCUR BETWEEN CERTAIN REPRESENTATIVES; AMENDING SECTION 33-1274, IDAHO CODE, TO REVISE PROVISIONS RELATING TO MEDIATION AND TO MAKE A TECHNICAL CORRECTION; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1040
BY EDUCATION COMMITTEE
AN ACT
RELATING TO EDUCATION; AMENDING SECTION 33-513, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO GRANTING AN EMPLOYEE'S REQUEST FOR VOLUNTARY LEAVE OF ABSENCE, TO ESTABLISH PROVISIONS RELATING TO THE DELEGATION OF AUTHORITY TO PLACE AN EMPLOYEE ON AN INVOLUNTARY LEAVE OF ABSENCE, TO PROVIDE FOR RATIFICATION OF CERTAIN ACTION, TO ESTABLISH PROVISIONS RELATING TO AN INVOLUNTARY LEAVE OF ABSENCE WITHOUT PAY, TO ESTABLISH PROVISIONS RELATING TO AN INVOLUNTARY LEAVE OF ABSENCE WITH PAY, TO ESTABLISH PROVISIONS RELATING TO DUAL COURT ORDERS, TO MAKE A CODIFIER'S CORRECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-514, IDAHO CODE, TO REVISE A DATE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-515, IDAHO CODE, TO REVISE A DATE, TO REVISE PROVISIONS RELATING TO A CONTRACT AUTOMATICALLY RENEWED, TO REMOVE LANGUAGE RELATING TO RENEWING A CONTRACT AT A REDUCED RATE, TO ESTABLISH PROVISIONS RELATING TO AN INFORMAL REVIEW IF THE BOARD DETERMINES TO CHANGE CERTAIN TERMS OF A CONTRACT, TO MAKE A CODIFIER'S CORRECTION AND TO MAKE TECHNICAL CORRECTIONS; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1041
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO STATE PERSONNEL; AMENDING CHAPTER 16, TITLE 59, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 59-1602A, IDAHO CODE, TO PROVIDE FOR THE NONCOMPETITIVE APPOINTMENT OF CERTAIN DISABLED VETERANS; AND AMENDING CHAPTER 53, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5306A, IDAHO CODE, TO PROVIDE FOR THE NONCOMPETITIVE APPOINTMENT OF CERTAIN DISABLED VETERANS.

S 1042
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO THE HEALTH INSURANCE EXCHANGE; AMENDING TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 61, TITLE 41, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO STATE LEGISLATIVE PURPOSE AND INTENT, TO DEFINE TERMS, TO ESTABLISH THE EXCHANGE AND THE BOARD, TO PROVIDE FOR POWERS AND AUTHORITY OF THE EXCHANGE, TO PROVIDE FOR REPORTING, TO AUTHORIZE RELIANCE BY THE EXCHANGE ON OTHER AGENCIES, TO PROVIDE THAT THE EXCHANGE SHALL NOT PREEMPT THE DUTIES OF THE DEPARTMENT OF INSURANCE AND TO PROVIDE SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1043
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO MOTOR VEHICLE DRIVER'S LICENSES AND IDENTIFICATION CARDS; AMENDING SECTION 49-315, IDAHO CODE, TO PROVIDE THAT A LICENSEE WHO IS A VETERAN MAY REQUEST THAT HIS OR HER STATUS AS SUCH BE DESIGNATED ON HIS OR HER DRIVER'S LICENSE AND TO ESTABLISH PROVISIONS GOVERNING SUCH DESIGNATION; AMENDING SECTION 49-2444, IDAHO CODE, TO PROVIDE THAT A PERSON WHO IS A VETERAN MAY REQUEST THAT HIS OR HER STATUS AS SUCH BE DESIGNATED ON AN IDENTIFICATION CARD AND TO ESTABLISH PROVISIONS GOVERNING SUCH DESIGNATION; AND PROVIDING AN EFFECTIVE DATE.

S 1044
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO MOTORCYCLES; AMENDING SECTION 49-114, IDAHO CODE, TO REVISE THE DEFINITION OF MOTORCYCLE AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

S 1045
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO VETERANS; AMENDING SECTION 65-502, IDAHO CODE, TO REVISE THE DEFINITION OF "VETERAN."

S 1046
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 A TECHNICAL CORRECTION.

S 1047
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT
RELATING TO GARNISHMENT FOR PAYMENT OF STATE INCOME TAXES; AMENDING SECTION 11-207, IDAHO CODE, TO LIMIT THE AMOUNT OF A GARNISHMENT FOR PAYMENT OF STATE AND FEDERAL INCOME TAXES, PENALTIES AND INTEREST AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-105, IDAHO CODE, TO LIMIT THE AMOUNT OF A GARNISHMENT FOR PAYMENT OF STATE AND FEDERAL INCOME TAXES, PENALTIES AND INTEREST AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3050, IDAHO CODE, TO LIMIT THE AMOUNT OF A GARNISHMENT FOR PAYMENT OF STATE AND FEDERAL INCOME TAXES, PENALTIES AND INTEREST AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 63-4006, IDAHO CODE, TO LIMIT THE AMOUNT OF A GARNISHMENT FOR PAYMENT OF STATE AND FEDERAL INCOME TAXES, PENALTIES AND INTEREST.

S 1037, **S 1038**, **S 1039**, **S 1040**, **S 1041**, **S 1042**, **S 1043**, **S 1044**, **S 1045**, **S 1046**, and **S 1047** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the 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 Gary Spackman retained its place on the calendar for Friday, February 1, 2013.

The President Pro Tempore announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Albert P. Barker was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Pearce, seconded by Senator Lacey, the Gubernatorial appointment of Albert P. Barker as a member of the Idaho Water Resource 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 John Albert Stevenson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Cameron, seconded by Senator Stennett, the Gubernatorial appointment of John Albert Stevenson as a member of the Idaho Water Resource 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 reappointment of Roger Chase 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 Roger Chase as a member of the Idaho Water Resource 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 Resources and Environment Committee report relative to the Gubernatorial reappointment of Vince Alberdi 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 Vince Alberdi as a member of the Idaho Water Resource 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.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12 noon until the hour of 11:30 a.m., Thursday, January 31, 2013.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

TWENTY-FIFTH LEGISLATIVE DAY
THURSDAY, JANUARY 31, 2013

Senate Chamber

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

Roll call showed all members present except Senators Cameron, Lodge, and Siddoway, absent and excused.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Chace Tolman, 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, 2013, 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 Cameron and Siddoway were recorded present at this order of business.

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

Petitions, Resolutions, and Memorials

Senator Lodge was recorded present at this order of business.

SCR 102
BY AGRICULTURAL AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND URGING THE REPUBLIC OF TURKEY AND THE TURKISH PATENT INSTITUTE TO HONOR IDAHO'S OPPOSITION AND DENY THE REQUEST FOR REGISTRATION OF APPLICANT BETA ZIRAAT VE TICARET A.S. TO CLAIM THE MARK "IDAHO" FOR USE IN IDENTIFICATION OF PRODUCTS NOT ORIGINATING IN THE STATE OF IDAHO.

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

WHEREAS, Idaho highly values its rich agricultural history; and

WHEREAS, it is the policy of the State of Idaho to protect the identity of its agricultural products as originating in Idaho; and

WHEREAS, only agricultural products from Idaho should be registered or referred to with Idaho's state name; and

WHEREAS, the First Regular Session of the Sixty-first Idaho Legislature, through Senate Resolution 102, recognized that the Republic of Turkey and the United States of America are long-standing allies and that Turkey is a valued trading partner with the State of Idaho and resolved to develop and enhance further long-standing Idaho-Turkey relations, building upon time-honored friendships, as well as promoting the cultural, educational, academic, political and economic relations between Idahoans and the Turkish people; and

WHEREAS, it has come to the attention of the Idaho Potato Commission through the Worldwide Watch services of Thomson Reuters that on March 16, 2012, as published on November 12, 2012, a Turkish company known as applicant "Beta Ziraat Ve Ticaret A.S.," the English translation being Beta Agriculture and Trade Company, filed for registration of the selected mark "IDAHO" for International Class 31, filing number 201224978, with the Turkish Patent Institute; and

WHEREAS, International Class 31 includes, inter alia, agricultural products, horticultural products and seeds, live animals, eggs, live and dried plant and weed and malt; and

WHEREAS, if the applicant is allowed to register the mark "IDAHO," it is highly likely that there will be consumer confusion in that purchasers will assume that products, over which Idaho will have no quality standards control whatsoever, originated in Idaho and that if such products are of low quality or contaminated, the purchaser will avoid Idaho labeled products as a result, including products legitimately originating in the State of Idaho; and

WHEREAS, an attorney has been retained in Turkey to oppose the request, and the deadline for all opposition papers is February 12, 2013; and

WHEREAS, it is critical for the Legislature of the State of Idaho to voice opposition to the filing so the opposition can be included in materials filed with the Turkish Patent Institute; and

WHEREAS, Idaho values all Idaho agricultural products and takes pride in the high quality of the products that are sold worldwide and the use of Idaho's name in any product not originating in the State of Idaho will have the effect of diminishing the recognition and value of Idaho products in commerce and diluting the value of the Idaho brand.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that we urge the Republic of Turkey and the Turkish Patent Institute to honor Idaho's opposition and deny the request for registration of applicant Beta Ziraat Ve Ticaret A.S. to claim the mark "IDAHO" for use in identification of products not originating in the State of Idaho.

BE IT FURTHER RESOLVED that we urge the Governor of the State of Idaho to review the matter and take all necessary steps to oppose the application for registration of the mark "IDAHO" for use in identification of products not originating in the State of Idaho.

BE IT FURTHER RESOLVED that an official copy of this resolution be distributed to the Republic of Turkey, the Turkish Patent Institute and the congressional delegation representing the State of Idaho in the Congress of the United States.

SCR 102 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 31, 2013

The JUDICIARY AND RULES Committee reports that S 1037, S 1038, S 1039, S 1040, S 1041, S 1042, S 1043, S 1044, S 1045, S 1046, S 1047, and SCR 102 have been correctly printed.

LODGE, Chairman

S 1037, S 1038, S 1039, and S 1040 were referred to the Education Committee.

S 1041, S 1042, and S 1045 were referred to the Commerce and Human Resources Committee.

S 1043 and S 1044 were referred to the Transportation Committee.

S 1046 and S 1047 were referred to the Local Government and Taxation Committee.

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.

January 30, 2013

The JUDICIARY AND RULES Committee reports out S 1016, S 1017, and S 1018 with the recommendation that they do pass.

LODGE, Chairman

S 1016, S 1017, and S 1018 were filed for second reading.

January 30, 2013

The RESOURCES AND ENVIRONMENT Committee reports out S 1001, S 1003, and S 1004 with the recommendation that they do pass.

PEARCE, Chairman

S 1001, S 1003, and S 1004 were filed for second reading.

January 30, 2013

The RESOURCES AND ENVIRONMENT Committee reports out the Gubernatorial appointment of Carol Mascarenas for re-referral.

PEARCE, Chairman

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

January 31, 2013

The EDUCATION Committee reports out S 1027 with the recommendation that it do pass.

GOEDDE, Chairman

S 1027 was filed for second reading.

January 31, 2013

The AGRICULTURAL AFFAIRS Committee reports out S 1024 with the recommendation that it do pass.

BAIR, Chairman

S 1024 was filed for second reading.

January 31, 2013

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:

Randolph J. Hill to the Idaho Energy Resources Authority, term to expire June 30, 2017.

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.

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

Messages from the Governor

January 29, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Roy E. Decker of Heyburn, Idaho, was reappointed as a member of the Bingo-Raffle Advisory Board to serve a term commencing January 7, 2013, and expiring January 7, 2016.

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 29, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Beth Elroy of Meridian, Idaho, was appointed as a member of the Board of Environmental Quality to serve a term commencing September 18, 2012, 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 30, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kimberly Jo Simmons of Boise, Idaho, was appointed as a member of the Sexual Offender Management Board to serve a term commencing April 17, 2012, and expiring January 1, 2014.

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

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

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

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

January 29, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Ken Roberts of Donnelly, Idaho, was appointed as a member of the State Tax Commission to serve a term commencing July 16, 2012, and expiring April 1, 2013.

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.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 30, 2013

Dear Mr. President:

I transmit herewith **HCR 5** and **H 16** , which have passed the House.

ALEXANDER, Chief Clerk

HCR 5 and **H 16** were filed for first reading.

January 30, 2013

Dear Mr. President:

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

ALEXANDER, Chief Clerk

The President Pro Tempore signed Enrolled **H 1** and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **SCR 102** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Durst. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended and announced that **SCR 102** was before the Senate for final consideration.

On motion by Senator Bair, seconded by Senator Werk, **SCR 102** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Leland G. Heinrich retained its place on the calendar for Monday, February 4, 2013.

The President Pro Tempore announced that the Health and Welfare Committee report relative to the Gubernatorial appointment of Sue A. Payne was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bock, seconded by Senator Martin, the Gubernatorial appointment of Sue A. Payne as a member of the Commission for the Blind & Visually Impaired 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 1048
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO DRIVER'S LICENSES; AMENDING SECTION 49-1505, IDAHO CODE, TO REVISE CONDITIONS WHEN THE IDAHO TRANSPORTATION DEPARTMENT MAY SUSPEND A DRIVER'S LICENSE FOR NONPAYMENT OF A TRAFFIC INFRACTION PENALTY; AND DECLARING AN EMERGENCY.

S 1049
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO THE OIL AND GAS CONSERVATION COMMISSION; AMENDING SECTION 47-317, IDAHO CODE, TO REMOVE REFERENCE TO THE STATE BOARD OF LAND COMMISSIONERS COMPRISING THE COMMISSION, TO PROVIDE FOR COMMISSION MEMBERSHIP, TO PROVIDE FOR TERMS OF OFFICE, TO PROVIDE FOR VACANCIES, TO PROVIDE FOR OFFICERS, TO PROVIDE FOR MEETINGS, TO PROVIDE FOR A QUORUM, TO PROVIDE FOR COMPENSATION, TO PROVIDE FOR THE SECRETARY OF THE COMMISSION, TO PROVIDE FOR PERSONNEL, TO PROVIDE THAT ALTERNATIVELY THE COMMISSION MAY CONTRACT WITH THE DEPARTMENT OF LANDS AND TO PROVIDE FOR HEARING OFFICERS; AMENDING SECTION 47-319, IDAHO CODE, TO AUTHORIZE THE COMMISSION TO APPOINT COMMITTEES FOR THE PURPOSE OF ADVISING THE COMMISSION ON MATTERS RELATING TO OIL AND GAS; AND AMENDING SECTION 47-321, IDAHO CODE, TO PROVIDE THAT APPLICATIONS FOR EXCEPTIONS TO SPACING ORDERS SHALL BE FILED WITH THE COMMISSION, TO REMOVE PROVISIONS REGARDING THE PROCESS ASSOCIATED WITH COMMISSION REVIEW RELATING TO EXCEPTIONS THAT WERE NOT GRANTED BY THE DIRECTOR OF THE DEPARTMENT OF LANDS OR OBJECTIONS TO ACTIONS OF THE DIRECTOR AND TO MAKE TECHNICAL CORRECTIONS.

S 1048 and **S 1049** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

HCR 5 , by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 16 , 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 1007 and **S 1008** , by Transportation Committee, were read the second time at length and filed for third reading.

H 2, **H 3**, and **H 4** , 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 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., Friday, February 1, 2013.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

TWENTY-SIXTH LEGISLATIVE DAY
FRIDAY, FEBRUARY 1, 2013

Senate Chamber

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

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

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Megan Whitlock, 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 31, 2013, 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 103
BY TRANSPORTATION COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING THE IDAHO DEPARTMENT OF COMMERCE IN COLLABORATION WITH THE UNIVERSITY OF IDAHO, BOISE STATE UNIVERSITY, IDAHO STATE UNIVERSITY, THE COLLEGE OF WESTERN IDAHO AND OTHER STAKEHOLDERS, TO COORDINATE COMMENTS AND IDENTIFY A LEAD ENTITY TO PREPARE A PROPOSAL, ON BEHALF OF THE STATE, FOR IDAHO TO BE SELECTED AS ONE OF THE FEDERAL AVIATION ADMINISTRATION'S SIX UNMANNED AIRCRAFT SYSTEM TEST SITES.

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

WHEREAS, the Federal Aviation Administration Modernization and Reform Act of 2012 and the National Defense Authorization Act for fiscal year 2012 require the Federal Aviation Administration (FAA) to establish six unmanned aircraft system test sites; and

WHEREAS, this effort will provide critical data necessary for establishing flight operations, certification standards, regulatory standards and air traffic requirements to ensure safe operations for public and private unmanned aircraft systems; and

WHEREAS, the Federal Aviation Administration has recently initiated a search for the six unmanned aircraft system test sites in the United States; and

WHEREAS, the Federal Aviation Administration will solicit public comments for purposes of refining test site requirements, designation standards and oversight activities and that the FAA will issue a request for proposals to develop unmanned aircraft system test sites; and

WHEREAS, Idaho is uniquely positioned with the Idaho National Laboratory and its 890 square mile critical infrastructure test range, its Center for Advanced Modeling and Simulation and its Center for Advanced Energy Studies, which already house significant scientific resources that may be utilized for the test site; and

WHEREAS, the selection of Idaho as a national unmanned aircraft system test site would establish the state as a nationally recognized center of excellence for the development and testing of advanced aviation technologies, create high-paying jobs in the state and generate new streams of revenue into the state; and

WHEREAS, a test site selection could have tremendous economic impact on Idaho, with direct and indirect benefits for the real estate and construction sectors, business investment, tourism, education, regional industry and arts and recreation.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Director of the Idaho Department of Commerce, in consultation with officials from the University of Idaho, Boise State University, Idaho State University and the College of Western Idaho, is requested to coordinate comments from interested parties and identify a lead entity to prepare a proposal, on behalf of the State of Idaho to the Federal Aviation Administration, for Idaho to be selected as an unmanned aircraft system test site.

SCR 104
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING LEGISLATIVE FINDINGS AND REAFFIRMING THE STATE OF IDAHO'S COMMITMENT TO THE STRONG AND DEEPENING RELATIONSHIP BETWEEN THE STATE OF IDAHO AND TAIWAN AND ENCOURAGING ONGOING PARTICIPATION IN ORGANIZATIONS THAT IMPROVE PUBLIC SAFETY, HEALTH AND TRADE.

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

WHEREAS, the Republic of China (Taiwan), the United States, and in particular the State of Idaho share a historical and close relationship marked by strong bilateral trade, educational and cultural exchange, scientific and technological interest and tourism; and

WHEREAS, the Republic of China was the first republic in Asia and the first full-fledged democracy in Chinese history and shares with the United States and the State of Idaho the common values of freedom, democracy, human rights and rule of law; and

WHEREAS, the United States ranks as Taiwan's third largest trading partner, and Taiwan is the ninth largest trading partner of the United States and the bilateral trade reached 67.2 billion United States dollars in 2011; and

WHEREAS, the State of Idaho and Taiwan have enjoyed a long and mutually beneficial relationship with the prospect of further growth, and Taiwan was Idaho's second largest export destination in 2011 with 761 million United States dollars worth of Idaho goods shipped to Taiwan, including semiconductors, computers and capital equipment, food and agriculture, wood and building materials; and

WHEREAS, the United States on November 1, 2012, officially included Taiwan in its Visa Waiver Program (VWP), allowing Taiwan's citizens to travel to the United States for tourism or business for stays of 90 days or less without being required to obtain a visa. The VWP is expected to increase tourism and business between Taiwan and the United States, particularly Idaho, with the prospect of 30%-40% growth of Taiwanese travelers to the United States (400,000 in 2013); and

WHEREAS, the issue of United States beef export to Taiwan has been settled; and

WHEREAS, the State of Idaho and the Province of Taiwan have enjoyed their relationship since 1984; and

WHEREAS, President Ma Ying-jeou has worked tirelessly to uphold democratic principles in Taiwan, ensure the prosperity of Taiwan's 23 million citizens, promote Taiwan's international standing as a responsible member of the international community, increase participation in international organizations, dispatch humanitarian missions abroad and further improve relations between the United States and Taiwan; and

WHEREAS, Taiwan, as a willing and contributing member of the world community, has made countless contributions of technical and financial assistance in the wake of Hurricane Sandy and other natural disasters worldwide.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that the State of Idaho reaffirms its commitment to the strong and deepening relationship between the State of Idaho and Taiwan and encourages ongoing participation in organizations that improve public safety, health and trade.

SCR 103 and **SCR 104** were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

Senator Johnson was recorded present at this order of business.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 1, 2013

The JUDICIARY AND RULES Committee reports that **S 1048** and **S 1049** have been correctly printed.

LODGE, Chairman

S 1048 was referred to the Judiciary and Rules Committee.

S 1049 was referred to the Resources and Environment Committee.

January 31, 2013

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 12** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SIDDOWAY, Chairman

There being no objection, **H 12** was referred to the Fourteenth Order of Business, General Calendar.

February 1, 2013

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 5** with the recommendation that it do pass.

SIDDOWAY, Chairman

H 5 was filed for second reading.

February 1, 2013

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

Allan R. Schneider to the Commission for the Blind & Visually Impaired, term to expire July 1, 2015.

HEIDER, Chairman

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

February 1, 2013

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:

Eric R. Anderson to the Idaho Energy Resources Authority, term to expire June 30, 2016.

Gary L. Mahn to the Idaho Endowment Fund Investment Board, term to expire April 11, 2016.

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

January 29, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that William B. Booth of Hayden, Idaho, was appointed as a member of the Northwest Power and Conservation Council to serve a term commencing January 15, 2013, and expiring January 15, 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 Resources and Environment Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 31, 2013

Dear Mr. President:

I transmit herewith **H 37**, **HCR 2**, **H 19**, **H 20**, and **H 21** , which have passed the House.

ALEXANDER, Chief Clerk

H 37, **HCR 2**, **H 19**, **H 20**, and **H 21** were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Gary Spackman was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Pearce, seconded by Senator Stennett, the Gubernatorial reappointment of Gary Spackman as Director of the Idaho Department of Water Resources was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial 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 Randolph J. Hill was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Hagedorn, seconded by Senator Stennett, the Gubernatorial appointment of Randolph J. Hill as a member of the Idaho Energy Resources Authority was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1050
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO MOTOR VEHICLE DEALERS; AMENDING SECTION 49-1637, IDAHO CODE, TO REVISE PROVISIONS RELATING TO EDUCATION REQUIREMENTS OF APPLICANTS FOR A WHOLESALE DEALER'S LICENSE.

S 1051
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO AERONAUTICS; TO PROVIDE A SHORT TITLE; AMENDING CHAPTER 2, TITLE 21, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 21-213, IDAHO CODE, TO PROVIDE DEFINITIONS; AMENDING CHAPTER 2, TITLE 21, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 21-214, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO RESTRICTIONS ON GATHERING EVIDENCE OR OTHER INFORMATION THROUGH THE USE OF A DRONE OR OTHER UNMANNED AIRCRAFT AND TO PROVIDE FOR CONSENT; AMENDING CHAPTER 2, TITLE 21, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 21-215, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO THE USE OF A DRONE BY A LAW ENFORCEMENT AGENCY WHEN EXIGENT CIRCUMSTANCES EXIST; AND AMENDING CHAPTER 2, TITLE 21, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 21-216, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO A CIVIL ACTION AND TO PROVIDE THAT NO INFORMATION OBTAINED IN VIOLATION OF THE PROVISIONS OF THIS ACT MAY BE ADMISSIBLE AS EVIDENCE IN CERTAIN PROCEEDINGS.

S 1052
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-208, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE POWERS OF LOCAL AUTHORITIES WITH RESPECT TO HIGHWAYS, TO PROVIDE THAT CERTAIN SPEED LIMITS MAY BE ALTERED OR ESTABLISHED ON THE BASIS OF CERTAIN ENGINEERING AND TRAFFIC INVESTIGATIONS AND TO PROVIDE THAT MINIMUM SPEED LIMITS MAY BE ESTABLISHED ON THE BASIS OF CERTAIN ENGINEERING AND TRAFFIC INVESTIGATIONS.

S 1050, **S 1051**, and **S 1052** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 37 , by Environment, Energy, and Technology Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

HCR 2 , by Environment, Energy, and Technology Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 19 and **H 21** , by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

H 20 , by Transportation and Defense 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

On request by Senator Siddoway, granted by unanimous consent, **S 1003** was referred to the Fourteenth Order of Business, General Calendar.

S 1016, S 1017, and S 1018 , by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

S 1001 and S 1004 , by Resources and Environment Committee, were read the second time at length and filed for third reading.

S 1027 , by Education Committee, was read the second time at length and filed for third reading.

S 1024 , by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1007 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bock arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 33.

NAYS–Schmidt, Vick. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared S 1008 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 12:10 p.m. until the hour of 11:15 a.m., Monday, February 4, 2013.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

TWENTY-NINTH LEGISLATIVE DAY
MONDAY, FEBRUARY 4, 2013

Senate Chamber

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

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

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Michael Swanson, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 1, 2013, 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 4, 2013

The JUDICIARY AND RULES Committee reports that **S 1050**, **S 1051**, **S 1052**, **SCR 103**, and **SCR 104** have been correctly printed.

LODGE, Chairman

S 1050, **S 1051**, and **S 1052** were referred to the Transportation Committee.

SCR 103 and **SCR 104** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 4, 2013

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:

Gregory J. Schade to the State Building Authority, term to expire January 1, 2017.

Jani Lynn Revier as Administrator of the Division of Financial Management, 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

January 31, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Brian Scigliano of Boise, Idaho, was appointed as a member of the Public Charter School Commission to serve a term commencing September 17, 2012, and expiring May 12, 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 Education Committee.

January 31, 2013

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 30, 2012, and expiring March 6, 2015.

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 31, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Mark P. VonLindern of Lewiston, Idaho, was reappointed as a member of the Hazardous Waste Facility Siting License Application Review Panel to serve a term commencing March 30, 2012, and expiring March 6, 2015.

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 31, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Joe B. McNeal of Mountain Home, Idaho, was reappointed as a member of the Idaho Commission on Human Rights to serve a term commencing July 1, 2012, and expiring July 1, 2015.

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 31, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that James C. Hammond of Coeur d'Alene, Idaho, was appointed as a member of the Idaho State Racing Commission to serve a term commencing January 17, 2013, 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 State Affairs Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 1, 2013

Dear Mr. President:

I transmit herewith **H 11**, **H 24**, **H 25**, **H 52**, **H 32**, and **H 33** , which have passed the House.

ALEXANDER, Chief Clerk

H 11, **H 24**, **H 25**, **H 52**, **H 32**, and **H 33** were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Leland G. Heinrich retained its place on the calendar for Tuesday, February 5, 2013.

The President Pro Tempore announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Allan R. Schneider was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Schmidt, seconded by Senator Thayn, the Gubernatorial reappointment of Allan R. Schneider as a member of the Commission for the Blind & Visually Impaired 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 Eric R. Anderson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Keough, seconded by Senator Werk, the Gubernatorial appointment of Eric R. Anderson as a member of the Idaho Energy Resources Authority was confirmed by voice vote.

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

The President Pro Tempore announced that the State Affairs Committee report relative to the Gubernatorial appointment of Gary L. Mahn was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Fulcher, seconded by Senator Buckner-Webb, the Gubernatorial appointment of Gary L. Mahn as a member of the Idaho Endowment Fund Investment Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial 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

H 11 , by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 24, **H 25**, and **H 52** , by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 32 and **H 33** , by Health and Welfare Committee, were 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 5 , by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

H 2 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Siddoway. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **H 2** passed, title was approved, and the bill ordered returned to the House.

H 3 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Siddoway. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **H 3** 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 11:50 a.m. until the hour of 11:15 a.m., Tuesday, February 5, 2013.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

THIRTIETH LEGISLATIVE DAY
TUESDAY, FEBRUARY 5, 2013

Senate Chamber

President Little called the Senate to order at 11:15 a.m.

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

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Ivy Christopherson, 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, 2013, 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 4, 2013

The JUDICIARY AND RULES Committee reports out S 1032 with the recommendation that it do pass.

LODGE, Chairman

S 1032 was filed for second reading.

February 4, 2013

The JUDICIARY AND RULES Committee reports out S 1033 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, S 1033 was referred to the Fourteenth Order of Business, General Calendar.

February 4, 2013

The HEALTH AND WELFARE Committee reports out S 1010 with the recommendation that it do pass.

HEIDER, Chairman

S 1010 was filed for second reading.

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

Messages from the House

February 4, 2013

Dear Mr. President:

I transmit herewith H 34, H 35, H 36, and H 53 , which have passed the House.

ALEXANDER, Chief Clerk

H 34, H 35, H 36, and H 53 were filed for first reading.

Senator Lodge 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, the committee report of the Gubernatorial appointment confirmation of Gregory J. Schade retained its place on the calendar for Wednesday, February 6, 2013.

Senator Keough was recorded present at this order of business.

The President announced that the Local Government and Taxation Committee report relative to the Gubernatorial appointment of Leland G. Heinrich 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 Buckner-Webb, the Gubernatorial appointment of Leland G. Heinrich as a member of the Board of Tax Appeals was confirmed by voice vote.

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

Senator Cameron was recorded present at this order of business.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Jani Lynn Revier was before the Senate for final consideration, the question being, "Shall the report be adopted?"

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

On motion by Senator McKenzie, seconded by Senator Buckner-Webb, the Gubernatorial appointment of Jani Lynn Revier as the Administrator of the Division of Financial Management 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 104 retained its place on the calendar for Tuesday, February 12, 2013.

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 1053
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO PUBLIC ASSISTANCE LAW; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-205, IDAHO CODE, TO REQUIRE THAT THE STATE DEPARTMENT OF HEALTH AND WELFARE OR ITS AUTHORIZED AGENT ISSUE CERTAIN BENEFITS OVER THE COURSE OF NOT LESS THAN TEN CONSECUTIVE DAYS WITHIN THE MONTH; AND PROVIDING AN EFFECTIVE DATE.

S 1053 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 34, H 35, and H 36 , by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 53 , 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 Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Lakey, granted by unanimous consent, S 1018 was referred to the Fourteenth Order of Business, General Calendar.

H 4 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared H 4 passed, title was approved, and the bill ordered returned to the House.

S 1016 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared S 1016 passed, title was approved, and the bill ordered transmitted to the House.

S 1017 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared S 1017 passed, title was approved, and the bill ordered transmitted to the House.

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

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out S 1006 and H 12 , without recommendation, amended as follows:

SENATE AMENDMENT TO S 1006
AMENDMENT TO THE BILL
On page 4 of the printed bill, following line 19, insert:

"SECTION 2. That Section 40-203B, Idaho Code, be, and the same is hereby amended to read as follows:

40-203B. ABANDONMENT OR ASSUMING CONTROL OF A HIGHWAY. Whenever the Idaho transportation department is either planning to abandon any section or all of a state highway to a county, a city or a highway district or assume control of a section or all of a highway which is under the jurisdiction of a county, city or a highway district, the transportation department shall first obtain the consent of the applicable local highway jurisdiction before it may abandon or assume control of the highway. Consent shall be obtained by passage of a resolution by the local highway jurisdiction assenting to the proposed action of the transportation department. Prior to consenting to an abandonment or assumption of the applicable highway, the local highway jurisdiction may conduct a public hearing and also provide notice to any impacted property owners, businesses, industries and enterprises. If consent is not obtained as provided in this section, the action by the transportation department regarding the abandonment of a state highway or assumption of control of a local jurisdiction highway shall be null, void, and of no force and effect.".

CORRECTION TO TITLE
On page 1, in line 3, delete "AND" and insert: ","; and in line 6, following "HIGHWAYS" insert: "; AND AMENDING SECTION 40-203B, IDAHO CODE, TO PROVIDE THAT PRIOR TO CONSENTING TO AN ABANDONMENT OR ASSUMING CONTROL OF AN APPLICABLE HIGHWAY,

THE LOCAL HIGHWAY JURISDICTION MAY CONDUCT A PUBLIC HEARING AND PROVIDE NOTICE".

SENATE AMENDMENT TO H 12

AMENDMENT TO SECTION 2

On page 4 of the printed bill, in line 8, following "Idaho" insert: "or three (3) months prior to moving to Idaho, whichever time period is shorter".

CORRECTION TO TITLE

On page 1, delete lines 7 and 8, and insert: "TAX SHALL APPLY TO CERTAIN ARTICLES ACQUIRED PRIOR TO A TIME CERTAIN.".

The Committee also has **S 1003** under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Buckner-Webb, the report was adopted by voice vote.

S 1006, 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 12, 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 advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 10:30 a.m., Wednesday, February 6, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

THIRTY-FIRST LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 6, 2013

Senate Chamber

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

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

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Taylor Davis, 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, 2013, 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 Durst, Bair, Cameron, Lodge, Brackett, and McKenzie 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 6, 2013

The JUDICIARY AND RULES Committee reports that S 1053 has been correctly printed.

LODGE, Chairman

S 1053 was referred to the Health and Welfare Committee.

February 6, 2013

The JUDICIARY AND RULES Committee reports that Senate amendments to S 1006 and H 12 have been correctly printed.

LODGE, Chairman

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

February 6, 2013

The JUDICIARY AND RULES Committee reports that S 1006, as amended, has been correctly engrossed.

LODGE, Chairman

S 1006, as amended, was filed for first reading.

February 5, 2013

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:

Charles "Chip" A. Kemper to the Aeronautics Advisory Board, term to expire January 31, 2018.

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 5, 2013

The TRANSPORTATION Committee reports out S 1043 and S 1044 with the recommendation that they do pass.

BRACKETT, Chairman

S 1043 and S 1044 were filed for second reading.

February 5, 2013

The HEALTH AND WELFARE Committee reports out H 16 with the recommendation that it do pass.

HEIDER, Chairman

H 16 was filed for second reading.

February 6, 2013

The STATE AFFAIRS Committee reports out HCR 4 with the recommendation that it do pass.

MCKENZIE, 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 6, 2013

The STATE AFFAIRS Committee reports out S 1025 with the recommendation that it do pass.

MCKENZIE, Chairman

S 1025 was filed for second reading.

February 6, 2013

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 14, H 15, H 22, and H 23 with the recommendation that they do pass.

SIDDOWAY, Chairman

H 14, H 15, H 22, and H 23 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 5, 2013

Dear Mr. President:

I transmit herewith H 42, H 39, H 40, H 26, H 28, and H 46 , which have passed the House.

ALEXANDER, Chief Clerk

H 42, H 39, H 40, H 26, H 28, and H 46 were filed for first reading.

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 Gregory J. Schade 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 Gregory J. Schade as a member of the State Building Authority was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial 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 103 was before the Senate for final consideration.

Moved by Senator Winder, seconded by Senator Werk, that SCR 103 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES–Bair, Brackett, Buckner-Webb, Cameron, Davis, Durst, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 28.

NAYS–Bayer, Bock, Fulcher, Nuxoll, Pearce, Vick. Total - 6.

Absent and excused–Patrick. Total - 1.

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 advanced to the Eleventh Order of Business.

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

Senator Patrick was recorded present at this order of business.

S 1054
BY EDUCATION COMMITTEE
AN ACT
RELATING TO EDUCATION AND GRADUATION REQUIREMENTS; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1614A, IDAHO CODE, TO PROVIDE THAT THE READING AND COMPREHENSION OF "ATLAS SHRUGGED" SHALL BE A REQUIREMENT OF HIGH SCHOOL GRADUATION, TO PROVIDE FOR AN EXAMINATION AND TO PROVIDE FOR RULES.

S 1055
BY EDUCATION COMMITTEE
AN ACT
RELATING TO EDUCATION AND INTERNET BASED EXPENDITURE WEBSITE; AMENDING SECTION 33-357, IDAHO CODE, TO PROVIDE THAT AN ANNUAL BUDGET SHALL BE INCLUDED ON THE INTERNET BASED WEBSITE AND TO PROVIDE THAT CERTAIN MASTER LABOR AGREEMENTS SHALL BE INCLUDED ON THE INTERNET BASED WEBSITE.

S 1056
BY EDUCATION COMMITTEE
AN ACT
RELATING TO SCHOOL ATTENDANCE; AMENDING SECTION 33-205, IDAHO CODE, TO PROVIDE THAT THE BOARD OF TRUSTEES SHALL DENY ENROLLMENT TO ANY PUPIL FOUND GUILTY OF A CRIME OF VIOLENCE OR WHO WAS IMPRISONED FOR ONE YEAR OR LONGER.

S 1057
BY EDUCATION COMMITTEE
AN ACT
RELATING TO EDUCATION; AMENDING SECTION 33-1004, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO A DISTRICT UTILIZING A PORTION OF INSTRUCTIONAL STAFF ALLOWANCE FOR VISITS BETWEEN THE TEACHER AND THE PARENTS OR GUARDIANS, TO MAKE A CODIFIER'S CORRECTION AND TO MAKE A TECHNICAL CORRECTION.

S 1058
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO SALE OF KEG BEER; AMENDING SECTION 23-1007, IDAHO CODE, TO REVISE THE SIZE OF A KEG OF BEER THAT A DEALER OR WHOLESALER IS ALLOWED TO SELL TO A CONSUMER AT HIS LICENSED PREMISES; AND AMENDING SECTION 23-1018, IDAHO CODE, TO REVISE A DEFINITION.

S 1054, S 1055, S 1056, S 1057, and S 1058 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

S 1006, as amended, by Transportation Committee, was read the first time at length and filed for second reading.

H 42 , by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 39 , by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 40 , by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 26, **H 28**, and **H 46** , by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 12, as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1032 , by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1010 , 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 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 11:15 a.m., Thursday, February 7, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

THIRTY-SECOND LEGISLATIVE DAY
THURSDAY, FEBRUARY 7, 2013

Senate Chamber

President Little called the Senate to order at 11:15 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 James R. Wibberding.

The Pledge of Allegiance was led by Emma Fredericksen, 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, 2013, 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 105
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN RULES OF THE IDAHO BOARD OF TAX APPEALS RELATING TO IDAHO BOARD OF TAX APPEALS RULES.

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

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Idaho Board of Tax Appeals relating to Idaho Board of Tax Appeals Rules 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-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 36.01.01, Idaho Board of Tax Appeals Rules, Section 63, Section 65 and Section 140, Subsection 06, only, adopted as pending rules under Docket Number 36-0101-1201, be, and the same are hereby rejected and declared null, void and of no force and effect.

SCR 106
BY RESOURCES AND ENVIRONMENT COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE DOCKET OF THE IDAHO FISH AND GAME COMMISSION RELATING TO RULES GOVERNING LICENSING.

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

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Idaho Fish and Game Commission relating to Rules Governing Licensing 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-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 13.01.04, Idaho Fish and Game Commission, Rules Governing Licensing, adopted as a pending rule under Docket Number 13-0104-1202, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

SCR 107
BY RESOURCES AND ENVIRONMENT COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE DOCKET OF THE IDAHO FISH AND GAME COMMISSION RELATING TO RULES GOVERNING THE TAKING OF BIG GAME ANIMALS IN THE STATE OF IDAHO.

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 Fish and Game Commission relating to Rules Governing the Taking of Big Game Animals in the State of Idaho 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-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 13.01.08, Idaho Fish and Game Commission, Rules Governing the Taking of Big Game Animals in the State of Idaho, adopted as a pending rule under Docket Number 13-0108-1202, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

SCR 108
BY RESOURCES AND ENVIRONMENT COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE DOCKET OF THE IDAHO FISH AND GAME COMMISSION RELATING TO RULES GOVERNING THE TAKING OF BIG GAME ANIMALS IN THE STATE OF IDAHO.

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 Fish and Game Commission relating to Rules Governing the Taking of Big Game Animals in the State of Idaho 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-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 13.01.08, Idaho Fish and Game Commission, Rules Governing the Taking of Big Game Animals in the State of Idaho, adopted as a pending rule under Docket Number 13-0108-1205, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

SCR 109
BY RESOURCES AND ENVIRONMENT COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE DOCKET OF THE IDAHO FISH AND GAME COMMISSION RELATING TO RULES GOVERNING THE TAKING OF GAME BIRDS IN THE STATE OF IDAHO.

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 Fish and Game Commission relating to Rules Governing the Taking of Game Birds in the State of Idaho 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-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 13.01.09, Idaho Fish and Game Commission, Rules Governing the Taking of Game Birds in the State of Idaho, adopted as a pending rule under Docket Number 13-0109-1201, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

SCR 110
BY RESOURCES AND ENVIRONMENT COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE IDAHO FISH AND GAME COMMISSION RELATING TO RULES GOVERNING LICENSING.

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

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule of the Idaho Fish and Game Commission relating to Rules Governing Licensing 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-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 13.01.04, Idaho Fish and Game Commission, Rules Governing Licensing, Section 701, Subsection 02.c, only, adopted as a pending rule under Docket Number 13-0104-1201, be, and the same is hereby rejected and declared null, void and of no force and effect.

SCR 105, **SCR 106**, **SCR 107**, **SCR 108**, **SCR 109**, and **SCR 110** 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 7, 2013

The JUDICIARY AND RULES Committee reports that **S 1054**, **S 1055**, **S 1056**, **S 1057**, and **S 1058** have been correctly printed.

LODGE, Chairman

S 1054, **S 1055**, **S 1056**, and **S 1057** were referred to the Education Committee.

S 1058 was referred to the State Affairs Committee.

February 6, 2013

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:

Susan Elizabeth Buxton to the Park and Recreation Board, term to expire July 1, 2018.

William B. Booth to the Northwest Power and Conservation Council, term to expire January 15, 2016.

PEARCE, 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.

February 6, 2013

The RESOURCES AND ENVIRONMENT Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment not be confirmed by the Senate:

Joan Veronica Hurlock to the Idaho Fish and Game Commission, term to expire June 30, 2016.

PEARCE, 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, 2013

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

Britt Raubenheimer to the Commission for the Blind & Visually Impaired, term to expire July 1, 2015.

HEIDER, Chairman

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

February 6, 2013

The HEALTH AND WELFARE Committee reports out **H 37** with the recommendation that it do pass.

HEIDER, Chairman

H 37 was filed for second reading.

February 6, 2013

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:

Kimberly Jo Simmons to the Sexual Offender Management Board, term to expire January 1, 2014.

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

Messages from the Governor

February 5, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Wendy Jaquet of Ketchum, Idaho, was appointed as a member of the State Board of Health and Welfare to serve a term commencing January 31, 2013, 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 Health and Welfare Committee.

February 5, 2013

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 reappointed as a member of the Lake Pend Oreille Basin Commission to serve a term commencing March 30, 2012, and expiring July 24, 2014.

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 6, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Elisha D. Figueroa of Eagle, Idaho, was appointed Administrator of the Office of Drug Policy to serve a term commencing April 2, 2012, and continuing at the pleasure of the Governor.

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

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

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

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

February 6, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Sheila A. Olsen of Idaho Falls, Idaho, was reappointed as a member of the Idaho Commission on Human Rights to serve a term commencing March 30, 2012, and expiring July 1, 2014.

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, 2013

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 appointed as a member of the Lake Pend Oreille Basin Commission to serve a term commencing June 21, 2012, and expiring July 24, 2014.

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

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

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 6, 2013

Dear Mr. President:

I transmit herewith **H 41** , which has passed the House.

ALEXANDER, Chief Clerk

H 41 was filed for first reading.

February 6, 2013

Dear Mr. President:

I transmit herewith Enrolled **H 2** and **H 3** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 2** and **H 3** and ordered them returned to the House.

February 7, 2013

Dear Mr. President:

I return herewith **SCR 102** , which has passed the House.

ALEXANDER, Chief Clerk

SCR 102 was referred to the Judiciary and Rules Committee for enrolling.

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 1059
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO THE CONTROL OF VENEREAL DISEASES; AMENDING SECTION 39-604, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE EXAMINATION FOR AND TREATMENT OF CERTAIN DISEASES OF PERSONS CONFINED OR IMPRISONED IN ANY STATE PRISON FACILITY IN IDAHO.

S 1060
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO PROSTITUTION; AMENDING CHAPTER 56, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-5610, IDAHO CODE, TO ESTABLISH A FELONY FOR UTILIZING A PERSON UNDER EIGHTEEN YEARS OF AGE FOR PROSTITUTION AND TO PROVIDE PENALTIES; AMENDING CHAPTER 56, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-5612, IDAHO CODE, TO PROVIDE FOR PROPERTY SUBJECT TO CRIMINAL FORFEITURE; AND AMENDING SECTION 18-8304, IDAHO CODE, TO PROVIDE FOR A CODE REFERENCE.

S 1061
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO THREATENED AND ENDANGERED SPECIES; AMENDING SECTION 67-818, IDAHO CODE, TO PROVIDE THAT THE STATE ASSERTS PRIMACY OVER THE MANAGEMENT OF ITS FISH AND WILDLIFE AND THAT IT IS AGAINST THE POLICY OF THE STATE OF IDAHO TO INTRODUCE OR REINTRODUCE ANY FEDERALLY LISTED SPECIES ONTO LANDS WITHIN THE STATE OR INTO STATE WATERS WITHOUT STATE CONSULTATION AND APPROVAL.

S 1062
BY RESOURCES AND ENVIRONMENT COMMITTEE
AN ACT
RELATING TO TRESPASS; AMENDING SECTIONS 18-7008 AND 36-1603, IDAHO CODE, TO PROVIDE FOR THE USE OF HIGH VISIBILITY SHADES OF ORANGE PAINT IN POSTINGS ASSOCIATED WITH TRESPASSING PROHIBITIONS AND TO MAKE A TECHNICAL CORRECTION.

S 1063
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO THE MEDICAL CONSENT AND NATURAL DEATH ACT; AMENDING SECTION 39-4514, IDAHO CODE, TO REVISE PROVISIONS RELATING TO WHEN HEALTH CARE MAY NOT BE WITHDRAWN OR DENIED AND TO MAKE A TECHNICAL CORRECTION.

S 1059, S 1060, S 1061, S 1062, and S 1063 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 41 , by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1043 and S 1044 , by Transportation Committee, were read the second time at length and filed for third reading.

H 16 , by Health and Welfare Committee, was read the second time at length and filed for third reading.

S 1025 , by State Affairs Committee, was read the second time at length and filed for third reading.

H 14, H 15, H 22, and H 23 , by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

S 1006, as amended, by Transportation Committee, was read the second time at length and filed for third reading.

H 12, as amended in the Senate, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

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 Winder, granted by unanimous consent, HCR 4 retained its place on the calendar for Monday, February 11, 2013.

The President announced that the Transportation Committee report relative to the Gubernatorial appointment of Charles "Chip" A. Kemper was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Brackett, seconded by Senator Werk, the Gubernatorial appointment of Charles "Chip" A. Kemper as a member of the Aeronautics Advisory Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial 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 Winder, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1001 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, Bock, Brackett, Buckner-Webb, Cameron, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lodge, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 32.

NAYS–None.

Absent and excused–Davis, Lakey, Martin. Total - 3.

Total - 35.

Whereupon the President declared S 1001 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 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, Bock, Brackett, Buckner-Webb, Cameron, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lodge, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 32.

NAYS–None.

Absent and excused–Davis, Lakey, Martin. Total - 3.

Total - 35.

Whereupon the President declared S 1004 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 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, Bock, Brackett, Buckner-Webb, Cameron, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lodge, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 32.

NAYS–None.

Absent and excused–Davis, Lakey, Martin. Total - 3.

Total - 35.

Whereupon the President declared S 1027 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

February 7, 2013

The JUDICIARY AND RULES Committee reports that SCR 102 has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled **SCR 102** and ordered it transmitted to the House for the signature of the Speaker.

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 11:15 a.m., Friday, February 8, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

THIRTY-THIRD LEGISLATIVE DAY
FRIDAY, FEBRUARY 8, 2013

Senate Chamber

President Little called the Senate to order at 11:15 a.m.

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

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Jessica 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 7, 2013, 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 Cameron and Lodge were recorded present at this order of business.

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

Petitions, Resolutions, and Memorials

SCR 111
BY TRANSPORTATION COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND DIRECTING THE IDAHO TRANSPORTATION DEPARTMENT, THE IDAHO DEPARTMENT OF AGRICULTURE AND THE IDAHO DEPARTMENT OF COMMERCE TO CONTINUE AND FACILITATE A STATEWIDE FREIGHT TRANSPORTATION TASK FORCE WITH EMPHASIS ON THE FORMATION OF A STAKEHOLDER FREIGHT TRANSPORTATION ADVISORY COMMITTEE, TO INITIATE AND FINALIZE A METHODOLOGICAL STUDY OF IDAHO'S PRESENT FREIGHT TRANSPORTATION SYSTEM, TO ESTABLISH A CONSISTENT AND RIGOROUS DATA COLLECTION AND ANALYSIS PROTOCOL, AND RECOMMENDING POLICIES, ACTIVITIES AND TIMELINES TO IMPLEMENT THESE CHANGES.

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

WHEREAS, Idaho's current and future economy depends upon growth in manufacturing and the related internal and external movement of raw commodities, materials and finished products; and

WHEREAS, future job growth and employment for Idahoans is rooted in a strong economic sector that can offer collaborative, coordinated, linked and integrated freight transportation; and

WHEREAS, the Idaho Transportation Department has been engaged with preliminary research and development of a freight system and the initial six recommendations of the ITD Freight Study Planning Group adopted by the ITD Board and presented to the Legislature; and

WHEREAS, the Idaho Transportation Department, the Idaho Department of Commerce and the Idaho Department of Agriculture are each charged with interagency cooperation and strategic involvement with commodity movement, commerce development and stimulating production; and

WHEREAS, existing Idaho statutes codified as Chapter 22, Title 70, Idaho Code, County and City-based Intermodal Commerce Authority, and Chapter 29, Title 49, Idaho Code, Rural Economic Development and Integrated Freight Transportation (REDIFiT) emphasize cooperation, linkages and collaboration in freight movement and strategic infrastructure development but lack the emphasis necessary to fully execute the opportunities presented for planning and development of a freight system in Idaho; and

WHEREAS, future Idaho public policy should emphasize systemwide and comprehensive coordinated, cooperative and linked freight transportation systems that consist of multimodal connections, readiness storage to facilitate incoming and outgoing freight shipping focused on cost-efficiency and timeliness to the benefit of production and movement for producers, shippers and carriers instead of policies that emphasize a singular mode or industry and a patchwork approach; and

WHEREAS, a comprehensive and systemic assessment of Idaho's freight transportation system resulting in integrated recommendations must be accomplished to benefit shippers and producers before further patchwork approaches are codified that will only serve to further complicate the development of a coherent, connected and cooperative freight transportation system; and

WHEREAS, it is evident that to achieve economic development that necessarily relies upon cost-efficient freight movement and promotes infrastructure development, a collaborative systematic process to plan, fund and develop a freight transportation system and infrastructure is required.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Idaho Legislature directs the Idaho Transportation Department to include as equal partners in freight systems planning and development, the Department of Commerce and the Department of Agriculture, and that these three agencies (Agencies) are to mutually continue strategic assessment and planning for Idaho's freight transportation system for all modes including rail, trucks, air and barge.

BE IT FURTHER RESOLVED that the Idaho Legislature directs the Agencies to identify, catalog and produce a map of Idaho's present freight transportation system and integral partners that ship freight within and without Idaho, generally the type of freight shipped or received and corresponding manufacturers and producers of commodities requiring shipping, and identify their specific and general shipping needs to receive and deliver said freight efficiently and timely.

BE IT FURTHER RESOLVED that the Idaho Legislature directs the Agencies to assess, rigorously evaluate, catalog

and recommend opportunities for freight shipping partnership collaboration, modality linkages for efficient and timely freight transportation.

BE IT FURTHER RESOLVED that in order to promote a coherent, coordinated and functional multimodal freight system, recommend specific policies for infrastructure capacity, locations and construction funding options for infrastructure projects including, but not limited to, roads and highways, bridges, facilities, connections and linkages to highway roads and bridges, warehousing, loading and transfer facilities.

BE IT FURTHER RESOLVED that to inform updates to the freight plan and Idaho's freight system, the Agencies are charged to design and implement a rigorous data collection system that reflects freight movement efficiency, effectiveness, modality partners cooperation and identified needs to promote a competitive freight system.

BE IT FURTHER RESOLVED that upon passage of this resolution, the Idaho Legislature will not authorize or allow state agency changes to legislative policy relating to vehicle weight routes, modal connections and linkages or facilities until the Agencies present a freight system plan containing needs, infrastructure and facility inventories, maps displaying the current freight shipping system and recommendations.

SCR 111 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 8, 2013

The JUDICIARY AND RULES Committee reports that **S 1059**, **S 1060**, **S 1061**, **S 1062**, **S 1063**, **SCR 105**, **SCR 106**, **SCR 107**, **SCR 108**, **SCR 109**, and **SCR 110** have been correctly printed.

LODGE, Chairman

S 1059 and **S 1060** were referred to the Judiciary and Rules Committee.

S 1061 and **S 1062** were referred to the Resources and Environment Committee.

S 1063 was referred to the Health and Welfare Committee.

SCR 105, **SCR 106**, **SCR 107**, **SCR 108**, **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 7, 2013

The TRANSPORTATION Committee reports out **H 19** and **H 21** with the recommendation that they do pass.

BRACKETT, Chairman

H 19 and **H 21** were filed for second reading.

February 7, 2013

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 20**, **H 24**, **H 25**, and **H 52** with the recommendation that they do pass.

SIDDOWAY, Chairman

H 20, **H 24**, **H 25**, and **H 52** were filed for second reading.

February 8, 2013

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:

R. James Coleman to the Idaho Transportation Board, term to expire January 31, 2019.

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 8, 2013

The COMMERCE AND HUMAN RESOURCES Committee reports out **S 1042** with the recommendation that it do pass.

TIPPETS, Chairman

S 1042 was filed for second reading.

February 8, 2013

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:

Thomas E. Limbaugh to the Idaho Industrial Commission, term to expire January 14, 2019.

Diana M. Bishop to the Idaho Personnel Commission, term to expire July 1, 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.

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

Messages from the House

February 7, 2013

Dear Mr. President:

I transmit herewith **H 66**, **H 85**, **H 81**, **H 82**, **H 83**, **H 84**, **H 73**, and **H 87** , which have passed the House.

ALEXANDER, Chief Clerk

H 66, **H 85**, **H 81**, **H 82**, **H 83**, **H 84**, **H 73**, and **H 87** were filed for first reading.

February 7, 2013

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 7, 2013

Dear Mr. President:

I transmit herewith Enrolled **H 4** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 4** and ordered it returned to the House.

February 8, 2013

Dear Mr. President:

I return herewith Enrolled **SCR 102** , which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **SCR 102** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

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 1064
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO PERMITS FOR OVERWEIGHT OR OVERSIZE LOADS; AMENDING SECTION 49-1004, IDAHO CODE, TO REMOVE REFERENCES TO A PILOT PROJECT AND TO MAKE TECHNICAL CORRECTIONS; AND REPEALING SECTION 3, CHAPTER 315, LAWS OF 2003, RELATING TO REPORTS TO THE LEGISLATURE AND A SUNSET PROVISION.

S 1065
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO AMATEUR RADIO TOWERS; AMENDING SECTION 21-515A, IDAHO CODE, TO INCLUDE CITIZENS BAND (CB) RADIO AND AMATEUR RADIO TOWERS IN STRUCTURES EXEMPT FROM STANDARDS FOR GUYED TOWERS.

S 1066
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO PERMITS FOR OVERWEIGHT OR OVERSIZE LOADS; AMENDING SECTION 49-1004, IDAHO CODE, TO REMOVE REFERENCES TO A PILOT PROJECT, TO PROVIDE FOR THE AUTHORIZATION OF ADDITIONAL ROUTES AND TO MAKE TECHNICAL CORRECTIONS; AND REPEALING SECTION 3, CHAPTER 315, LAWS OF 2003, RELATING TO REPORTS TO THE LEGISLATURE AND A SUNSET PROVISION.

S 1067
BY TRANSPORTATION COMMITTEE
AN ACT
RELATING TO AERONAUTICS; TO PROVIDE A SHORT TITLE; AMENDING CHAPTER 2, TITLE 21, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 21-213, IDAHO CODE, TO PROVIDE DEFINITIONS; AMENDING CHAPTER 2, TITLE 21, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 21-214, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO RESTRICTIONS ON GATHERING EVIDENCE OR OTHER INFORMATION THROUGH THE USE OF A DRONE OR OTHER UNMANNED AIRCRAFT AND TO PROVIDE FOR CONSENT; AMENDING CHAPTER 2, TITLE 21, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 21-215, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO THE USE OF A DRONE BY A LAW ENFORCEMENT AGENCY WHEN EXIGENT CIRCUMSTANCES EXIST; AND AMENDING CHAPTER 2, TITLE 21, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 21-216, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO A CIVIL ACTION AND TO PROVIDE THAT NO INFORMATION OBTAINED IN VIOLATION OF THE PROVISIONS OF THIS ACT MAY BE ADMISSIBLE AS EVIDENCE IN CERTAIN PROCEEDINGS.

S 1068
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT
RELATING TO MEMBERS OF THE ARMED SERVICES AND THEIR SPOUSES; AMENDING CHAPTER 12, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1202A, IDAHO CODE, TO PROVIDE FOR A PROVISIONAL CERTIFICATE FOR A SERVICE MEMBER OR THE SPOUSE OF A SERVICE MEMBER; AND AMENDING SECTION 67-2620, IDAHO CODE, TO ALLOW FOR LICENSURE, CERTIFICATION OR REGISTRATION FOR SERVICE MEMBERS AND SPOUSES.

S 1069
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT
RELATING TO SOLID WASTE DISPOSAL; AMENDING CHAPTER 44, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-4412, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO COMPLIANCE WITH NOTICE AND MEETING PROVISIONS IN CERTAIN CIRCUMSTANCES AND TO PROVIDE FOR THE APPLICATION OF LAW; AND AMENDING SECTION 31-869, IDAHO CODE, TO PROVIDE FOR THE APPLICATION OF LAW.

S 1070
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
AN ACT
RELATING TO CHARGES FOR MOTOR VEHICLE TRAFFIC INCIDENT RESPONSES; AMENDING CHAPTER 32, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-3222, IDAHO CODE, TO DEFINE TERMS, TO PROHIBIT A COUNTY FROM CHARGING AN INCIDENT RESPONSE FEE FOR THE USE OF EMERGENCY SERVICES RELATED TO TRAFFIC INCIDENTS, TO AUTHORIZE A COUNTY TO CHARGE FOR CERTAIN ACTUAL EXPENSES IN TRAFFIC INCIDENTS, TO PROVIDE FOR APPORTIONMENT OF ACTUAL EXPENSES AND TO PROVIDE THAT ESTABLISHED PROVISIONS SHALL NOT APPLY TO CERTAIN CHARGES; AND AMENDING CHAPTER 3, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-346, IDAHO CODE, TO DEFINE TERMS, TO PROHIBIT

A MUNICIPALITY FROM CHARGING AN INCIDENT RESPONSE FEE FOR THE USE OF EMERGENCY SERVICES RELATED TO TRAFFIC INCIDENTS, TO AUTHORIZE A MUNICIPALITY TO CHARGE FOR CERTAIN ACTUAL EXPENSES IN TRAFFIC INCIDENTS, TO PROVIDE FOR APPORTIONMENT OF ACTUAL EXPENSES AND TO PROVIDE THAT ESTABLISHED PROVISIONS SHALL NOT APPLY TO CERTAIN CHARGES.

S 1064, S 1065, S 1066, S 1067, S 1068, S 1069, and S 1070 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 66 and H 85 , by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

H 81, H 82, H 83, and H 84 , by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

H 73 , by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 87 , 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 37 , by Environment, Energy, and Technology 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 1024 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, Bock, Brackett, Buckner-Webb, Cameron, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Davis, Goedde. Total - 2.

Total - 35.

Whereupon the President declared S 1024 passed, title was approved, and the bill ordered transmitted to the House.

H 5 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, Bock, Brackett, Buckner-Webb, Cameron, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Davis, Goedde. Total - 2.

Total - 35.

Whereupon the President declared H 5 passed, title was approved, and the bill ordered returned to the House.

S 1032 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bock arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Davis, Goedde. Total - 2.

Total - 35.

Whereupon the President declared S 1032 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 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, Bock, Brackett, Buckner-Webb, Cameron, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Davis, Goedde. Total - 2.

Total - 35.

Whereupon the President declared S 1010 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?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 32.

NAYS–Schmidt. Total - 1.

Absent and excused–Davis, Goedde. Total - 2.

Total - 35.

Whereupon the President declared **S 1043** passed, title was approved, and the bill ordered transmitted to the House.

S 1044 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, Bock, Brackett, Buckner-Webb, Cameron, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Davis, Goedde. Total - 2.

Total - 35.

Whereupon the President declared **S 1044** passed, title was approved, and the bill ordered transmitted to the House.

H 16 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, Bock, Brackett, Buckner-Webb, Cameron, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Davis, Goedde. Total - 2.

Total - 35.

Whereupon the President declared **H 16** 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 12:05 p.m. until the hour of 11 a.m., Monday, February 11, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

THIRTY-SIXTH LEGISLATIVE DAY
MONDAY, FEBRUARY 11, 2013

Senate Chamber

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

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

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Mattison McDaniel, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 8, 2013, 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 Mortimer and Cameron were recorded present at this order of business.

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

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the 10th Order Calendar was reordered placing the Gubernatorial appointment of Joan Veronica Hurlock at the head of the calendar, followed by Senate Concurrent Resolutions, followed by remaining Gubernatorial appointments.

The President announced that the Resources and Environment Committee report not to confirm the Gubernatorial appointment of Joan Veronica Hurlock to the Idaho Fish and Game Commission was before the Senate for final consideration.

The question being, "Shall the Resources and Environment Committee report be adopted?"

Moved by Senator Heider, seconded by Senator Cameron, that the Resources and Environment report be adopted.

A substitute motion was made by Senator Brackett, seconded by Senator Stennett, that the Senate confirm the Gubernatorial appointment of Joan Veronica Hurlock to the Idaho Fish and Game Commission.

The question being, "Shall the substitute motion pass?"

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

Roll call vote was requested by Senator Brackett. Senators Siddoway, Bair, Stennett, Werk and Schmidt stood in support of the call.

Roll call resulted as follows:

AYES–Bock, Brackett, Buckner-Webb, Durst, Johnson, Keough, Lacey, Lakey, Lodge, Martin, Patrick, Rice, Schmidt, Stennett, Tippets, Werk. Total - 16.

NAYS–Bair, Bayer, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, McKenzie, Mortimer, Nonini, Nuxoll, Pearce, Siddoway, Thayn, Vick, Winder. Total - 19.

Total - 35.

Whereupon the President declared the substitute motion lost.

The question being, "Shall the report of the Resources and Environment Committee be adopted?"

Roll call vote was requested by Senator Heider. Senators Mortimer, Siddoway, Bair and Cameron stood in support of the motion.

Roll call resulted as follows:

AYES–Bair, Bayer, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, McKenzie, Mortimer, Nonini, Nuxoll, Pearce, Siddoway, Thayn, Vick, Winder. Total - 19.

NAYS–Bock, Brackett, Buckner-Webb, Durst, Johnson, Keough, Lacey, Lakey, Lodge, Martin, Patrick, Rice, Schmidt, Stennett, Tippets, Werk. Total - 16.

Total - 35.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter for his signature, to be transmitted to the Governor informing him that the Senate failed to confirm the Gubernatorial appointment of Joan Veronica Hurlock to the Idaho Fish and Game Commission.

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 1 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 Buckner-Webb, Durst, Fulcher, Goedde, Mortimer, Nonini, Patrick, Pearce and Thayn, absent and formally excused by the Chair; and Senators Cameron and Siddoway, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

SCR 112
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND AFFIRMING THE LEGISLATURE'S OPPOSITION TO THE LEGALIZATION OF MARIJUANA IN IDAHO.

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

WHEREAS, marijuana is classified as a Schedule I controlled substance under both state and federal law and has a negative impact on public health and safety; and

WHEREAS, the tetrahydrocannabinol (THC) content of marijuana has risen dramatically in the last 30 years, contributing to the fact that one out of six teenagers who start smoking marijuana will become addicted to it; and

WHEREAS, marijuana use has a detrimental effect on individual learning and brain development; and

WHEREAS, national pro-marijuana organizations have invested millions to push drug legalization in America, and have targeted Idaho for a "medical" marijuana initiative in 2014; and

WHEREAS, drug legalization efforts in other states have led to social, economic and legal chaos, with programs full of fraud and abuse; and

WHEREAS, drug legalization laws in neighboring states have already adversely impacted Idaho through cultural acceptance of drug use that reduces the perception of harm among children and increases drug use; and

WHEREAS, increased drug use will impact public education in Idaho, productivity in the workplace, escalate the number of impaired drivers on Idaho roads, and affect other areas of our lives; and

WHEREAS, the people of Idaho have a strong tradition of prevention efforts through public education, sound public policies and laws pertaining to substance abuse.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Idaho Legislature takes this opportunity to state its opposition to efforts to legalize marijuana for any purpose in the State of Idaho.

SCR 113
BY TRANSPORTATION COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND DIRECTING THE IDAHO TRANSPORTATION DEPARTMENT, THE IDAHO DEPARTMENT OF AGRICULTURE AND THE IDAHO DEPARTMENT OF COMMERCE TO CONTINUE AND FACILITATE A STATEWIDE FREIGHT TRANSPORTATION TASK FORCE WITH EMPHASIS ON THE FORMATION OF A STAKEHOLDER FREIGHT TRANSPORTATION ADVISORY COMMITTEE, TO INITIATE AND FINALIZE A METHODOLOGICAL STUDY OF IDAHO'S PRESENT FREIGHT TRANSPORTATION SYSTEM, TO ESTABLISH A CONSISTENT AND RIGOROUS DATA COLLECTION AND ANALYSIS PROTOCOL, AND RECOMMENDING POLICIES, ACTIVITIES AND TIMELINES TO IMPLEMENT THESE CHANGES.

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

WHEREAS, Idaho's current and future economy depends upon growth in manufacturing and the related internal and external movement of raw commodities, materials and finished products; and

WHEREAS, future job growth and employment for Idahoans is rooted in a strong economic sector that can offer collaborative, coordinated, linked and integrated freight transportation; and

WHEREAS, the Idaho Transportation Department has been engaged with preliminary research and development of a freight system and the initial six recommendations of the ITD Freight Study Planning Group adopted by the ITD Board and presented to the Legislature; and

WHEREAS, the Idaho Transportation Department, the Idaho Department of Commerce and the Idaho Department of Agriculture are each charged with interagency cooperation and strategic involvement with commodity movement, commerce development and stimulating production; and

WHEREAS, existing Idaho statutes codified as Chapter 22, Title 70, Idaho Code, County and City-based Intermodal Commerce Authority, and Chapter 29, Title 49, Idaho Code, Rural Economic Development and Integrated Freight Transportation (REDIFiT) emphasize cooperation, linkages and collaboration in freight movement and strategic infrastructure development but lack the emphasis necessary to fully execute the opportunities presented for planning and development of a freight system in Idaho; and

WHEREAS, future Idaho public policy should emphasize systemwide and comprehensive coordinated, cooperative and linked freight transportation systems that consist of multimodal connections, readiness storage to facilitate incoming and outgoing freight shipping focused on cost-efficiency and timeliness to the benefit of production and movement for producers, shippers and carriers instead of policies that emphasize a singular mode or industry and a patchwork approach; and

WHEREAS, a comprehensive and systemic assessment of Idaho's freight transportation system resulting in integrated recommendations must be accomplished to benefit shippers and producers before further patchwork approaches are codified that will only serve to further complicate the development of a coherent, connected and cooperative freight transportation system; and

WHEREAS, it is evident that to achieve economic development that necessarily relies upon cost-efficient freight movement and promotes infrastructure development, a collaborative systematic process to plan, fund and develop a freight transportation system and infrastructure is required.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Idaho Legislature directs the Idaho Transportation Department to include as equal partners in freight systems planning and development, the Department of Commerce and the Department of Agriculture, and that these three agencies (Agencies) are to mutually continue strategic assessment and planning for Idaho's freight transportation system for all modes including rail, trucks, air and barge.

BE IT FURTHER RESOLVED that the Idaho Legislature directs the Agencies to identify, catalog and produce a map of Idaho's present freight transportation system and integral partners that ship freight within and without Idaho, generally the type of freight shipped or received and corresponding manufacturers and producers of commodities requiring shipping, and identify their specific and general shipping needs to receive and deliver said freight efficiently and timely.

BE IT FURTHER RESOLVED that the Idaho Legislature directs the Agencies to assess, rigorously evaluate, catalog and recommend opportunities for freight shipping partnership collaboration, modality linkages for efficient and timely freight transportation.

BE IT FURTHER RESOLVED that in order to promote a coherent, coordinated and functional multimodal freight system, recommend specific policies for infrastructure capacity, locations and construction funding options for infrastructure projects including, but not limited to, roads and highways, bridges, facilities, connections and linkages to highway roads and bridges, warehousing, loading and transfer facilities.

BE IT FURTHER RESOLVED that to inform updates to the freight plan and Idaho's freight system, the Agencies are charged to design and implement a rigorous data collection system that reflects freight movement efficiency, effectiveness, modality partners cooperation and identified needs to promote a competitive freight system.

SJM 101
BY STATE AFFAIRS COMMITTEE
A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES, TO THE DIRECTOR OF THE UNITED STATES DEPARTMENT OF JUSTICE, 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-second Idaho Legislature, do hereby respectfully represent that:

WHEREAS, marijuana is a schedule I drug as classified by the Controlled Substances Act and is an addictive substance which poses great risks to public health and safety; and

WHEREAS, marijuana use and addiction are the number one reason that children are admitted to substance abuse treatment facilities and it is the number two reason that adults are admitted for treatment; and

WHEREAS, that legalizing this substance is a threat to all states and citizens, not just to the few states that have opted to violate federal law; and

WHEREAS, virtually all Idahoans have experienced the negative impacts of marijuana use and abuse on our roads, workplaces, classrooms, emergency rooms and many other areas of our lives; and

WHEREAS, by not taking action against efforts to legalize marijuana, we are creating one more costly social problem in Idaho and America during a time when our state and nation cannot afford such consequences; and

WHEREAS, the possession, sale and distribution of marijuana are against federal law; and

WHEREAS, it is also a violation of federal law for employees of a state to be tasked with the establishment, administration and regulation of marijuana businesses and enterprises.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature calls upon the President of the United States, the Director of the United States Department of Justice and Congress to take appropriate action to ensure that federal drug-free policy is upheld in all states.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, the Director of the United States Department of Justice, 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.

SCR 112, **SCR 113**, and **SJM 101** were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 11, 2013

The JUDICIARY AND RULES Committee reports that **S 1064**, **S 1065**, **S 1066**, **S 1067**, **S 1068**, **S 1069**, **S 1070**, and **SCR 111** have been correctly printed.

LODGE, Chairman

S 1064, **S 1065**, **S 1066**, and **S 1067** were referred to the Transportation Committee.

S 1068 was referred to the Commerce and Human Resources Committee.

S 1069 and **S 1070** were referred to the Local Government and Taxation Committee.

SCR 111 was referred to the Transportation Committee.

February 8, 2013

The JUDICIARY AND RULES Committee reports that Enrolled **SCR 102** was delivered to the Office of the Secretary of State at 3:22 p.m., February 8, 2013.

LODGE, Chairman

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

February 8, 2013

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 7, 2013

The HEALTH AND WELFARE Committee reports out **S 1013** with the recommendation that it do pass.

HEIDER, Chairman

S 1013 was filed for second reading.

February 8, 2013

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:

Gavin Gee to the Idaho Endowment Fund Investment Board, term to expire April 11, 2016.

James C. Hammond to the Idaho State Racing Commission, term to expire January 1, 2019.

Mark William Lliteras to the Idaho Energy Resources Authority, term to expire June 30, 2016.

Melville W. Fisher II to the Idaho Lottery Commission, term to expire January 1, 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.

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

Messages from the House

February 8, 2013

Dear Mr. President:

I transmit herewith **H 44**, **H 7**, **H 8**, and **H 9** , which have passed the House.

ALEXANDER, Chief Clerk

H 44, **H 7**, **H 8**, and **H 9** 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 1071
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO ORGAN DONOR NOTIFICATION; AMENDING SECTION 39-3413, IDAHO CODE, TO PROVIDE THAT LAW ENFORCEMENT OFFICERS, FIREFIGHTERS AND EMERGENCY MEDICAL PROVIDERS SHALL PROVIDE CERTAIN INFORMATION TO ORGAN PROCUREMENT ORGANIZATIONS REGARDING DECEASED INDIVIDUALS IN A MOTOR VEHICLE ACCIDENT.

S 1072
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO ORGAN DONATION CONTRIBUTION FUND; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1055, IDAHO CODE, TO CREATE THE ORGAN DONATION CONTRIBUTION FUND, TO PROVIDE FOR DUTIES OF THE DEPARTMENT OF HEALTH AND WELFARE IN ADMINISTRATION OF THE FUND AND TO IDENTIFY POSSIBLE RECIPIENTS OF MONEYS FROM THE FUND; AMENDING SECTION 49-306, IDAHO CODE, TO AUTHORIZE VOLUNTARY CONTRIBUTIONS TO THE ORGAN DONATION CONTRIBUTION FUND BY PERSONS APPLYING FOR OR RENEWING A DRIVER'S LICENSE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-402, IDAHO CODE, TO AUTHORIZE VOLUNTARY CONTRIBUTIONS TO THE ORGAN DONATION CONTRIBUTION FUND BY PERSONS APPLYING FOR OR RENEWING MOTOR VEHICLE REGISTRATION; AMENDING SECTION 49-401B, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 67-4223A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND PROVIDING AN EFFECTIVE DATE.

S 1073
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO IMMUNIZATION REGISTRY; AMENDING SECTION 39-4803, IDAHO CODE, TO REVISE TERMINOLOGY, TO PROVIDE FOR BOTH ADULTS AND CHILDREN IN THE IMMUNIZATION REGISTRY, TO PROVIDE FOR A HEALTH DATA EXCHANGE IN DISCLOSURE OF INFORMATION, TO REVISE A PROVISION RELATING TO REMOVAL OF INFORMATION FROM THE REGISTRY AND TO REVISE A PROVISION RELATING TO DISCLOSURE OF CONFIDENTIAL INFORMATION.

S 1074
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO A LICENSE TO RETAIL LIQUOR; AMENDING SECTION 23-903, IDAHO CODE, TO REVISE A PROVISION RELATING TO THE ISSUANCE OF A LICENSE TO RETAIL LIQUOR TO THE OWNER, OPERATOR OR LESSEE OF AN EQUESTRIAN FACILITY AND TO MAKE TECHNICAL CORRECTIONS.

S 1075
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO AN APPLICATION OF THE STATE OF IDAHO UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION FOR PROPOSING AMENDMENTS TO THE UNITED STATES CONSTITUTION; PROVIDING LEGISLATIVE INTENT; AMENDING TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 16, TITLE 34, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR THE APPOINTMENT OF DELEGATES TO THE CONVENTION, TO PROVIDE FOR THE INSTRUCTION TO, SCOPE AND LIMITATION OF AUTHORITY OF, AND COMPENSATION OF SAID DELEGATES, TO PROVIDE DUTIES OF THE SECRETARY OF STATE AND TO PROVIDE A CITATION.

S 1076
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE COMMISSION ON HISPANIC AFFAIRS FOR FISCAL YEAR 2013; AND DECLARING AN EMERGENCY.

S 1077
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED FOR FISCAL YEAR 2013; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2013; AND DECLARING AN EMERGENCY.

S 1078
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTIONS; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-107D, IDAHO CODE, TO PROVIDE THAT NO STATE POSTSECONDARY EDUCATIONAL INSTITUTION SHALL TAKE ANY ACTION OR ENFORCE ANY POLICY

THAT WOULD DENY A RELIGIOUS STUDENT GROUP ANY BENEFIT AVAILABLE TO ANY OTHER STUDENT GROUP BASED ON THE RELIGIOUS STUDENT GROUP'S REQUIREMENT THAT ITS LEADERS ADHERE TO ITS SINCERELY HELD RELIGIOUS BELIEFS OR STANDARDS OF CONDUCT AND TO DEFINE TERMS.

S 1079
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO INTERNET CRIMES AGAINST CHILDREN; AMENDING SECTION 67-1401, IDAHO CODE, TO PROVIDE ADDITIONAL DUTIES OF THE ATTORNEY GENERAL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 14, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-1410, IDAHO CODE, TO CREATE THE INTERNET CRIMES AGAINST CHILDREN UNIT IN THE OFFICE OF THE ATTORNEY GENERAL AND TO PROVIDE POWERS, DUTIES AND AUTHORITIES OF SUCH UNIT IN THE OFFICE OF THE ATTORNEY GENERAL; AND AMENDING CHAPTER 14, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-1411, IDAHO CODE, TO CREATE THE INTERNET CRIMES AGAINST CHILDREN FUND IN THE STATE TREASURY.

S 1080
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO COUNTY OFFICERS; AMENDING SECTION 31-1607, IDAHO CODE, TO REVISE PROVISIONS RELATING TO AN ACTION AGAINST COUNTY OFFICIALS, COUNTY COMMISSIONERS OR AUDITORS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 20, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-2002, IDAHO CODE, TO PROVIDE FOR DUTIES OF THE ATTORNEY GENERAL RELATING TO PRELIMINARY INVESTIGATIONS AND ACTIONS AGAINST COUNTY ELECTED OFFICERS; AMENDING SECTION 31-2227, IDAHO CODE, TO PROVIDE A CERTAIN EXCEPTION RELATING TO THE PRIMARY RESPONSIBILITY FOR ENFORCING PENAL LAWS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-2347, IDAHO CODE, TO PROVIDE THAT THE ATTORNEY GENERAL SHALL HAVE THE DUTY TO ENFORCE A CERTAIN ACT WITH RESPECT TO CERTAIN VIOLATIONS COMMITTED BY MEMBERS OF A BOARD OF COUNTY COMMISSIONERS.

S 1081
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO MOTOR VEHICLE REGISTRATION; AMENDING SECTION 49-434, IDAHO CODE, TO REVISE A FEE, TO PROVIDE THAT CERTAIN TRAILER MANUFACTURERS MAY PURCHASE REGISTRATION FROM THE DEPARTMENT, TO ESTABLISH PROVISIONS RELATING TO THE ISSUING OF ANNUAL REGISTRATION TO CERTAIN FOREIGN-BASED PURCHASERS AND TO ESTABLISH PROVISIONS RELATING TO THE APPLICATION OF AN ANNUAL FEE TO A NONEXPIRING REGISTRATION FEE.

S 1082
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO SPECIAL MOTOR VEHICLE LICENSE PLATES; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-420M, IDAHO CODE, TO ESTABLISH THE IDAHO VOLUNTEER EMERGENCY MEDICAL SERVICE (EMS) LICENSE PLATE PROGRAM.

S 1083
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO MOTOR VEHICLE LICENSE PLATES; AMENDING SECTION 49-443, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO THE USE OF CERTAIN SPECIALTY LICENSE PLATES AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

S 1084
BY TRANSPORTATION COMMITTEE
AN ACT

RELATING TO ROAD CONSTRUCTION; AMENDING CHAPTER 2, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-211, IDAHO CODE, TO PROVIDE THAT ROAD CONSTRUCTION SHALL NOT BLOCK ACCESS OR UNREASONABLY DIVERT TRAFFIC FROM BUSINESSES AND TO PROVIDE FOR TWENTY-FOUR HOUR CONSTRUCTION IF A VIOLATION OCCURS.

S 1085
BY EDUCATION COMMITTEE
AN ACT

RELATING TO SCHOOL COUNSELORS; PROVIDING LEGISLATIVE INTENT; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 57, TITLE 33, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO ESTABLISH PROVISIONS RELATING TO REQUIRING A CERTAIN NUMBER OF SCHOOL COUNSELORS, TO PROVIDE FOR AN EXPERIENCE AND EDUCATION MULTIPLIER AND TO ESTABLISH PROVISIONS RELATING TO THE USE OF SUCH MULTIPLIER.

S 1086
BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION AND CLASS SIZES; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1022D, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO REQUIRED MAXIMUM CLASS SIZES FOR CERTAIN PUBLIC SCHOOL CLASSROOMS, TO ESTABLISH PROVISIONS RELATING TO REPORTING REQUIREMENTS AND TO PROVIDE FOR RULES; AND AMENDING SECTION 33-1002, IDAHO CODE, TO PROVIDE FOR THE IMPLEMENTATION OF LAW.

S 1087
BY EDUCATION COMMITTEE
AN ACT

RELATING TO MOTOR VEHICLE DRIVER'S LICENSES; AMENDING SECTION 49-303A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO DRIVER'S LICENSES OR PERMITS ISSUED TO CERTAIN PERSONS UNDER THE

AGE OF EIGHTEEN YEARS, TO INCLUDE PROVISIONS RELATING TO MAINTAINING SATISFACTORY ACADEMIC PROGRESS AND TO MAKE TECHNICAL CORRECTIONS.

S 1088
BY EDUCATION COMMITTEE
AN ACT

RELATING TO SCHOOL DISTRICTS; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 3, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-310C, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO A REQUIRED AUDIT, TO ESTABLISH PROVISIONS RELATING TO CONSOLIDATION PROTOCOLS, TO ESTABLISH PROVISIONS RELATING TO REDUCED STATE ALLOCATION TO CERTAIN DISTRICTS, TO ESTABLISH PROVISIONS RELATING TO INCREASED ALLOCATION TO CERTAIN DISTRICTS, TO ESTABLISH PROVISIONS RELATING TO ONE OR MORE SCHOOL DISTRICTS CHOOSING NOT TO PARTICIPATE IN CONSOLIDATION, TO DEFINE A TERM AND TO PROVIDE FOR RULES.

S 1089
BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; REPEALING SECTION 33-1004G, IDAHO CODE, RELATING TO EARLY RETIREMENT INCENTIVE EXCLUDING ADMINISTRATIVE STAFF; AMENDING SECTION 33-1004H, IDAHO CODE, TO REVISE PROVISIONS RELATING TO SCHOOL DISTRICTS EMPLOYING RETIRED TEACHERS AND ADMINISTRATORS AND TO MAKE A CODIFIER'S CORRECTION; AND DECLARING AN EMERGENCY.

S 1090
BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-522, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN CONDITIONS RELATING TO A FINANCIAL EMERGENCY, TO ESTABLISH PROVISIONS RELATING TO A DECISION TO INSTITUTE A REDUCTION IN FORCE AND TO THE SELECTION OF EMPLOYEES SUBJECT TO SUCH REDUCTION AND PROVIDING FOR A DISTRICT POLICY.

S 1091
BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1002, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO AN ONLINE COURSE PORTAL, ADVANCED OPPORTUNITIES AND THE "8 IN 6 PROGRAM"; AMENDING SECTION 33-1020, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A CERTAIN DISTRIBUTION CALCULATION AND TO CORRECT A CODIFIER'S ERROR; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1024, IDAHO CODE, TO PROVIDE THAT CERTAIN MONEYS MAY BE EXPENDED FOR THE DEVELOPMENT AND MAINTENANCE OF AN INTERNET-BASED PORTAL, TO ESTABLISH PROVISIONS RELATING TO CERTAIN COURSES AVAILABLE, TO PROVIDE THAT THE PORTAL SHALL INCLUDE CERTAIN CUSTOMER RATINGS AND A NOTIFICATION CAPACITY AND TO PROVIDE THAT THE PORTAL SHALL FACILITATE COMMUNICATIONS; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1626, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO CERTAIN ADVANCED OPPORTUNITIES, ELIGIBILITY FOR DUAL CREDIT COURSES AND THE DISTRIBUTION OF CERTAIN MONEYS AND TO ESTABLISH PROVISIONS RELATING TO CERTAIN END OF COURSE ADVANCED PLACEMENT EXAMINATIONS AND THE DISTRIBUTION AND REIMBURSEMENT OF CERTAIN MONEYS; AMENDING SECTION 33-1628, IDAHO CODE, TO PROVIDE THAT MONEYS SHALL NOT BE PAID FOR CERTAIN IDAHO DIGITAL LEARNING ACADEMY ENROLLMENTS, TO REVISE PROVISIONS RELATING TO ELIGIBLE COURSES, TO ESTABLISH PROVISIONS RELATING TO ENROLLING IN ELIGIBLE COURSES, TO ESTABLISH PROVISIONS RELATING TO CREDITS AND GRADES FOR ONLINE COURSES TAKEN AND TO MAKE TECHNICAL CORRECTIONS.

S 1092
BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1002, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO ADDITIONAL MATH AND SCIENCE COURSES; AND AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1021, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO MEETING GRADUATION REQUIREMENTS FOR MATH AND SCIENCE COURSES, TO PROVIDE FOR THE DISTRIBUTION OF CERTAIN MONEYS, TO PROVIDE FOR THE USE OF SUCH MONEYS, TO ESTABLISH CRITERIA FOR THE DISTRIBUTION OF MONEYS AND TO ESTABLISH PROVISIONS RELATING TO CERTAIN NINTH GRADE STUDENTS FOR THE PURPOSES OF SCHOOL SIZE CLASSIFICATIONS.

S 1093
BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION AND THE TRANSPORTATION SUPPORT PROGRAM; AMENDING SECTION 33-1006, IDAHO CODE, TO PROVIDE THAT THE TOTAL MONEYS PAID TO SCHOOL DISTRICTS AND PUBLIC CHARTER SCHOOLS FOR CERTAIN TRANSPORTATION COSTS SHALL BE REDUCED BY A CERTAIN AMOUNT AND SHALL BE USED AS DISCRETIONARY SPENDING.

S 1094
BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1275, IDAHO CODE, TO REMOVE LANGUAGE RELATING TO FACT-FINDERS, APPOINTMENT AND HEARINGS, TO ESTABLISH PROVISIONS RELATING TO TERMS OF AGREEMENTS, TO PROVIDE THAT AGREEMENTS SHALL HAVE A ONE YEAR DURATION, TO ESTABLISH PROVISIONS RELATING TO LIMITATIONS ON THE PARTIES' AUTHORITY, TO ESTABLISH PROVISIONS RELATING TO CERTAIN AGREEMENTS HAVING A NONROLLING TWO YEAR DURATION AND TO ESTABLISH PROVISIONS RELATING TO WHAT A FINANCIAL TERM INCLUDES; AND DECLARING AN EMERGENCY.

S 1095
BY EDUCATION COMMITTEE
AN ACT
RELATING TO EDUCATION; AMENDING SECTION 33-1271, IDAHO CODE, TO REVISE LANGUAGE RELATING TO ENTERING INTO A NEGOTIATION AGREEMENT, TO PROVIDE FOR NEGOTIATIONS IN GOOD FAITH, TO REVISE PROVISIONS RELATING TO A REQUEST FOR NEGOTIATIONS AND TO REVISE PROVISIONS RELATING TO RATIFICATION; AMENDING SECTION 33-1272, IDAHO CODE, TO REVISE DEFINITIONS, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1273, IDAHO CODE, TO CLARIFY THAT THE LOCAL EDUCATION ORGANIZATION SHALL BE THE EXCLUSIVE REPRESENTATIVE FOR CERTAIN EMPLOYEES IN THAT DISTRICT FOR PURPOSES OF NEGOTIATIONS PURSUANT TO LAW AND TO PROVIDE THAT NEGOTIATIONS SHALL ONLY OCCUR BETWEEN CERTAIN REPRESENTATIVES; AMENDING SECTION 33-1274, IDAHO CODE, TO REVISE PROVISIONS RELATING TO MEDIATION AND TO MAKE A TECHNICAL CORRECTION; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1096
BY EDUCATION COMMITTEE
AN ACT
RELATING TO EDUCATION; AMENDING SECTION 33-513, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO GRANTING AN EMPLOYEE'S REQUEST FOR VOLUNTARY LEAVE OF ABSENCE, TO ESTABLISH PROVISIONS RELATING TO THE DELEGATION OF AUTHORITY TO PLACE AN EMPLOYEE ON AN INVOLUNTARY LEAVE OF ABSENCE, TO PROVIDE FOR RATIFICATION OF CERTAIN ACTION, TO ESTABLISH PROVISIONS RELATING TO AN INVESTIGATION, TO ESTABLISH PROVISIONS RELATING TO AN INVOLUNTARY LEAVE OF ABSENCE WITHOUT PAY, TO ESTABLISH PROVISIONS RELATING TO AN INVOLUNTARY LEAVE OF ABSENCE WITH PAY, TO ESTABLISH PROVISIONS RELATING TO DUAL COURT ORDERS, TO MAKE A CODIFIER'S CORRECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-514, IDAHO CODE, TO REVISE A DATE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-515, IDAHO CODE, TO REMOVE LANGUAGE RELATING TO A NOTICE CONCERNING RENEWAL OF A CONTRACT, TO REVISE A DATE, TO REVISE PROVISIONS RELATING TO CONTRACTS AUTOMATICALLY RENEWED, TO ESTABLISH PROVISIONS RELATING TO AN INFORMAL REVIEW IF THE BOARD DETERMINES TO CHANGE CERTAIN TERMS OF A CONTRACT, TO MAKE A CODIFIER'S CORRECTION AND TO MAKE TECHNICAL CORRECTIONS; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1097
BY EDUCATION COMMITTEE
AN ACT
RELATING TO EDUCATION; AMENDING SECTION 33-1002B, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO CERTAIN SCHOOL AGE EDUCATION STUDENTS FROM OUTSIDE THE STATE OF IDAHO AND TO MAKE A TECHNICAL CORRECTION.

S 1098
BY EDUCATION COMMITTEE
AN ACT
RELATING TO EDUCATION; AMENDING SECTION 33-1272, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 12, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1273A, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO NEGOTIATIONS IN OPEN SESSION, TO ESTABLISH THAT CERTAIN DOCUMENTATION SHALL BE SUBJECT TO CERTAIN DISCLOSURE LAWS AND TO PROVIDE FOR NOTICE; AND DECLARING AN EMERGENCY.

S 1099
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO THE PUBLIC HEALTH, SAFETY AND WELFARE AND TO FIREARM SUPPRESSORS; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 33, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-3315B, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE PROHIBITION OF FEDERAL REGULATION OF CERTAIN SUPPRESSORS ON FIREARMS AND TO PROVIDE DUTIES OF THE ATTORNEY GENERAL; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1100
BY HEALTH AND WELFARE COMMITTEE
AN ACT
RELATING TO HEALTH CARE SHARING MINISTRIES; PROVIDING A SHORT TITLE; AMENDING CHAPTER 1, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-121, IDAHO CODE, TO PROVIDE THAT A HEALTH CARE SHARING MINISTRY SHALL NOT BE CONSIDERED TO BE ENGAGING IN THE BUSINESS OF INSURANCE FOR THE PURPOSES OF TITLE 41, IDAHO CODE, TO DEFINE A TERM AND TO PROVIDE FOR APPLICATION OF THE CONSUMER PROTECTION ACT; AND PROVIDING SEVERABILITY.

S 1071, **S 1072**, **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**, **S 1094**, **S 1095**, **S 1096**, **S 1097**, **S 1098**, **S 1099**, and **S 1100** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 44 , by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 7, **H 8**, and **H 9** , by Business Committee, were 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 4:25 p.m. until the hour of 11 a.m., Tuesday, February 12, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

THIRTY-SEVENTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 12, 2013

Senate Chamber

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

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

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Brooks Nielson, 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, 2013, 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 12, 2013

The JUDICIARY AND RULES Committee reports that **S 1071**, **S 1072**, **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**, **S 1094**, **S 1095**, **S 1096**, **S 1097**, **S 1098**, **S 1099**, **S 1100**, **SCR 112**, **SCR 113**, and **SJM 101** have been correctly printed.

LODGE, Chairman

S 1071, **S 1072**, and **S 1073** were referred to the Health and Welfare Committee.

S 1074, **S 1075**, **S 1078**, **S 1079**, **S 1080**, and **S 1099** were referred to the State Affairs Committee.

S 1076 and **S 1077** were referred to the Finance Committee.

S 1081, **S 1082**, **S 1083**, and **S 1084** were referred to the Transportation Committee.

S 1085, **S 1086**, **S 1087**, **S 1088**, **S 1089**, **S 1090**, **S 1091**, **S 1092**, **S 1093**, **S 1094**, **S 1095**, **S 1096**, **S 1097**, and **S 1098** were referred to the Education Committee.

S 1100 was referred to the Commerce and Human Resources Committee.

On request by Senator McKenzie, granted by unanimous consent, **SCR 112** and **SJM 101** were referred to the State Affairs Committee.

On request by Senator Brackett, granted by unanimous consent, **SCR 113** was referred to the Transportation Committee.

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

Messages from the House

February 11, 2013

Dear Mr. President:

I transmit herewith **H 10**, **H 29**, **H 76**, **H 72**, **H 17**, and **H 43** , which have passed the House.

ALEXANDER, Chief Clerk

H 10, **H 29**, **H 76**, **H 72**, **H 17**, and **H 43** 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 10 and **H 76** , by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 29 , by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 72 , by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 17 , by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 43 , by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

On request by Senator Tippets, granted by unanimous consent, the revision to the fiscal note for **S 1042** will be done by the Secretary of the Senate.

H 19, **H 21**, and **H 20** , by Transportation and Defense Committee, were read the second time at length and filed for third reading.

H 24, H 25, and H 52 , by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

S 1042 , by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

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

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

Motions and Resolutions

Senator Cameron was recorded present at this order of business.

The President announced that SCR 104 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Fulcher, seconded by Senator Stennett, SCR 104 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, HCR 4 retained its place on the calendar for Monday, February 18, 2013.

The President announced that SCR 105 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Rice, seconded by Senator Buckner-Webb, SCR 105 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that SCR 106 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Bair, seconded by Senator Lacey, SCR 106 was adopted by voice vote, title was approved, and the resolution ordered transmitted 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 Bair, seconded by Senator Lacey, SCR 107 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that SCR 108 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Bair, seconded by Senator Lacey, SCR 108 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 Bair, seconded by Senator Lacey, 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 Bair, seconded by Senator Lacey, SCR 110 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

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

On motion by Senator Brackett, seconded by Senator Buckner-Webb, the Gubernatorial appointment of Susan Elizabeth Buxton as a member of the Park and Recreation 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 William B. Booth was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bair, seconded by Senator Lacey, the Gubernatorial reappointment of William B. Booth 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 Health and Welfare Committee report relative to the Gubernatorial reappointment of Britt Raubenheimer was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Keough, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Britt Raubenheimer as a member of the Commission for the Blind & 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 Judiciary and Rules Committee report relative to the Gubernatorial appointment of Kimberly Jo Simmons was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bock, seconded by Senator Mortimer, the Gubernatorial appointment of Kimberly Jo Simmons as a member of the Sexual Offender Management Board was confirmed by voice vote.

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

The President announced that the Transportation Committee report relative to the Gubernatorial reappointment of R. James Coleman was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Nonini, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of R. James Coleman 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 President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Thomas E. Limbaugh was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Pearce, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Thomas E. Limbaugh 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 appointment of Diana M. Bishop 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 appointment of Diana M. Bishop as a member of the Idaho Personnel 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 reappointment of Gavin Gee was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Durst, seconded by Senator Fulcher, the Gubernatorial reappointment of Gavin Gee as a member of the Idaho Endowment Fund Investment Board was confirmed by voice vote.

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

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 10:30 a.m., Wednesday, February 13, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

THIRTY-EIGHTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 13, 2013

Senate Chamber

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

Roll call showed all members present except Senators Martin, Pearce, and Rice, absent and formally excused by the Chair; and Senators Cameron, Durst, Keough, and Werk, absent and excused.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Austin Petellin, 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, 2013, was read and approved as corrected.

LODGE, Chairman

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

Senator Keough was recorded present at this order of business.

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

Reports of Standing Committees

February 12, 2013

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:

David A. McClusky to the State Board of Correction, term to expire January 1, 2019.

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 12, 2013

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:

Jody Olson to the Public Employee Retirement System of Idaho, term to expire July 1, 2017.

Steve Landon to the State Insurance Fund Board, term to expire April 30, 2016.

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.

February 12, 2013

The COMMERCE AND HUMAN RESOURCES Committee reports out **S 1031** with the recommendation that it do pass.

TIPPETS, Chairman

S 1031 was filed for second reading.

February 12, 2013

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

Ken Roberts to the State Tax Commission, term to expire April 1, 2013.

SIDDOWAY, Chairman

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

February 12, 2013

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 87** with the recommendation that it do pass.

SIDDOWAY, Chairman

H 87 was filed for second reading.

February 12, 2013

The TRANSPORTATION Committee reports out **H 39**, **H 41**, **H 85**, and **S 1050** with the recommendation that they do pass.

BRACKETT, Chairman

H 39, **H 41**, **H 85**, and **S 1050** were filed for second reading.

Senator Werk was recorded present at this order of business.

February 13, 2013

The HEALTH AND WELFARE Committee reports out **H 32**, **H 33**, **H 35**, and **H 36** with the recommendation that they do pass.

HEIDER, Chairman

H 32, **H 33**, **H 35**, and **H 36** were filed for second reading.

February 12, 2013

The EDUCATION Committee reports out S 1028 with the recommendation that it do pass.

GOEDDE, Chairman

S 1028 was filed for second reading.

February 12, 2013

The FINANCE Committee reports out S 1076 and S 1077 with the recommendation that they do pass.

CAMERON, Chairman

S 1076 and S 1077 were filed for second reading.

February 13, 2013

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.

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

Messages from the Governor

February 5, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have appointed Quane Kenyon of Boise, Idaho, to be Acting State Senator for Legislative District 15, Ada, State of Idaho.

This appointment is effective Wednesday, February 13, 2013 through Friday, February 15, 2013.

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*, Fred S. Martin, State Senator, District 15, Ada, State of Idaho, has nominated Quane Kenyon of Boise, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 15, Ada.

NOW, THEREFORE, I, C.L. "Butch" Otter, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Quane Kenyon to the office of State Senator, District 15, Ada, State of Idaho, for a term commencing on February 13, 2013, and continuing until such time as Senator Martin is able to resume his 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 Fifth day of February, in the year of our Lord two thousand and thirteen and of the Independence of the United States of America, the two hundred and thirty-seventh year.

/s/ BY THE GOVERNOR C.L. "BUTCH" OTTER
/s/ SECRETARY OF STATE BEN T. YSURSA

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 Kenyon, and he was recorded present at this order of business.

February 12, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Terry Gestrin of Donnelly, Idaho, was appointed as a member of the State Insurance Fund Board to serve a term commencing April 30, 2012, and expiring December 1, 2014.

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 12, 2013

Dear Mr. President:

I transmit herewith H 62, HCR 3, and H 115 , which have passed the House.

ALEXANDER, Chief Clerk

H 62, HCR 3, and H 115 were filed for first reading.

February 12, 2013

Dear Mr. President:

I transmit herewith Enrolled H 5 and H 16 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 5 and H 16 and ordered them returned to the House.

February 12, 2013

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.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senator Durst was recorded present at this order of business.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of James C. Hammond 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 appointment of James C. Hammond as a member of the Idaho State Racing Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial 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 Mark William Lliteras was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bayer, seconded by Senator Buckner-Webb, the Gubernatorial appointment of Mark William Lliteras 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.

Senator Cameron was recorded present at this order of business.

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Melville W. Fisher II was before the Senate for final consideration, the question being, "Shall the report be adopted?"

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

On motion by Senator McKenzie, seconded by Senator Buckner-Webb, the Gubernatorial appointment of Melville W. Fisher II as a member of the Idaho Lottery Commission was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1101
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2013; AND DECLARING AN EMERGENCY.

S 1102
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF SELF-GOVERNING AGENCIES FOR REGULATORY BOARDS; AMENDING SECTION 1, CHAPTER 278, LAWS OF 2012, TO REVISE THE APPROPRIATION TO THE REGULATORY BOARDS FOR FISCAL YEAR 2013; AND DECLARING AN EMERGENCY.

S 1103
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE STATE TAX COMMISSION FOR FISCAL YEAR 2013; AND DECLARING AN EMERGENCY.

S 1104
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2013; AND DECLARING AN EMERGENCY.

S 1105
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE LEGISLATIVE DEPARTMENT; REPEALING SECTION 67-2027, IDAHO CODE, RELATING TO THE STATE BOARD OF EXAMINERS PROVIDING FOR AN AUDIT; AND AMENDING CHAPTER 4, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-429D, IDAHO CODE, TO PROVIDE THAT THE LEGISLATIVE COUNCIL SHALL ENGAGE THE SERVICES OF A CERTIFIED PUBLIC ACCOUNTANT TO AUDIT THE FISCAL AFFAIRS OF THE LEGISLATIVE DEPARTMENT.

S 1101, S 1102, S 1103, S 1104, and S 1105 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 62 , by Packer, was 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 115 , 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

S 1025 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, Bock, Brackett, Buckner-Webb, Cameron, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Johnson, Keough, Lacey, Lakey, Lodge, Kenyon (Martin), McKenzie, Nonini, Nuxoll, Schmidt, Siddoway, Stennett, Tippets, Vick, Werk, Winder. Total - 28.

NAYS–Davis, Hill, Mortimer, Thayn. Total - 4.

Absent and excused–Patrick, Pearce, Rice. Total - 3.

Total - 35.

Whereupon the President declared S 1025 passed, title was approved, and the bill ordered transmitted to the House.

H 14 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Kenyon (Martin), McKenzie, Mortimer, Nonini, Nuxoll, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 32.

NAYS–None.

Absent and excused–Patrick, Pearce, Rice. Total - 3.

Total - 35.

Whereupon the President declared H 14 passed, title was approved, and the bill ordered returned to the House.

H 15 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Kenyon (Martin), McKenzie, Mortimer, Nonini, Nuxoll, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 32.

NAYS–None.

Absent and excused–Patrick, Pearce, Rice. Total - 3.

Total - 35.

Whereupon the President declared H 15 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Kenyon (Martin), McKenzie, Mortimer, Nonini, Nuxoll, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 32.

NAYS–None.

Absent and excused–Patrick, Pearce, Rice. Total - 3.

Total - 35.

Whereupon the President declared H 22 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Kenyon (Martin), McKenzie, Mortimer, Nonini, Nuxoll, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 32.

NAYS–None.

Absent and excused–Patrick, Pearce, Rice. Total - 3.

Total - 35.

Whereupon the President declared H 23 passed, title was approved, and the bill ordered returned to the House.

S 1006, 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Kenyon (Martin), McKenzie, Mortimer, Nuxoll, Patrick, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 31.

NAYS–Nonini, Vick. Total - 2.

Absent and excused–Pearce, Rice. Total - 2.

Total - 35.

Whereupon the President declared S 1006, as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, **H 12**, as amended in the Senate, retained its place on the Third Reading Calendar for Friday, February 15, 2013.

H 37 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Kenyon (Martin), McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Pearce, Rice. Total - 2.

Total - 35.

Whereupon the President 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 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 Lakey providing opening remarks. The Prayer was offered by Albert Gay Call, Regional Coordinator of LDS Family Services. "God Bless America" was sung by Carissa Hodges and Katherine Duggan, seniors at Liberty Charter School, Nampa, Idaho.

The Senate Pages offered their favorite Lincoln quotes and sang the "Battle Hymn of the Republic".

Closing remarks were provided by Co-chairman Senator Lakey. He extended his gratitude to all who helped with the program and the Lincoln Day Service was dissolved.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the 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 10:30 a.m., Thursday, February 14, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

THIRTY-NINTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 14, 2013

Senate Chamber

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

Roll call showed all members present except Senator Rice, absent and formally excused by the Chair; and Senators Bayer, Brackett, Cameron, Fulcher, Keough, and Lodge, absent and excused.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Chace Tolman, 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, 2013, 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 Brackett and Lodge 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 14, 2013

The JUDICIARY AND RULES Committee reports that **S 1101**, **S 1102**, **S 1103**, **S 1104**, and **S 1105** have been correctly printed.

LODGE, Chairman

S 1101, **S 1102**, **S 1103**, and **S 1104** were referred to the Finance Committee.

S 1105 was referred to the State Affairs Committee.

February 13, 2013

The JUDICIARY AND RULES Committee reports that Enrolled **SCR 101** was delivered to the Office of the Secretary of State at 12 noon, February 13, 2013.

LODGE, Chairman

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

February 13, 2013

The FINANCE Committee reports out **H 115** with the recommendation that it do pass.

CAMERON, Chairman

H 115 was filed for second reading.

February 13, 2013

The RESOURCES AND ENVIRONMENT Committee reports out **H 40** and **S 1049** with the recommendation that they do pass.

PEARCE, Chairman

H 40 and **S 1049** were filed for second reading.

February 13, 2013

The EDUCATION Committee reports out **S 1055** with the recommendation that it do pass.

GOEDDE, Chairman

S 1055 was filed for second reading.

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

Messages from the House

February 13, 2013

Dear Mr. President:

I transmit herewith **H 55**, **H 54**, **H 48**, **H 49**, **H 122**, and **H 123** , which have passed the House.

ALEXANDER, Chief Clerk

H 55, **H 54**, **H 48**, **H 49**, **H 122**, and **H 123** were filed for first reading.

Senator Bayer 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, **HCR 4** retained its place on the calendar for Tuesday, February 26, 2013.

On request by Senator Davis, granted by unanimous consent, **HCR 2** retained its place on the calendar for Monday, February 18, 2013.

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of David A. McClusky retained its place on the calendar for Friday, February 15, 2013.

Senator Keough 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 Jody Olson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Stennett, the Gubernatorial reappointment of Jody Olson as a member of the Public Employee Retirement System of Idaho 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 Steve Landon was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Goedde, seconded by Senator Werk, the Gubernatorial reappointment of Steve Landon 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 Local Government and Taxation Committee report relative to the Gubernatorial appointment of Ken Roberts was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Johnson, seconded by Senator Schmidt, the Gubernatorial appointment of Ken Roberts 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 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

Senator Cameron was recorded present at this order of business.

H 55 , by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 54 , by State Affairs Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources 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.

H 122 and **H 123** , by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1031 , by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

H 87 , by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 39 , by Transportation and Defense Committee, was read the second time at length and filed for third reading.

H 41 , by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 85 , by Transportation and Defense Committee, was read the second time at length and filed for third reading.

S 1050 , by Transportation Committee, was read the second time at length and filed for third reading.

H 32, **H 33**, **H 35**, and **H 36** , by Health and Welfare Committee, were read the second time at length and filed for third reading.

S 1028 , by Education Committee, was read the second time at length and filed for third reading.

S 1076 and **S 1077** , by Finance Committee, were read the second time at length and filed for third reading.

Senator Fulcher 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 **S 1003** and **S 1033** , without recommendation, amended as follows:

SENATE AMENDMENT TO S 1003

AMENDMENT TO SECTION 3

On page 5 of the printed bill, delete lines 11 through 20, and insert:

"(d) Nonresident Nongame License. A nonresident nongame license to hunt is a license entitling a person to ~~carry a shotgun or rifle for the protection of livestock, or to pursue,~~ hunt ~~and kill~~ unprotected birds and animals and predatory ~~birds and animals~~ wildlife of this state. A license of this kind may be had by a nonresident person who is twelve (12) years of age or older upon payment of a fee as specified in section 36-416, Idaho Code. ~~This license shall be valid only during the period of January 1 to August 31 of the calendar year in which issued, unless verified by the director that the licensee requires such a license to authorize him to carry a shotgun or rifle for the protection of livestock, in which case said license shall be valid until December 31 of the year in which issued.~~".

CORRECTION TO TITLE

On page 1, in line 14, following "WOLVES," insert: "TO PROVIDE FOR CERTAIN LICENSES TO HUNT, TO REMOVE VERBIAGE PROVIDING THAT A NONRESIDENT NONGAME LICENSE ENTITLES A PERSON TO CARRY A SHOTGUN OR RIFLE FOR THE PROTECTION OF LIVESTOCK AND TO REMOVE PROVISIONS RELATING TO THE TIME DURING WHICH SUCH LICENSE IS VALID,".

SENATE AMENDMENT TO S 1033

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete line 22, and insert: "less ~~limited, suspended or terminated~~ otherwise ordered by the court.".

CORRECTION TO TITLE

On page 1, delete lines 6 and 7, and insert: "CERTAIN CONDITIONS POWERS OF ATTORNEY ARE TERMINATED UNLESS OTHERWISE ORDERED BY THE COURT AND TO MAKE A TECHNICAL CORRECTION; PROVIDING AN".

The Committee also has **S 1018** under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Werk, the report was adopted by voice vote.

S 1003, as amended, and **S 1033**, as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

Third Reading of Bills

H 19 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Kenyon (Martin), McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared **H 19** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, **H 21** retained its place on the Third Reading Calendar for one legislative day.

H 20 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Kenyon (Martin), McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared **H 20** 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Kenyon (Martin), McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared **H 24** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, **H 25** retained its place on the Third Reading Calendar for one legislative day.

H 52 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Kenyon (Martin), McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Durst. Total - 1.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President 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, follwed by **S 1042** .

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 Rice, absent and formally excused by the Chair; and Senators Bayer, Johnson, Lacey, Lodge, McKenzie, and Vick, 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 Fifteenth Order of Business.

Miscellaneous Business

Senators Vick, Lacey, Bayer, McKenzie, and Johnson were recorded present at this order of business.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:40 p.m. until the hour of 10:30 a.m., Friday, February 15, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

FORTIETH LEGISLATIVE DAY
FRIDAY, FEBRUARY 15, 2013

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:30 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Megan Whitlock, 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 14, 2013, 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 14, 2013

The JUDICIARY AND RULES Committee reports that Senate amendments to **S 1003** and **S 1033** have been correctly printed.

LODGE, Chairman

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

February 14, 2013

The JUDICIARY AND RULES Committee reports that **S 1003**, as amended, and **S 1033**, as amended, have been correctly engrossed.

LODGE, Chairman

S 1003, as amended, and **S 1033**, as amended, were filed for first reading.

February 14, 2013

The EDUCATION Committee reports out **H 81**, **H 84**, and **H 83** with the recommendation that they do pass.

GOEDDE, Chairman

H 81, **H 84**, and **H 83** were filed for second reading.

February 14, 2013

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:

Jay F. Kunze to the Hazardous Waste Facility Siting License Application Review Panel, term to expire March 6, 2015.

Carol Mascarenas to the Board of Environmental Quality, term to expire July 1, 2016.

Beth Elroy to the Board of Environmental Quality, 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 14, 2013

The HEALTH AND WELFARE Committee reports out **H 17** with the recommendation that it do pass.

HEIDER, Chairman

H 17 was filed for second reading.

February 14, 2013

The HEALTH AND WELFARE Committee reports out **S 1072** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

HEIDER, Chairman

There being no objection, **S 1072** was referred to the Fourteenth Order of Business, General Calendar.

February 15, 2013

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:

Warren R. Bakes to the Idaho Endowment Fund Investment Board, term to expire April 11, 2016.

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.

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

Messages from the Governor

February 13, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Roger L. Jones of Glenns Ferry, Idaho, was reappointed as a member of the Idaho Lottery Commission to serve a term commencing March 30, 2012, and expiring January 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.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 14, 2013

Dear Mr. President:

I transmit herewith **H 88** , which has passed the House.

ALEXANDER, Chief Clerk

H 88 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 1106
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO PERSONNEL SYSTEM; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 53, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5344, IDAHO CODE, TO PROVIDE FOR HEALTH SAVINGS ACCOUNTS FOR STATE EMPLOYEES WHO CHOOSE A HIGH DEDUCTIBLE HEALTH PLAN, TO DEFINE TERMS, TO PROVIDE FOR DEPOSITS INTO HEALTH SAVINGS ACCOUNTS BY EMPLOYERS, TO PROVIDE FOR CONTRIBUTION OF FUNDS TO A HEALTH SAVINGS ACCOUNT BY STATE EMPLOYEES AND TO AUTHORIZE THE DIVISION OF HUMAN RESOURCES TO PROMULGATE RULES.

S 1107
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO REVENUE AND TAXATION; AMENDING SECTION 63-308, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO PROVIDING CERTAIN ASSESSMENT NOTICES ELECTRONICALLY TO THE TAXPAYER.

S 1108
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO INITIATIVE AND REFERENDUM ELECTIONS; AMENDING SECTION 34-1801A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE FORM OF CERTAIN PETITIONS; AMENDING SECTION 34-1804, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN SIGNATURE SHEETS; AMENDING SECTION 34-1805, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE NUMBER OF SIGNATURES REQUIRED ON CERTAIN PETITIONS; AND AMENDING SECTION 34-1807, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN PETITIONS AND SIGNATURE SHEETS AND TO MAKE A TECHNICAL CORRECTION.

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.

S 1003, as amended, and **S 1033**, as amended, by Judiciary and Rules Committee, were read the first time at length and filed for second reading.

H 88 , 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 115 , by Appropriations Committee, was read the second time at length and filed for third reading.

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

S 1049 , by Resources and Environment Committee, was read the second time at length and filed for third reading.

S 1055 , 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 1013 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Kenyon (Martin), McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared **S 1013** 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Kenyon (Martin), McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared S 1031 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Kenyon (Martin), McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared S 1050 passed, title was approved, and the bill ordered transmitted to the House.

S 1028 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Kenyon (Martin), McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared S 1028 passed, title was approved, and the bill ordered transmitted to the House.

S 1076 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Kenyon (Martin), McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared S 1076 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Kenyon (Martin), McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared S 1077 passed, title was approved, and the bill ordered transmitted to the House.

H 12, 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?"

Call of the Senate was requested by Senator Cameron.

Whereupon the President Pro Tempore ordered the doorkeepers to lock the doors permitting no Senator to leave the Senate Chamber. The Sergeant at Arms was instructed to find and present any absent members to the Senate.

Roll call showed all members present except Senators Bair, Keough, McKenzie, Mortimer, Pearce, Siddoway, and Werk, absent and excused.

The President Pro Tempore directed the Sergeant at Arms to find and present Senators Bair, Keough, McKenzie, Mortimer, Pearce, Siddoway, and Werk to the Senate.

Senators Bair, Keough, McKenzie, Mortimer, Pearce, Siddoway, and Werk were recorded present.

On request by Senator Cameron, granted by unanimous consent, the Call was lifted.

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Kenyon (Martin), McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 12, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

H 21 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Kenyon (Martin), McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce,

Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 21 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Kenyon (Martin), McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 25 passed, title was approved, and the bill ordered returned to the House.

H 87 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Kenyon (Martin), McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 87 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Kenyon (Martin), McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 39 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, H 41 retained its place on the Third Reading Calendar for Monday, February 18, 2013.

H 85 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Kenyon (Martin), McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 85 passed, title was approved, and the bill ordered returned to the House.

H 32 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Kenyon (Martin), McKenzie, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 31.

NAYS–Mortimer, Nonini, Pearce, Vick. Total - 4.

Total - 35.

Whereupon the President Pro Tempore declared H 32 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Kenyon (Martin), McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 33 passed, title was approved, and the bill ordered returned to the House.

H 35 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Kenyon (Martin), McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Nonini. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 35 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 Schmidt arose as sponsor of the bill and opened the debate.

On request by Senator Schmidt, granted by unanimous consent, **H 36** retained its place on the Third Reading Calendar for Wednesday, February 20, 2013.

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, followed by **S 1042** .

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., Monday, February 18, 2013.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

FORTY-THIRD LEGISLATIVE DAY
MONDAY, FEBRUARY 18, 2013

Senate Chamber

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

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

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Zachary Baron, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 15, 2013, 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 Rice 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

Senator Cameron was recorded present at this order of business.

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 Cherie Buckner-Webb and Senator Jim Guthrie. The Invocation was delivered by Senator Lodge. "Ashokan Farewell" was played by Boise High Chamber Orchestra members Emma Ryan, Jacqueline Audas, Ian Faucher and Kathy Audas under the direction of Wendy Hartman. The Service was coordinated by Jan Snell, Secretary to the Secretary of the Senate.

IN THE SENATE
A SENATE MEMORIAL

WHEREAS, the late Senator W. DEAN VAN ENGELEN passed on since the close of the Second Regular Session of the Sixty-first Legislature to wit, July 11, 2012.

WHEREAS, the late Senator W. DEAN VAN ENGELEN served in the interest of Cassia and Minidoka Counties during the Fourty-fourth through the Fourty-sixth Legislatures of the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the First Regular Session of the Sixty-second Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator W. DEAN VAN ENGELEN; and

BE IT FURTHER RESOLVED that the Senate of the First Regular Session of the Sixty-second Idaho 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 W. DEAN VAN ENGELEN family.

On motion by Senator Cameron, seconded by Senator Stennett, the Memorial to the late Senator Van Engelen was adopted by voicevote.

IN THE SENATE
A SENATE MEMORIAL

WHEREAS, the late Senator CLYDE A. BOATRIGHT passed on since the close of the Second Regular Session of the Sixty-first Legislature to wit, September 3, 2012.

WHEREAS, the late Senator CLYDE A. BOATRIGHT served in the interest of Bonner and Kootenai 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-second Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator CLYDE A. BOATRIGHT; and

BE IT FURTHER RESOLVED that the Senate of the First Regular Session of the Sixty-second Idaho 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 CLYDE A. BOATRIGHT family.

On motion by Senator Keough, seconded by Senator Werk, the Memorial to the late Senator Boatright was adopted by voice vote.

IN THE SENATE
A SENATE MEMORIAL

WHEREAS, the late Senator LYLE R. COBBS passed on since the close of the Second Regular Session of the Sixty-first Legislature to wit, August 10, 2012.

WHEREAS, the late Senator LYLE R. COBBS served in the interest of Ada County during the Seventy-first through the Seventy-eighth Legislatures.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the First Regular Session of the Sixty-second Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator LYLE R. COBBS; and

BE IT FURTHER RESOLVED that the Senate of the First Regular Session of the Sixty-second Idaho 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 LYLE R. COBBS family.

On motion by Senator Pearce, seconded by Senator Buckner-Webb, the Memorial to the late Senator Cobbs was adopted by voice vote.

IN THE SENATE
A SENATE MEMORIAL

WHEREAS, the late Senator JOSEPH "PERRY" SWISHER passed on since the close of the Second Regular Session of the Sixty-first Legislature to wit, June 6, 2012.

WHEREAS, the late Senator JOSEPH "PERRY" SWISHER served in the interest of Bannock County during the Sixty-third through the Sixty-sixth Legislatures.

NOW, THEREFORE, BE IT RESOLVED that the Senate of the First Regular Session of the Sixty-second Legislature of the State of Idaho draws public attention by this Memorial to the life and works of Senator JOSEPH "PERRY" SWISHER; and

BE IT FURTHER RESOLVED that the Senate of the First Regular Session of the Sixty-second Idaho 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 JOSEPH "PERRY" SWISHER family.

On motion by Senator Lacey, seconded by Senator Schmidt, the Memorial to the late Senator Swisher was adopted by voice vote.

Senator Cherie Buckner-Webb sang "I Believe" accompanied by Randall Coryell. 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 Sixth Order of Business.

Reports of Standing Committees

February 18, 2013

The JUDICIARY AND RULES Committee reports that **S 1106**, **S 1107**, and **S 1108** have been correctly printed.

LODGE, Chairman

S 1106 was referred to the Commerce and Human Resources Committee.

S 1107 was referred to the Local Government and Taxation Committee.

S 1108 was referred to the State Affairs Committee.

February 15, 2013

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:

Neil Anderson to the Idaho Endowment Fund Investment Board, term to expire December 31, 2014.

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 15, 2013

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 72** and **S 1070** with the recommendation that they do pass.

SIDDOWAY, Chairman

H 72 and **S 1070** were filed for second reading.

February 15, 2013

The FINANCE Committee reports out **H 122**, **H 123**, **S 1101**, **S 1102**, **S 1103**, and **S 1104** with the recommendation that they do pass.

CAMERON, Chairman

H 122, **H 123**, **S 1101**, **S 1102**, **S 1103**, and **S 1104** were filed for second reading.

February 15, 2013

The JUDICIARY AND RULES Committee reports out **S 1034** and **S 1035** with the recommendation that they do pass.

LODGE, Chairman

S 1034 and **S 1035** were filed for second reading.

February 18, 2013

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

Anna Jane "Janie" Dressen to the Commission on Pardons and Parole, term to expire January 1, 2016.

Lisa Growette Bostaph to the Commission on Pardons and Parole, term to expire January 1, 2015.

Mike H. Matthews to the Commission on Pardons and Parole, term to expire January 1, 2016.

LODGE, Chairman

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

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

Messages from the House

February 15, 2013

Dear Mr. President:

I transmit herewith **H 89**, **H 100**, and **H 86** , which have passed the House.

ALEXANDER, Chief Clerk

H 89, **H 100**, and **H 86** were filed for first reading.

February 15, 2013

Dear Mr. President:

I transmit herewith Enrolled **H 14**, **H 15**, **H 22**, **H 23**, and **H 37** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 14**, **H 15**, **H 22**, **H 23**, and **H 37** and ordered them returned to the House.

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 President Pro Tempore Hill, 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 David A. McClusky was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Bock, the Gubernatorial appointment of David A. McClusky 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 Health and Welfare Committee report relative to the Gubernatorial reappointment of Jay F. Kunze was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Guthrie, seconded by Senator Martin, the Gubernatorial reappointment of Jay F. Kunze as a member of the Hazardous Waste Facility Siting License Application Review Panel was confirmed by voice vote.

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

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 1109
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO ANNUITY CONTRACTS; AMENDING SECTION 41-1836, IDAHO CODE, TO PROVIDE THAT CERTAIN EXEMPTIONS AND PROTECTIONS SHALL NOT APPLY TO CERTAIN ANNUITY CONTRACTS.

S 1110
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO ATTORNEY'S FEES; AMENDING SECTION 41-1839, IDAHO CODE, TO REVISE PROVISIONS RELATING TO ATTORNEY'S FEES WHEN AN INSURER FAILS TO PAY A PERSON ENTITLED, TO PROVIDE FOR WHEN NO ATTORNEY'S FEES MAY BE RECOVERED AND TO MAKE A TECHNICAL CORRECTION.

S 1109 and **S 1110** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 89 , by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 100 , by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 86 , 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 81, **H 84**, and **H 83** , by Education Committee, were read the second time at length and filed for third reading.

H 17 , by Health and Welfare Committee, was read the second time at length and filed for third reading.

S 1003, as amended, by Resources and Environment Committee, was 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.

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, followed by **S 1042** .

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 10:30 a.m., Tuesday, February 19, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

FORTY-FOURTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 19, 2013

Senate Chamber

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

Roll call showed all members present except Senators Goedde and Mortimer, absent and excused.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Madeline Breen, 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, 2013, 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 Goedde and Mortimer were recorded present at this order of business.

SCR 114
BY JUDICIARY AND RULES COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN RULES OF THE IDAHO STATE POLICE RELATING TO RULES OF THE IDAHO PEACE OFFICER STANDARDS AND TRAINING COUNCIL.

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

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Idaho State Police relating to Rules of the Idaho Peace Officer Standards and Training Council 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-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 11.11.01, Idaho State Police, Rules of the Idaho Peace Officer Standards and Training Council, Section 010, Subsection 27 and Section 197, Subsection 01, only, adopted as pending rules under Docket Number 11-1101-1202, be, and the same are hereby rejected and declared null, void and of no force and effect.

SCR 115
BY JUDICIARY AND RULES COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE IDAHO STATE POLICE RELATING TO RULES OF THE IDAHO PEACE OFFICER STANDARDS AND TRAINING COUNCIL.

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 Idaho State Police relating to Rules of the Idaho Peace Officer Standards and Training Council 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-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 11.11.01, Idaho State Police, Rules of the Idaho Peace Officer Standards and Training Council, Section 091, Subsection 01, only, adopted as a pending rule under Docket Number 11-1101-1201, be, and the same is hereby rejected and declared null, void and of no force and effect.

SCR 114 and **SCR 115** 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 19, 2013

The JUDICIARY AND RULES Committee reports that **S 1109** and **S 1110** have been correctly printed.

LODGE, Chairman

S 1109 and **S 1110** were referred to the Judiciary and Rules Committee.

February 18, 2013

The STATE AFFAIRS Committee reports out **S 1074** with the recommendation that it do pass.

MCKENZIE, Chairman

S 1074 was filed for second reading.

February 18, 2013

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

Louise D. Stark to the Outfitters and Guides Licensing Board, term to expire April 20, 2015.

PEARCE, Chairman

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

February 18, 2013

The RESOURCES AND ENVIRONMENT Committee reports out H 48, H 49, and S 1061 with the recommendation that they do pass.

PEARCE, Chairman

H 48, H 49, and S 1061 were filed for second reading.

February 18, 2013

The RESOURCES AND ENVIRONMENT Committee reports out S 1062 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PEARCE, Chairman

There being no objection, S 1062 was referred to the Fourteenth Order of Business, General Calendar.

February 18, 2013

The JUDICIARY AND RULES Committee reports out H 29 with the recommendation that it do pass.

LODGE, Chairman

H 29 was filed for second reading.

February 18, 2013

The JUDICIARY AND RULES Committee reports out S 1048 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, S 1048 was referred to the Fourteenth Order of Business, General Calendar.

February 19, 2013

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

Brian Scigliano to the Public Charter School Commission, term to expire May 12, 2016.

Gayle L. O'Donahue to the Public Charter School Commission, term to expire May 12, 2016.

Wanda Chillingworth Quinn to the Public Charter School Commission, term to expire May 12, 2016.

GOEDDE, 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 19, 2013

The EDUCATION Committee reports out S 1097 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

GOEDDE, Chairman

There being no objection, S 1097 was referred to the Fourteenth Order of Business, General Calendar.

February 19, 2013

The EDUCATION Committee reports out S 1092 and S 1093 with the recommendation that they do pass.

GOEDDE, Chairman

S 1092 and S 1093 were filed for second reading.

February 19, 2013

The HEALTH AND WELFARE Committee reports out S 1053 with the recommendation that it do pass.

HEIDER, Chairman

S 1053 was filed for second reading.

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

Messages from the House

February 18, 2013

Dear Mr. President:

I transmit herewith H 166, H 174, H 127, H 47, and H 50 , which have passed the House.

ALEXANDER, Chief Clerk

H 166, H 174, H 127, H 47, and H 50 were filed for first reading.

February 18, 2013

Dear Mr. President:

I return herewith S 1009 , which has passed the House.

ALEXANDER, Chief Clerk

S 1009 was referred to the Judiciary and Rules Committee for enrolling.

February 18, 2013

Dear Mr. President:

I transmit herewith Enrolled H 19, H 20, H 24, and H 52 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 19, H 20, H 24, and H 52 and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Mike H. Matthews retained its place on the calendar for Wednesday, February 20, 2013.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Carol Mascarenas was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bock, seconded by Senator Lakey, the Gubernatorial reappointment of Carol Mascarenas 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 Health and Welfare Committee report relative to the Gubernatorial appointment of Beth Elroy was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Hagedorn, seconded by Senator Schmidt, the Gubernatorial appointment of Beth Elroy 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 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 Warren R. Bakes was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Goedde, seconded by Senator Buckner-Webb, the Gubernatorial appointment of Warren R. Bakes as a member of the Idaho Endowment Fund Investment Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial 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 Neil Anderson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bair, seconded by Senator Buckner-Webb, the Gubernatorial appointment of Neil Anderson as a member of the Idaho Endowment Fund Investment Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial 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 Anna Jane "Janie" Dressen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Goedde, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Anna Jane "Janie" Dressen as a member of the Commission on Pardons and Parole was confirmed by voice vote.

The President 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 Lisa Growette Bostaph was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Davis, seconded by Senator Stennett, the Gubernatorial appointment 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 appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

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:

Majority Staff Assistant ..... Jeanne Clayton
Pages:
Zachary Baron, Rexburg
Madeline Breen, Middleton
Carson Cole, Rigby
Robin Crotteau, Boise
Kyle Hoodenpyle, Priest River
Megan Johnson, Parma
Kyra Perron, Hagerman
Nerissa Schmechel, Twin Falls
Cameron Sears, Rigby
Abigail Sweet, Nampa

The question being, Shall the motion prevail?

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Schmidt. 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 Desk at which time the Oath of Office was administered to the elected attaches and they were escorted from the Chamber.

The Senate advanced to the Eleventh Order of Business.

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

S 1111
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE CONDOMINIUM PROPERTY ACT; AMENDING SECTION 55-1505, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE ALLOCATION OF

PERCENTAGE OF OWNERSHIP INTEREST IN A COMMON AREA AND TO MAKE TECHNICAL CORRECTIONS.

S 1112
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO PROCEEDINGS BEFORE THE PUBLIC UTILITIES COMMISSION; AMENDING SECTION 61-622, IDAHO CODE, TO REVISE THE PUBLIC UTILITIES COMMISSION'S AUTHORITY REGARDING SCHEDULE, RATE, FARE, TOLL, RENTAL, CHARGE, CLASSIFICATION, CONTRACT, PRACTICE, RULE, SERVICE OR REGULATION, TO REVISE PROCEDURES AND TO MAKE A TECHNICAL CORRECTION; AND REPEALING SECTION 61-623, IDAHO CODE, RELATING TO DETERMINATION OF SCHEDULE AND REGULAR RATES BY THE PUBLIC UTILITIES COMMISSION.

S 1111 and S 1112 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 166 and H 174 , by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 127 , by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 47 and H 50 , by Resources and Conservation Committee, were 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 72 , by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

S 1070 , by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

H 122 and H 123 , by Appropriations Committee, were read the second time at length and filed for third reading.

S 1101, S 1102, S 1103, and S 1104 , by Finance Committee, were read the second time at length and filed for third reading.

S 1034 and S 1035 , 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 Schmidt, granted by unanimous consent, H 36 was recommitted to the Health and Welfare Committee.

S 1049 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?"

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

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared S 1049 passed, title was approved, and the bill ordered transmitted to the House.

S 1055 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared S 1055 passed, title was approved, and the bill ordered transmitted to the House.

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

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Cameron, Davis, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Thayn, Tippets, Vick, Winder. Total - 30.

NAYS–Bock, Buckner-Webb, Stennett, Werk. Total - 4.

Absent and excused–Goedde. Total - 1.

Total - 35.

Whereupon the President declared S 1003, 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 Little presiding.

Roll call showed all members present except Senators Bayer, Goedde, Mortimer, Nonini, Pearce, and Thayn, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 19, 2013

The JUDICIARY AND RULES Committee reports that S 1009 has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled S 1009 and ordered it transmitted to the House for the signature of the Speaker.

Senators Nonini, Pearce, and Mortimer were recorded present at this order of business.

February 19, 2013

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

H. Norman Wright to the State Soil and Water Conservation Commission, term to expire July 1, 2017.

BAIR, Chairman

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

February 19, 2013

The FINANCE Committee reports out H 166 and H 174 with the recommendation that they do pass.

CAMERON, Chairman

H 166 and H 174 were filed for second reading.

February 19, 2013

The TRANSPORTATION Committee reports out S 1065, S 1081, and S 1083 with the recommendation that they do pass.

BRACKETT, Chairman

S 1065, S 1081, and S 1083 were filed for second reading.

Senator Bayer was recorded present at this order of business.

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

Messages from the House

February 19, 2013

Dear Mr. President:

I transmit herewith Enrolled H 21, H 25, H 87, H 39, H 85, H 32, H 33, and H 35 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 21, H 25, H 87, H 39, H 85, H 32, H 33, and H 35 and ordered them returned to the House.

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

Third Reading of Bills

Senator Thayn was recorded present at this order of business.

S 1033, as amended, 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Goedde. Total - 1.

Total - 35.

Whereupon the President declared S 1033, as amended, passed, title was approved, and the bill ordered transmitted to the House.

H 115 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Goedde. Total - 1.

Total - 35.

Whereupon the President declared H 115 passed, title was approved, and the bill ordered returned to the House.

H 40 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Goedde. Total - 1.

Total - 35.

Whereupon the President declared H 40 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Goedde. Total - 1.

Total - 35.

Whereupon the President declared **H 81** passed, title was approved, and the bill ordered returned to the House.

H 84 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Goedde. Total - 1.

Total - 35.

Whereupon the President declared **H 84** passed, title was approved, and the bill ordered returned to the House.

H 83 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Goedde. Total - 1.

Total - 35.

Whereupon the President declared **H 83** passed, title was approved, and the bill ordered returned to the House.

H 17 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 Davis disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Goedde. Total - 1.

Total - 35.

Whereupon the President declared **H 17** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Fulcher, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills, followed by **S 1042** .

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

Miscellaneous Business

On motion by Senator Fulcher, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:25 p.m. until the hour of 10:45 a.m., Wednesday, February 20, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

FORTY-FIFTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 20, 2013

Senate Chamber

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

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

Prayer was offered by Senator Roy Lacey.

The Pledge of Allegiance was led by Carson 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 19, 2013, 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 20, 2013

The JUDICIARY AND RULES Committee reports that S 1111, S 1112, SCR 114, and SCR 115 have been correctly printed.

LODGE, Chairman

S 1111 was referred to the Local Government and Taxation Committee.

S 1112 was referred to the State Affairs Committee.

SCR 114 and SCR 115 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 19, 2013

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1014 and S 1100 with the recommendation that they do pass.

TIPPETS, Chairman

S 1014 and S 1100 were filed for second reading.

February 20, 2013

The EDUCATION Committee reports out S 1089 with the recommendation that it do pass.

GOEDDE, Chairman

S 1089 was filed for second reading.

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

Messages from the House

February 19, 2013

Dear Mr. President:

I transmit herewith H 65 and H 180 , which have passed the House.

ALEXANDER, Chief Clerk

H 65 and H 180 were filed for first reading.

On request by Senator Fulcher, 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 65 , by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 180 , 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

S 1074 , by State Affairs 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 1061 , by Resources and Environment Committee, was read the second time at length and filed for third reading.

H 29 , by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

S 1092 and S 1093 , by Education Committee, were read the second time at length and filed for third reading.

S 1053 , by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 166 and H 174 , by Appropriations Committee, were read the second time at length and filed for third reading.

S 1065, S 1081, and S 1083 , by Transportation 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.

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 1072**, **S 1062**, and **S 1048** , without recommendation, amended as follows:

SENATE AMENDMENT TO S 1072

AMENDMENT TO SECTION 2

On page 6 of the printed bill, in line 40, delete "or more".

AMENDMENT TO SECTION 3

On page 8, in line 41, delete "or more".

SENATE AMENDMENT TO S 1062

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 41 and 42, and insert: "paint except that when metal fence posts are used, ~~the entire~~ a minimum of eighteen (18) inches of the top of the post must be painted ~~fluorescent~~ a high visibility shade of orange, or other no-".

AMENDMENT TO SECTION 2

On page 2, delete lines 30 and 31, and insert: "ange colored paint except that when metal fence posts are used, ~~the entire~~ a minimum of eighteen (18) inches of the top of the post must be painted ~~fluorescent~~ a high visibility shade of orange, or other".

CORRECTION TO TITLE

On page 1, in line 4, following "PROHIBITIONS" insert: ", TO REVISE PROVISIONS RELATING TO THE PAINTING OF METAL FENCE POSTS".

SENATE AMENDMENT TO S 1048

AMENDMENT TO BILL

On page 1 of the printed bill, delete lines 7 through 42, and on page 2, delete lines 1 through 34, and insert:

"SECTION 1. That Section 49-1505, Idaho Code, be, and the same is hereby amended to read as follows:

49-1505. SUSPENSION OF DRIVER'S LICENSE AND PRIVILEGES FOR FAILURE TO PAY UNDERLYING TRAFFIC INFRACTION PENALTY – APPEAL. (1) The department shall immediately suspend the driver's license, permit and operating privileges of any driver upon receiving notice from any court of the state that a person has failed to pay the penalty for a traffic infraction judgment. The notice may be sent to the department by any court which shall certify that a judgment for an infraction not involving a pedestrian, a parking or a bicycle violation has been entered against the person and that he has failed to pay the penalty after notice and hearing, or opportunity for hearing, as prescribed by rule of the supreme court. No notice of nonpayment of an infraction penalty shall be sent to the department if the court finds that the person failing to pay the penalty has a complete and continuing financial inability to pay the penalty.

(2) The suspension of operating privileges under this section shall continue for a period of ninety (90) days or until the penalty has been paid, whichever comes first, from notice of suspension by the department. The suspension shall be processed by the department in the same manner as other suspensions under section 49-326, Idaho Code, except that no hearing shall be held by the department and the department shall not issue any temporary restricted permit. Upon receipt of the notice of nonpayment of the penalty from the court, the department shall perform the ministerial duty of giving official notification of suspension of the driver's license and operating privileges.

(3) Upon proper application and payment of any required fee, a driver's license, privileges or permit suspended under this section shall be reinstated by the department after the period of ninety (90) days, or shall be reinstated at an earlier date upon proof of payment of the penalty for the infraction. Upon payment of the infraction penalty, the court shall issue a receipt which may be filed with the department together with an application for reinstatement of the driver's license, privileges or permit.

(4) After the expiration of a ninety (90) day suspension under this section, the driver's license, permit and driving privileges of the driver whose driver's license, permit and driving privileges were suspended shall not be reinstated under the provisions of section 49-328, Idaho Code, nor renewed under the provisions of section 49-319, Idaho Code, until the penalty for the infraction has been paid to the court in the county in which the citation was issued.

(5) Any person operating a motor vehicle after the expiration of a ninety (90) day suspension under this section, whose driver's license, privileges or permit has not been reinstated under the provisions of section 49-328, Idaho Code, or renewed under the provisions of section 49-319, Idaho Code, shall be in violation of the provisions of section 49-301, Idaho Code, for operating a motor vehicle without a driver's license.

(6) Any person whose driver's license has been suspended under this section may appeal to the district court in the county where the infraction judgment was entered within the time and in the manner provided for criminal appeals from the magistrates division to the district court. The appeal shall be expedited as provided by rule of the supreme court. If the district court finds that the notice of nonpayment of the infraction penalty should not have been sent to the department for suspension of the driver's license, privileges or permit, the district court shall order the privileges be reinstated by the department and upon receipt of a copy of such order the department shall reinstate the privileges without the payment of a fee.".

CORRECTION TO TITLE

On page 1, delete lines 2 through 5, and insert: "RELATING TO DRIVER'S LICENSES; AMENDING SECTION 49-1505, IDAHO CODE, TO PROVIDE THAT THE IDAHO TRANSPORTATION DEPARTMENT MAY NOT SUSPEND A DRIVER'S LICENSE FOR A PARKING VIOLATION; AND DECLARING AN EMERGENCY.".

The Committee also has **S 1018** and **S 1097** under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Buckner-Webb, the report was adopted by voice vote.

S 1072, as amended, **S 1062**, as amended, and **S 1048**, as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

Motions and Resolutions

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

On motion by Senator Mortimer, seconded by Senator Stennett, the Gubernatorial reappointment of Mike H. Matthews 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 Resources and Environment Committee report relative to the Gubernatorial reappointment of Louise D. Stark was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Stennett, seconded by Senator Siddoway, the Gubernatorial reappointment of Louise D. Stark as a member of the Outfitters and Guides Licensing Board was confirmed by voice vote.

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

The President announced that the Education Committee report relative to the Gubernatorial appointment of Brian Scigliano was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Thayn, seconded by Senator Buckner-Webb, the Gubernatorial appointment of Brian Scigliano as a member of the Public Charter School 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 Education Committee report relative to the Gubernatorial reappointment of Gayle L. O'Donahue was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Pearce, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Gayle L. O'Donahue as a member of the Public Charter School 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 committee report of the Gubernatorial appointment confirmation of Wanda Chillingworth Quinn retained its place on the calendar for Friday, February 22, 2013.

The President announced that the Agricultural Affairs Committee report relative to the Gubernatorial reappointment of H. Norman Wright was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Guthrie, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of H. Norman Wright as a member of the State Soil and Water Conservation Commission was confirmed by voice vote.

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

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

Third Reading of Bills

On request by Senator Johnson, granted by unanimous consent, **H 41** was referred to the Fourteenth Order of Business, General Calendar.

S 1070 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, Fulcher, Guthrie, Lacey, Martin, McKenzie, Rice, Siddoway, Thayn, Tippets, Vick, Winder. Total - 13.

NAYS–Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Hagedorn, Heider, Hill, Johnson, Keough, Lakey, Lodge, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Schmidt, Stennett, Werk. Total - 21.

Absent and excused–Goedde. Total - 1.

Total - 35.

Whereupon the President declared that **S 1070** had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, **S 1042** was placed at the head of the Third Reading Calendar, followed by the 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 12:20 p.m. until the hour of 9:30 a.m., Thursday, February 21, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

FORTY-SIXTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 21, 2013

Senate Chamber

President Pro Tempore Hill called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Brackett, Pearce, and Werk, absent and excused.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Megan Johnson, 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, 2013, 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 Brackett, Werk, and Pearce 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 21, 2013

The JUDICIARY AND RULES Committee reports that Senate amendments to S 1072, S 1062, and S 1048 have been correctly printed.

LODGE, Chairman

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

February 21, 2013

The JUDICIARY AND RULES Committee reports that S 1072, as amended, S 1062, as amended, and S 1048, as amended, have been correctly engrossed.

LODGE, Chairman

S 1072, as amended, S 1062, as amended, and S 1048, as amended, were filed for first reading.

February 20, 2013

The STATE AFFAIRS Committee reports out S 1058, SCR 112, and SJM 101 with the recommendation that they do pass.

MCKENZIE, Chairman

S 1058 was filed for second reading.

SCR 112 and SJM 101 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 20, 2013

The FINANCE Committee reports out H 180 with the recommendation that it do pass.

CAMERON, Chairman

H 180 was filed for second reading.

February 20, 2013

The EDUCATION Committee reports out H 82, S 1057, and S 1091 with the recommendation that they do pass.

GOEDDE, Chairman

H 82, S 1057, and S 1091 were filed for second reading.

February 20, 2013

The HEALTH AND WELFARE Committee reports out S 1063 and H 89 with the recommendation that they do pass.

HEIDER, Chairman

S 1063 and H 89 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 20, 2013

Dear Mr. President:

I transmit herewith H 137, H 110, and H 112 , which have passed the House.

ALEXANDER, Chief Clerk

H 137, H 110, and H 112 were filed for first reading.

February 20, 2013

Dear Mr. President:

I return herewith S 1076 and S 1077 , which have passed the House.

ALEXANDER, Chief Clerk

S 1076 and S 1077 were referred to the Judiciary and Rules Committee for enrolling.

February 20, 2013

Dear Mr. President:

I return herewith Enrolled S 1009 , which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled S 1009 was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

February 20, 2013

Dear Mr. President:

I transmit herewith Enrolled HCR 2 for the signature of the President.

ALEXANDER, Chief Clerk

The President Pro Tempore signed Enrolled HCR 2 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 1113
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF SELF-GOVERNING AGENCIES FOR THE MEDICAL BOARDS; AMENDING SECTION 1, CHAPTER 129, LAWS OF 2012 TO REVISE THE APPROPRIATION TO THE MEDICAL BOARDS FOR FISCAL YEAR 2013; AND DECLARING AN EMERGENCY.

S 1114
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO BEHAVIORAL HEALTH SERVICES; AMENDING THE HEADING FOR CHAPTER 31, TITLE 39, IDAHO CODE; REPEALING SECTION 39-3123, IDAHO CODE, RELATING TO DECLARATION OF POLICY; AMENDING CHAPTER 31, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-3122, IDAHO CODE, TO PROVIDE DECLARATION OF POLICY; AMENDING CHAPTER 31, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-3123, IDAHO CODE, TO PROVIDE DEFINITIONS; AMENDING SECTION 39-3124, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE FOR STATE SUBSTANCE USE DISORDER AUTHORITY; AMENDING SECTION 39-3125, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE, TO REVISE TERMINOLOGY AND TO REVISE PROVISIONS RELATING TO DUTIES AND APPOINTMENT OF THE STATE BEHAVIORAL HEALTH PLANNING COUNCIL; AMENDING SECTION 39-3126, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 39-3127, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 39-3128, IDAHO CODE, TO REVISE TERMINOLOGY AND TO REVISE BEHAVIORAL HEALTH SERVICES TO BE OFFERED; REPEALING SECTION 39-3129, IDAHO CODE, RELATING TO PETITION FOR REGIONAL SERVICES; AMENDING CHAPTER 31, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-3130, IDAHO CODE, TO PROVIDE FOR THE ESTABLISHMENT OF REGIONAL BEHAVIORAL HEALTH BOARDS; REPEALING SECTION 39-3131, IDAHO CODE, RELATING TO TERMS, VACANCIES AND COMPENSATION; AMENDING CHAPTER 31, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-3131, IDAHO CODE, TO PROVIDE FOR AN EXECUTIVE COMMITTEE OF THE REGIONAL BEHAVIORAL HEALTH BOARDS; AMENDING SECTION 39-3130, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE TERMINOLOGY AND TO PROVIDE FOR MEMBERS, TERMS AND APPOINTMENTS FOR THE REGIONAL BEHAVIORAL HEALTH BOARDS; AMENDING SECTION 39-3132, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE TERMINOLOGY AND TO REVISE PROVISIONS RELATING TO POWERS AND DUTIES OF THE HEALTH BOARDS; AMENDING SECTION 39-3133, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE TERMINOLOGY AND TO PROVIDE FOR A DIVISION ADMINISTRATOR FOR EACH REGIONAL BEHAVIORAL HEALTH CENTER; AMENDING SECTION 39-3134, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE TERMINOLOGY; REPEALING SECTION 39-3134A, IDAHO CODE, RELATING TO COOPERATIVE SERVICE PLAN COMPONENT; AMENDING SECTION 39-3135, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE TERMINOLOGY; AMENDING SECTION 39-3136, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE TERMINOLOGY; AMENDING SECTION 39-3137, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE TERMINOLOGY; AMENDING SECTION 39-3138, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE TERMINOLOGY; AMENDING SECTION 39-3139, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE TERMINOLOGY; AND AMENDING CHAPTER 31, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-3141, IDAHO CODE, TO PROVIDE FOR RULEMAKING AUTHORITY.

S 1115
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO RADIOLOGIC IMAGING; AMENDING TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 56, TITLE 54, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE LEGISLATIVE FINDINGS AND INTENT, TO DEFINE TERMS, TO PROVIDE THAT A LICENSE IS REQUIRED TO PERFORM RADIOLOGIC IMAGING OR RADIATION THERAPY, TO PROVIDE FOR LIMITATIONS, TO ESTABLISH THE BOARD OF RADIOLOGIC IMAGING AND RADIATION THERAPY EXAMINERS AND ITS APPOINTMENT, TERMS, POWERS AND DUTIES, TO PROVIDE FOR LICENSING REQUIREMENTS, TO PROVIDE FOR CERTIFICATIONS FOR LICENSURE AND TO PROVIDE FOR DISCIPLINE AND PENALTIES.

S 1116
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO ORGAN DONOR NOTIFICATION; AMENDING SECTION 39-3413, IDAHO CODE, TO DEFINE A TERM, TO REVISE TERMINOLOGY, TO PROVIDE THAT CERTAIN INFORMATION REGARDING DONORS SHALL BE GIVEN TO DISPATCH AGENCIES, THE IDAHO STATE COMMUNICATION CENTER AND ORGAN PROCUREMENT ORGANIZATIONS, TO PROVIDE A CORRECT CODE REFERENCE AND TO REVISE A PROVISION RELATING TO PENALTIES.

S 1113, S 1114, S 1115, and S 1116 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

S 1072, as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

S 1062, as amended, by Resources and Environment Committee, was read the first time at length and filed for second reading.

S 1048, as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

H 137 , by Local Government Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 110 and H 112 , by Agricultural Affairs Committee, were introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1014 and S 1100 , by Health and Welfare Committee, were read the second time at length and filed for third reading.

S 1089 , 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 1042 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.

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

Moved by Senator Nuxoll, seconded by Senator Durst, that S 1042 be referred to the Fourteenth Order of Business for amendment. The question being, "Shall the motion prevail?"

Roll call vote was requested by Senator Vick. Senators Mortimer and Pearce stood in support of the roll call request.

A substitute motion was made by Senator Bayer, seconded by Senator Nonini, that S 1042 be recommitted to the Commerce and Human Resources Committee. The question being, "Shall the substitute motion prevail?"

Roll call vote was requested by Senator Thayn. Senators Mortimer, Pearce, Vick and Nuxoll stood in support of the roll call request.

Roll call resulted as follows:

AYES–Bayer, Durst, Fulcher, Johnson, McKenzie, Mortimer, Nonini, Nuxoll, Pearce, Thayn, Vick. Total - 11.

NAYS–Bair, Bock, Brackett, Buckner-Webb, Cameron, Davis, Goedde, Guthrie, Hagedorn, Heider, Hill, Keough, Lacey, Lakey, Lodge, Martin, Patrick, Rice, Schmidt, Siddoway, Stennett, Tippets, Werk, Winder. Total - 24.

Total - 35.

Whereupon the President Pro Tempore declared that the substitute motion to recommit S 1042 to the Commerce and Human Resources Committee did not prevail.

The Senate now had for consideration the motion to refer **S 1042** to the Fourteenth Order of Business for amendment. The question being, "Shall the motion prevail?"

Roll call resulted as follows:

AYES–Bayer, Durst, Fulcher, Johnson, McKenzie, Mortimer, Nonini, Nuxoll, Pearce, Thayn, Vick. Total - 11.

NAYS–Bair, Bock, Brackett, Buckner-Webb, Cameron, Davis, Goedde, Guthrie, Hagedorn, Heider, Hill, Keough, Lacey, Lakey, Lodge, Martin, Patrick, Rice, Schmidt, Siddoway, Stennett, Tippets, Werk, Winder. Total - 24.

Total - 35.

Whereupon the President Pro Tempore declared that the motion to refer S 1042 to the Fourteenth Order of Business for amendment did not prevail. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Goedde and Nonini disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bock, Brackett, Buckner-Webb, Cameron, Davis, Goedde, Guthrie, Hagedorn, Heider, Hill, Keough, Lacey, Lakey, Lodge, Martin, Patrick, Rice, Schmidt, Siddoway, Stennett, Tippets, Werk. Total - 23.

NAYS–Bayer, Durst, Fulcher, Johnson, McKenzie, Mortimer, Nonini, Nuxoll, Pearce, Thayn, Vick, Winder. Total - 12.

Total - 35.

Whereupon the President Pro Tempore declared S 1042 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 p.m. until the hour of 10 a.m., Friday, February 22, 2013.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

FORTY-SEVENTH LEGISLATIVE DAY
FRIDAY, FEBRUARY 22, 2013

Senate Chamber

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

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

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Kyle Hoodenpyle, 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 21, 2013, 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 22, 2013

The JUDICIARY AND RULES Committee reports that S 1113, S 1114, S 1115, and S 1116 have been correctly printed.

LODGE, Chairman

S 1113 was referred to the Finance Committee.

S 1114, S 1115, and S 1116 were referred to the Health and Welfare Committee.

February 21, 2013

The JUDICIARY AND RULES Committee reports that S 1076 and S 1077 have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled S 1076 and S 1077 and ordered them transmitted to the House for the signature of the Speaker.

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

Messages from the House

February 21, 2013

Dear Mr. President:

I transmit herewith H 140, H 141, H 163, H 109, and H 107 , which have passed the House.

ALEXANDER, Chief Clerk

H 140, H 141, H 163, H 109, and H 107 were filed for first reading.

February 21, 2013

Dear Mr. President:

I return herewith S 1010 , which has passed the House.

ALEXANDER, Chief Clerk

S 1010 was referred to the Judiciary and Rules Committee for enrolling.

February 21, 2013

Dear Mr. President:

I transmit herewith Enrolled H 115, H 40, H 81, H 84, H 83, and H 17 for the signature of the President.

ALEXANDER, Chief Clerk

The President Pro Tempore signed Enrolled H 115, H 40, H 81, H 84, H 83, and H 17 and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Winder, granted by unanimous consent, SCR 112 and SJM 101 retained their place on the calendar for Monday, February 25, 2013.

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 Vick, seconded by Senator Buckner-Webb, SCR 114 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that SCR 115 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Vick, seconded by Senator Buckner-Webb, SCR 115 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that the Education Committee report relative to the Gubernatorial reappointment of Wanda Chillingworth Quinn was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Goedde, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Wanda Chillingworth Quinn as a member of the Public Charter School 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

H 140 and H 141 , by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 163 , by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 109 , by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 107 , by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1058 , by State Affairs Committee, was read the second time at length and filed for third reading.

H 180 , by Appropriations Committee, was read the second time at length and filed for third reading.

H 82 , by Education Committee, was read the second time at length and filed for third reading.

S 1057 and S 1091 , by Education Committee, were read the second time at length and filed for third reading.

S 1063 , by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 89 , by Health and Welfare Committee, was read the second time at length and filed for third reading.

S 1072, as amended, by Health and Welfare Committee, was read the second time at length and filed for third reading.

S 1062, as amended, by Resources and Environment Committee, was read the second time at length and filed for third reading.

S 1048, as amended, 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

S 1101 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Winder. Total - 34.

NAYS–None.

Absent and excused–Werk. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1101 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Heider, granted by unanimous consent, S 1053 was recommitted to the Health and Welfare Committee.

S 1102 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Winder. Total - 34.

NAYS–None.

Absent and excused–Werk. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1102 passed, title was approved, and the bill ordered transmitted to the House.

S 1103 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, Cameron, Davis, Heider, Johnson, Keough, Lacey, Lodge, Martin, McKenzie, Mortimer, Schmidt, Stennett, Thayn, Tippets. Total - 18.

NAYS–Bock, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Hill, Lakey, Nonini, Nuxoll, Patrick, Pearce, Rice, Siddoway, Vick, Winder. Total - 16.

Absent and excused–Werk. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1103 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Winder. Total - 34.

NAYS–None.

Absent and excused–Werk. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1104 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Winder. Total - 34.

NAYS–None.

Absent and excused–Werk. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1034 passed, title was approved, and the bill ordered transmitted to the House.

S 1035 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, Brackett, Cameron, Davis, Goedde, Guthrie, Hagedorn, Heider, Johnson, Keough, Lacey, Lakey, Lodge, Martin, Mortimer, Patrick, Rice, Siddoway, Tippets, Vick, Winder. Total - 21.

NAYS–Bayer, Bock, Buckner-Webb, Durst, Fulcher, Hill, McKenzie, Nonini, Nuxoll, Pearce, Schmidt, Stennett, Thayn, Werk. Total - 14.

Paired and voting included in roll call:
AYE - Keough NAY - Werk

Total - 35.

Whereupon the President Pro Tempore declared S 1035 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 Lodge arose as sponsor of the bill and opened the debate.

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

On request by Senator Lodge, granted by unanimous consent, S 1074 retained its place on the Third Reading Calendar for Wednesday, February 27, 2013.

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 noon until the hour of 10 a.m., Monday, February 25, 2013.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

FIFTIETH LEGISLATIVE DAY
MONDAY, FEBRUARY 25, 2013

Senate Chamber

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

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

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Robin Crotteau, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 22, 2013, 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 Pearce and Siddoway were recorded present at this order of business.

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

Petitions, Resolutions, and Memorials

SCR 116
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING LEGISLATIVE FINDINGS AND ENCOURAGING COMPANIES TO AVOID POTENTIALLY HARMFUL SUBSTANCES AND SUBSTITUTE SAFER ALTERNATIVES WHENEVER FEASIBLE IN HOUSEHOLD PRODUCTS, ESPECIALLY THOSE LIKELY TO BE USED BY PREGNANT WOMEN AND CHILDREN.

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

WHEREAS, society has an interest in reducing the exposure of pregnant women, children and other vulnerable populations to known toxic substances; and

WHEREAS, more than thirty years of environmental health studies have led to a growing consensus that toxic substances are playing a role in the incidence and prevalence of many diseases and disorders; and

WHEREAS, increases in cancer, birth defects and difficulty in conceiving and maintaining a pregnancy have all been linked to exposure to toxic substances; and

WHEREAS, a fetus is particularly vulnerable to the impacts of toxic substances; and

WHEREAS, the State of Washington has published a "List of Chemicals of High Concern to Children" and has been transparent in citing the corresponding scientific evidence of potential harm behind each component listed; and

WHEREAS, these same substances have been found to be present in human blood, human breast milk, indoor air and drinking water and have been added to consumer products used in the home, child care facilities and schools; and

WHEREAS, consumers have a right to know the contents of the products they purchase so they can make informed decisions to protect the health of their families; and

WHEREAS, some Idaho companies, like Idaho Falls-based Melaleuca, have committed to manufacturing their products using naturally safer substances.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that we encourage companies to avoid potentially harmful substances and substitute safer alternatives whenever feasible in household products, especially those likely to be used by pregnant women and children.

BE IT FURTHER RESOLVED that we encourage companies to voluntarily disclose potentially harmful substances used in household products, thereby empowering consumers to make informed decisions about what they bring into contact with their children and families.

BE IT FURTHER RESOLVED that we commend those Idaho companies voluntarily disclosing potentially harmful substances or avoiding them entirely.

SCR 116 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 22, 2013

The JUDICIARY AND RULES Committee reports that **S 1010** has been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled **S 1010** and ordered it transmitted to the House for the signature of the Speaker.

February 21, 2013

The JUDICIARY AND RULES Committee reports that Enrolled **S 1009** was delivered to the Office of the Governor at 11:04 a.m., February 21, 2013.

LODGE, Chairman

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

February 22, 2013

The FINANCE Committee reports out **S 1113** with the recommendation that it do pass.

CAMERON, Chairman

S 1113 was filed for second reading.

February 22, 2013

The JUDICIARY AND RULES Committee reports out S 1059 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, S 1059 was referred to the Fourteenth Order of Business, General Calendar.

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

Messages from the House

February 22, 2013

Dear Mr. President:

I transmit herewith H 161, H 169, HCR 7, H 96, H 97, H 177, and H 153 , which have passed the House.

ALEXANDER, Chief Clerk

H 161, H 169, HCR 7, H 96, H 97, H 177, and H 153 were filed for first reading.

February 22, 2013

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

Senator Cameron was recorded present at this order of business.

The President Pro Tempore announced that SCR 112 was before the Senate for final consideration.

Moved by Senator Winder, seconded by Senator Davis, that SCR 112 be adopted. The question being, "Shall the resolution be adopted?"

Roll call vote was requested by Senator Winder. Senators Bair, Davis, Lodge and Tippets stood in support of the request.

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Cameron, Davis, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Siddoway, Thayn, Tippets, Vick, Winder. Total - 29.

NAYS–Buckner-Webb, Durst, Schmidt, Stennett, Werk. Total - 5.

Absent and excused–Goedde. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared SCR 112 adopted, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that SJM 101 was before the Senate for final consideration.

Moved by Senator Winder, seconded by Senator Davis, that SJM 101 be adopted. The question being, "Shall the memorial be adopted?"

Roll call resulted as follows:

AYES–Bair, Brackett, Cameron, Davis, Fulcher, Guthrie, Heider, Hill, Lakey, Lodge, Martin, Tippets, Winder. Total - 13.

NAYS–Bayer, Bock, Buckner-Webb, Durst, Hagedorn, Johnson, Keough, Lacey, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Vick, Werk. Total - 21.

Absent and excused–Goedde. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared that the Senate has failed to adopt SJM 101 and ordered the memorial filed in the office of the Secretary 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 1117
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO OVERWEIGHT OR OVERSIZE LOADS; AMENDING CHAPTER 10, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1004A, IDAHO CODE, TO PROVIDE FOR SPECIAL PERMITS FOR NEW DESIGNATED SPECIAL ROUTES AND TO PROVIDE FOR THE ANALYSIS OF NEW SPECIAL ROUTES.

S 1118
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO FINANCIAL INTEREST IN A DEALER OR WHOLESALER OF BEER; AMENDING CHAPTER 10, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-1032, IDAHO CODE, TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR A BREWER TO HAVE FINANCIAL INTEREST IN THE BUSINESS OF A DEALER OR WHOLESALER OF BEER.

S 1119
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO MANDATORY INCOME WITHHOLDING FOR CHILD SUPPORT; AMENDING SECTION 32-1206, IDAHO CODE, TO PROVIDE THAT INCOME WITHHOLDING ORDERS USE A CERTAIN FORM AND TO PROVIDE THAT INCOME WITHHOLDING PAYMENTS BY EMPLOYERS BE REMITTED TO THE DEPARTMENT OF HEALTH AND WELFARE; AND AMENDING SECTION 32-1210, IDAHO CODE, TO PROVIDE THAT INCOME WITHHOLDING PAYMENTS BY EMPLOYERS BE REMITTED TO THE DEPARTMENT OF HEALTH AND WELFARE.

S 1120
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE OFFICE OF THE LIEUTENANT GOVERNOR FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT

POSITIONS; EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1117, S 1118, S 1119, and S 1120 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 161 , by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 169 and HCR 7 , by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

H 96 and H 97 , by Agricultural Affairs Committee, were introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 177 , by State Affairs Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 153 , by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

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

Third Reading of Bills

S 1061 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, Cameron, Davis, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Thayn, Tippets, Vick, Winder. Total - 30.

NAYS–Bock, Buckner-Webb, Stennett, Werk. Total - 4.

Absent and excused–Goedde. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1061 passed, title was approved, and the bill ordered transmitted to the House.

S 1092 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Goedde. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1092 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, S 1093 retained its place on the Third Reading Calendar for one legislative day.

S 1065 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Goedde. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1065 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Goedde. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1081 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, **H 29** was placed at the head of the Third Reading Calendar, followed by Senate bills, followed by 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 noon until the hour of 10 a.m., Tuesday, February 26, 2013.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

FIFTY-FIRST LEGISLATIVE DAY
TUESDAY, FEBRUARY 26, 2013

Senate Chamber

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

Roll call showed all members present except Senators Bayer, Durst, Goedde, and Pearce, absent and excused.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Kyra Perron, 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, 2013, 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 117
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE IDAHO PUBLIC UTILITIES COMMISSION RELATING TO THE TELEPHONE CUSTOMER RELATIONS RULES.

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 Idaho Public Utilities Commission relating to The Telephone Customer Relations Rules 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-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 31.41.01, Idaho Public Utilities Commission, The Telephone Customer Relations Rules, Section 502, Subsection 01.a, only, adopted as a pending rule under Docket Number 31-4101-1201, be, and the same is hereby rejected and declared null, void and of no force and effect.

SCR 118
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN RULES OF THE DEPARTMENT OF ADMINISTRATION RELATING TO RULES GOVERNING USE OF THE EXTERIOR OF STATE PROPERTY IN THE CAPITOL MALL AND OTHER STATE FACILITIES.

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

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Department of Administration relating to Rules Governing Use of the Exterior of State Property in the Capitol Mall and Other State Facilities 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-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 38.04.06, Department of Administration, Rules Governing Use of the Exterior of State Property in the Capitol Mall and Other State Facilities, Section 201, Section 302, Subsections 01., 02. and 03. and Section 313, only, adopted as pending rules under Docket Number 38-0406-1202, be, and the same are hereby rejected and declared null, void and of no force and effect.

SCR 119
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN RULES OF THE DEPARTMENT OF ADMINISTRATION RELATING TO RULES GOVERNING USE OF IDAHO STATE CAPITOL EXTERIOR.

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

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Department of Administration relating to Rules Governing Use of Idaho State Capitol Exterior 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-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 38.04.08, Department of Administration, Rules Governing Use of Idaho State Capitol Exterior, Section 201, Section 302, Subsections 01.a, 01.b., 01.c. and 01.d. and 02. and Section 313, only, adopted as pending rules under Docket Number 38-0408-1202, be, and the same are hereby rejected and declared null, void and of no force and effect.

SCR 117, SCR 118, and SCR 119 were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 26, 2013

The JUDICIARY AND RULES Committee reports that S 1117, S 1118, S 1119, S 1120, and SCR 116 have been correctly printed.

LODGE, Chairman

On request by Senator Senator Johnson, granted by unanimous consent, SCR 116 was referred to the Health and Welfare Committee.

S 1117 was referred to the Transportation Committee.

S 1118 was referred to the State Affairs Committee.

S 1119 was referred to the Judiciary and Rules Committee.

S 1120 was referred to the Finance Committee.

February 25, 2013

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 15, 2013

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:

Fred H. Snook to the Idaho State Racing Commission, term to expire January 1, 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.

February 25, 2013

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:

Andrea Wassner to the Idaho Commission on Human Rights, term to expire July 1, 2015.

Joe B. McNeal to the Idaho Commission on Human Rights, term to expire July 1, 2015.

Rayelle Anderson to the Bingo-Raffle Advisory Board, term to expire January 7, 2016.

Roy E. Decker to the Bingo-Raffle Advisory Board, term to expire January 7, 2016.

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.

February 25, 2013

The STATE AFFAIRS Committee reports out H 42 with the recommendation that it do pass.

MCKENZIE, Chairman

H 42 was filed for second reading.

February 25, 2013

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

Dustin Thomas Miller as the Administrator of the Office of Species Conservation, term to continue at the pleasure of the Governor.

PEARCE, 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, 2013

The RESOURCES AND ENVIRONMENT Committee reports out H 47 and H 50 with the recommendation that they do pass.

PEARCE, Chairman

H 47 and H 50 were filed for second reading.

February 25, 2013

The EDUCATION Committee reports out HCR 3 with the recommendation that it do pass.

GOEDDE, 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.

Senators Goedde, Bayer, and Pearce 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, 2013

Dear Mr. President:

I transmit herewith H 93, H 128, H 129, H 130, H 132, and H 139 , which have passed the House.

ALEXANDER, Chief Clerk

H 93, H 128, H 129, H 130, H 132, and H 139 were filed for first reading.

February 25, 2013

Dear Mr. President:

I return herewith S 1016 and S 1017 , which have passed the House.

ALEXANDER, Chief Clerk

S 1016 and S 1017 were referred to the Judiciary and Rules Committee for enrolling.

February 25, 2013

Dear Mr. President:

I return herewith Enrolled S 1076 and S 1077 , which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled S 1076 and S 1077 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

February 25, 2013

Dear Mr. President:

I transmit herewith Enrolled H 12, as amended in the Senate, for the signature of the President.

ALEXANDER, Chief Clerk

The President Pro Tempore signed Enrolled H 12, as amended in the Senate, and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced that HCR 4 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Werk, seconded by Senator Davis, HCR 4 was adopted by voice vote, title was approved as corrected, and the resolution ordered returned to the House.

Senator Durst was recorded present at this order of business.

The Senate advanced to the Eleventh Order of Business.

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

S 1121
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO SHEEP; AMENDING CHAPTER 19, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-1911, IDAHO CODE, TO PROVIDE THAT THE ABANDONMENT OF SHEEP AND RELATED DUTIES BY CERTAIN PERSONS SHALL CONSTITUTE A MISDEMEANOR AND TO PROVIDE THAT PERSONS AIDING AND ABETTING SUCH ABANDONMENT OR TAKING OTHER SPECIFIED ACTIONS SHALL BE GUILTY OF A MISDEMEANOR.

S 1122
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO CHILD CUSTODY; AMENDING CHAPTER 7, TITLE 32, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 32-720, IDAHO CODE, TO PROVIDE A PROCEDURE FOR THE COURT IN THE EVENT A PETITION FOR MODIFICATION OF A CHILD CUSTODY ORDER IS FILED WHERE THE ACTION MAY BE SUBJECT TO THE SERVICEMEMBERS CIVIL RELIEF ACT, TO PROVIDE THAT UNDER CERTAIN CIRCUMSTANCES THE COURT MAY ONLY ENTER AN ORDER OR DECREE TEMPORARILY MODIFYING THE EXISTING CHILD CUSTODY ORDER DURING A PERIOD OF DEPLOYMENT, TO PROVIDE FOR EXPIRATION OF THE ORDER OR DECREE, TO PROVIDE FOR EXPEDITED OR EMERGENCY HEARINGS RELATING TO THE EXPIRATION OF ORDERS OR DECREES, TO PROVIDE FOR THE EXTENSION OF TEMPORARY ORDERS, TO PROVIDE FOR TEMPORARY ORDERS GRANTING DEPLOYED PARENTS REASONABLE CONTACT WITH THE CHILD, TO PROVIDE FOR EXPEDITED HEARINGS RELATING TO PETITIONS TO MODIFY, TO PROVIDE FOR THE PRESENTATION OF TESTIMONY AND EVIDENCE BY ELECTRONIC MEANS UNDER CERTAIN CONDITIONS AND TO DEFINE TERMS.

S 1123
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO PROSTITUTION; AMENDING CHAPTER 56, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-5618, IDAHO CODE, TO PROVIDE FOR PROPERTY SUBJECT TO FORFEITURE AND TO DEFINE TERMS; AMENDING CHAPTER 56, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-5619, IDAHO CODE, TO PROVIDE THAT AN INVENTORY OF SEIZED PROPERTY SHALL BE MADE; AMENDING CHAPTER 56, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-5620, IDAHO CODE, TO PROVIDE THAT A FORFEITURE REQUEST SHALL BE FILED AND TO PROVIDE A REBUTTABLE PRESUMPTION; AMENDING CHAPTER 56, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-5621, IDAHO CODE, TO PROVIDE FOR THE PRESERVATION OF SEIZED PROPERTY; AMENDING CHAPTER 56, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-5622, IDAHO CODE, TO PROVIDE FOR A PROCESS OF THIRD PARTY PROCEEDINGS; AMENDING CHAPTER 56, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-5623, IDAHO CODE, TO PROVIDE FOR THE DISPOSITION OF PERSONAL PROPERTY AND TO ESTABLISH RIGHTS OF A THIRD PARTY; AMENDING CHAPTER 56, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-5624, IDAHO CODE, TO PROVIDE FOR THE DISPOSITION OF REAL PROPERTY AND TO ESTABLISH RIGHTS OF A THIRD PARTY; AMENDING CHAPTER 56, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-5625, IDAHO CODE, TO PROVIDE FOR PROPORTIONALITY OF PROPERTY IN DISPOSITION; AMENDING CHAPTER 56, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-5626, IDAHO CODE, TO PROVIDE FOR THE AUTHORITY OF THE ATTORNEY GENERAL IN DISPOSITION OF PROPERTY; AMENDING CHAPTER 56, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-5627, IDAHO

CODE, TO PROVIDE A BAR ON INTERVENTION FOR A PARTY CLAIMING AN INTEREST IN PROPERTY; AMENDING CHAPTER 56, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-5628, IDAHO CODE, TO PROVIDE FOR THE JURISDICTION OF COURTS AND DEPOSITION PROCEDURES; AMENDING CHAPTER 56, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-5629, IDAHO CODE, TO PROVIDE PROCEDURES TO DISPOSE OF PROPERTY; AMENDING CHAPTER 56, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-5630, IDAHO CODE, TO PROVIDE FOR THE FORFEITURE OF SUBSTITUTE PROPERTY; AND AMENDING CHAPTER 56, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-5631, IDAHO CODE, TO PROVIDE THAT THIS CHAPTER SHALL BE CONSTRUED TO EFFECTUATE ITS REMEDIAL PURPOSES.

S 1121, S 1122, and S 1123 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 93, H 128, H 129, H 130, and H 132 , by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 139 , 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 1113 , 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

H 29 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 29 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Goedde, granted by unanimous consent, S 1093 retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Goedde, granted by unanimous consent, S 1091 was referred to the Fourteenth Order of Business, General Calendar.

S 1083 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared S 1083 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared S 1014 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 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, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Bock. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1100 passed, title was approved, and the bill ordered transmitted to the House.

S 1089 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, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Thayn, Tippets, Vick, Winder. Total - 29.

NAYS–Bock, Buckner-Webb, Durst, Martin, Stennett, Werk. Total - 6.

Total - 35.

Whereupon the President Pro Tempore declared S 1089 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared S 1058 passed, title was approved, and the bill ordered transmitted to the House.

S 1057 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 Davis, granted by unanimous consent, S 1057 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.

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 5 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 5 p.m., pursuant to recess, President Pro Tempore Hill presiding.

Roll call showed all members present except Senators Brackett, Buckner-Webb, Durst, Hagedorn, Lodge, Siddoway, and Werk, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 26, 2013

The TRANSPORTATION Committee reports out H 66 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, H 66 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 Thayn, granted by unanimous consent, S 1057 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

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

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:05 p.m. until the hour of 10 a.m., Wednesday, February 27, 2013.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

FIFTY-SECOND LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 27, 2013

Senate Chamber

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

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

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Nerissa Schmechel, 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, 2013, 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 Bayer was recorded present at this order of business.

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

Petitions, Resolutions, and Memorials

PETITION TO WAIVE JOINT RULE 20

We, the majority leadership of the Senate, petition that the President waive the provisions of Joint Rule 20 pertaining to the limitation on introduction of proposed constitutional amendments, which would permit the introduction and consideration of SJR 102 to present an amendment to the Idaho Constitution to amend the definitions of state militia to eliminate age and gender discrimination.

Signed:
/s/ Brent Hill, President Pro Tempore
/s/ Bart M. Davis, Senate Majority Leader
/s/ Chuck Winder, Assistant Majority Leader
/s/ Russell M. Fulcher, Majority Caucus Chair

Upon presentation of the petition, the President Pro Tempore waived the provisions of Joint Rule 20 for the introduction of SJR 102. The correspondence was ordered filed in the office of the Secretary of the Senate.

SJR 102
BY STATE AFFAIRS COMMITTEE
A JOINT RESOLUTION
PROPOSING AN AMENDMENT TO SECTION 1, ARTICLE XIV, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO PERSONS SUBJECT TO MILITARY DUTY; TO PROVIDE THAT ALL ABLE-BODIED PERSONS, RESIDENTS OF THIS STATE, AGES EIGHTEEN YEARS OR OLDER BE SUBJECT TO MILITARY DUTY; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

SJR 102 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 27, 2013

The JUDICIARY AND RULES Committee reports that **S 1121**, **S 1122**, **S 1123**, **SCR 117**, **SCR 118**, and **SCR 119** have been correctly printed.

LODGE, Chairman

S 1121 was referred to the Agricultural Affairs Committee.

S 1122 and **S 1123** were referred to the Judiciary and Rules Committee.

SCR 117, **SCR 118**, and **SCR 119** 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, 2013

The JUDICIARY AND RULES Committee reports that **S 1016** and **S 1017** have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled **S 1016** and **S 1017** and ordered them transmitted to the House for the signature of the Speaker.

February 26, 2013

The JUDICIARY AND RULES Committee reports that Enrolled **S 1076** and **S 1077** were delivered to the Office of the Governor at 11:34 a.m., February 26, 2013.

LODGE, Chairman

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

February 26, 2013

The FINANCE Committee reports out **S 1120** with the recommendation that it do pass.

CAMERON, Chairman

S 1120 was filed for second reading.

February 26, 2013

The TRANSPORTATION Committee reports out S 1082 with the recommendation that it do pass.

BRACKETT, Chairman

S 1082 was filed for second reading.

February 26, 2013

The COMMERCE AND HUMAN RESOURCES Committee reports out H 9, H 11, H 28, H 7, H 8, and H 10 with the recommendation that they do pass.

TIPPETS, Chairman

H 9, H 11, H 28, H 7, H 8, and H 10 were filed for second reading.

February 26, 2013

The HEALTH AND WELFARE Committee reports out S 1114 with the recommendation that it do pass.

HEIDER, Chairman

S 1114 was filed for second reading.

February 26, 2013

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:

Mark P. VonLindern to the Hazardous Waste Facility Siting License Application Review Panel, term to expire March 6, 2015.

Suzanne Budge to the Hazardous Waste Facility Siting License Application Review Panel, term to expire March 6, 2015.

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 26, 2013

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 86, H 137, and S 1107 with the recommendation that they do pass.

SIDDOWAY, Chairman

H 86, H 137, and S 1107 were filed for second reading.

February 26, 2013

The EDUCATION Committee reports out S 1098 with the recommendation that it do pass.

GOEDDE, Chairman

S 1098 was filed for second reading.

February 27, 2013

The STATE AFFAIRS Committee reports out HCR 5 with the recommendation that it do pass.

MCKENZIE, Chairman

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.

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

Messages from the Governor

February 26, 2013

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 1009

As Always - Idaho, *Esto Perpetua*
/s/ Brad Little
Acting Governor of Idaho

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 26, 2013

Dear Mr. President:

I transmit herewith H 167, H 121, H 159, H 185, H 175, H 118, and H 117 , which have passed the House.

ALEXANDER, Chief Clerk

H 167, H 121, H 159, H 185, H 175, H 118, and H 117 were filed for first reading.

February 26, 2013

Dear Mr. President:

I return herewith Enrolled S 1010 , which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled S 1010 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

On request by Senator Nonini, granted by unanimous consent, HCR 3 retained its place on the calendar for Thursday, February 28, 2013.

The President Pro Tempore announced that the State Affairs Committee report relative to the Gubernatorial appointment of Fred H. Snook was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator McKenzie, seconded by Senator Buckner-Webb, the Gubernatorial appointment of Fred H. Snook as a member of the Idaho State Racing Commission was confirmed by voice vote.

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

The President Pro Tempore announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Andrea Wassner was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Martin, seconded by Senator Durst, the Gubernatorial reappointment of Andrea Wassner as a member of the Idaho Commission on Human Rights was confirmed by voice vote.

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

The President Pro Tempore announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Joe B. McNeal was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Brackett, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Joe B. McNeal as a member of the Idaho Commission on Human Rights was confirmed by voice vote.

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

The President Pro Tempore announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Rayelle Anderson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Nonini, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Rayelle Anderson as a member of the Bingo-Raffle Advisory Board was confirmed by voice vote.

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

The President Pro Tempore announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Roy E. Decker 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 reappointment of Roy E. Decker as a member of the Bingo-Raffle Advisory Board was confirmed by voice vote.

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

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

On motion by Senator Brackett, seconded by Senator Bair, the Gubernatorial appointment of Dustin Thomas Miller as the Administrator of the Office of Species Conservation 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 1124
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING CHAPTER 52, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-5216, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO PUBLIC POSTSECONDARY INSTITUTIONS BEING AUTHORIZED TO OPERATE PUBLIC CHARTER HIGH SCHOOLS AND TO DEFINE A TERM.

S 1125
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO EDUCATION; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 20, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2006A, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO THE EDUCATION OF CERTAIN SCHOOL AGE CHILDREN, TO ESTABLISH PROVISIONS RELATING TO A MEMORANDUM OF UNDERSTANDING, TO ESTABLISH PROVISIONS RELATING TO AN ANNUAL ALLOWANCE AND TO ESTABLISH PROVISIONS RELATING TO ACCREDITATION REVIEWS OR REPORTS; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE EDUCATIONAL SUPPORT PROGRAM; AND PROVIDING A SUNSET DATE.

S 1126
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO LOTTERY PRIZES; AMENDING SECTION 56-203E, IDAHO CODE, TO REVISE PROCEDURES FOR WITHHOLDING AND SET-OFF OF LOTTERY PRIZE WINNINGS FOR SATISFACTION OF OUTSTANDING CHILD SUPPORT DEBT; AND AMENDING SECTION 67-7437, IDAHO CODE, TO REVISE PROCEDURES FOR WITHHOLDING AND SET-OFF OF LOTTERY PRIZE WINNINGS FOR SATISFACTION OF OUTSTANDING STATE TAXES OWED AND TO MAKE A TECHNICAL CORRECTION.

S 1127
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO BINGO AND RAFFLES; AMENDING SECTION 67-7701, IDAHO CODE, TO REVISE THE PURPOSE AND POLICY RELATING TO BINGO GAMES AND RAFFLES; AMENDING SECTION 67-7702, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 67-7704, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE REGARDING THE BINGO-RAFFLE ADVISORY BOARD AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7706, IDAHO CODE, TO REVISE POWERS AND DUTIES OF THE BINGO-RAFFLE ADVISORY BOARD; AMENDING SECTION 67-7707, IDAHO CODE, TO PROVIDE A PER VIOLATION PENALTY, TO REMOVE LANGUAGE PROHIBITING PERSONS UNDER THE AGE OF EIGHTEEN TO PLAY BINGO IN ANY GAME OPERATED BY A LICENSED CHARITABLE OR NONPROFIT ORGANIZATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-7708, IDAHO CODE, TO REVISE LANGUAGE REGARDING THE LIMIT ON SESSIONS AND BINGO PRIZES; AMENDING SECTION 67-7709, IDAHO CODE, TO REVISE PROVISIONS RELATING TO ACCOUNTING AND USE OF BINGO PROCEEDS; AMENDING SECTION 67-7710, IDAHO CODE, TO REVISE PROVISIONS REGARDING RAFFLES AND DUCK RACES AND TO REMOVE REFERENCE TO HOLIDAY CHRISTMAS TREE FUNDRAISERS; AMENDING SECTION 67-7711, IDAHO CODE, TO REVISE THE LICENSING PROCEDURE; AMENDING SECTION 67-7712, IDAHO CODE, TO REVISE PROVISIONS REGARDING LICENSE SUSPENSION OR REVOCATION; AMENDING SECTION 67-7713, IDAHO CODE, TO INCREASE THE AMOUNT OF MAXIMUM AGGREGATE VALUE OF MERCHANDISE BEFORE A CHARITABLE OR NONPROFIT ORGANIZATION CONDUCTING A RAFFLE MUST BE REQUIRED TO OBTAIN A LICENSE; AND AMENDING SECTION 67-7715, IDAHO CODE, TO REVISE PROVISIONS REGARDING VENDORS, LICENSING AND FEES.

S 1124, **S 1125**, **S 1126**, and **S 1127** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 167, **H 118**, and **H 117** , by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

H 121 and **H 159** , by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 185 , by Environment, Energy, and Technology Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 175 , by State Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 42 , by State Affairs Committee, was read the second time at length and filed for third reading.

H 47 and **H 50** , by Resources and Conservation 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.

General Calendar

On request by Senator Johnson, granted by unanimous consent, **H 41** was recommitted to the Transportation Committee.

The President Pro Tempore declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President Pro Tempore called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out **S 1018**, **S 1097**, **S 1091**, **H 66**, and **S 1057** , without recommendation, amended as follows:

SENATE AMENDMENT TO S 1018

AMENDMENT TO THE BILL
On page 2 of the printed bill, following line 47, insert:

"SECTION 2. That Section 7-610, Idaho Code, be, and the same is hereby amended to read as follows:

7-610. JUDGMENT – PENALTY. Upon the answer and evidence taken, the court or judge must determine whether the person proceeded against is guilty of the contempt charged, and if it be adjudged that he is guilty of the contempt, a fine may be imposed on him not exceeding five thousand dollars ($5,000), or he may be imprisoned not exceeding five (5) days, or both; provided that a person who is guilty of contempt for neglecting to attend or serve as a juror when summoned to do so, or for failing to appear as a prospective juror when summoned by the jury commission under section 2-208(4), Idaho Code, shall be fined in an amount not exceeding one thousand dollars ($1,000), or may be imprisoned not exceeding five (5) days, or both; and except that if the contempt of which the defendant be adjudged guilty be a disobedience of a judgment or order for the support of minor children, he may be imprisoned not exceeding thirty (30) days in addition to such fine, under this section, as the court may impose. Additionally, the court in its discretion, may award attorney's fees and costs to the prevailing party.".

CORRECTION TO TITLE

On page 1, in line 5, following "ORDER" insert: "; AND AMENDING SECTION 7-610, IDAHO CODE, TO PROVIDE A CERTAIN PENALTY".

SENATE AMENDMENT TO S 1097

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 35, delete "or homes"; in line 38, delete "or home"; and in line 42, delete "or homes".

On page 2, in line 2, delete "or home"; in line 10, delete "or homes"; in line 12, delete "or home"; in line 14, delete "or homes"; and in line 17, delete "or home".

CORRECTION TO TITLE

On page 1, in line 3, delete "EDUCATION".

SENATE AMENDMENT TO S 1091

AMENDMENT TO SECTION 3

On page 6 of the printed bill, in line 35, delete "and"; in line 37, delete "." and insert: "; and"; and following line 37, insert:

"(f) Any provider of online courses; provided however, that the courses available on the portal have been verified and approved by the state department of education to meet state content standards.".

SENATE AMENDMENT TO H 66

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete line 34, and insert: "group ~~in advising the department of agriculture~~. The priorities should".

CORRECTION TO TITLE

On page 1, in line 3, following "CODE," insert: "TO REMOVE REFERENCE TO ADVISING THE DEPARTMENT OF AGRICULTURE AND".

SENATE AMENDMENT TO S 1057

AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 46, following "section for" insert: "kindergarten".

CORRECTION TO TITLE

On page 1, in line 4, following "BETWEEN THE" insert: "KINDERGARTEN".

The Committee also has S 1059 under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Buckner-Webb, the report was adopted by voice vote.

S 1018, as amended, S 1097, as amended, S 1091, as amended, and S 1057, 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 66, 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 1074 , 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 Lodge arose as sponsor of the bill and reopened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bayer, Bock, Brackett, Buckner-Webb, Cameron, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Johnson, Keough, Lacey, Lakey, Lodge, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Stennett, Thayn, Vick, Werk, Winder. Total - 27.

NAYS–Bair, Davis, Hill, Martin, Mortimer, Pearce, Siddoway, Tippets. Total - 8.

Total - 35.

Whereupon the President Pro Tempore declared S 1074 passed, title was approved, and the bill ordered transmitted to the House.

S 1093 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Lodge. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1093 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared S 1063 passed, title was approved, and the bill ordered transmitted to the House.

S 1072, as amended, 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared **S 1072**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1062, as amended, 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared **S 1062**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1048, 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared **S 1048**, as amended, 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared **S 1113** passed, title was approved, and the bill ordered transmitted to the House.

H 72 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared **H 72** passed, title was approved, and the bill ordered returned to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 10 a.m., Thursday, February 28, 2013.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

FIFTY-THIRD LEGISLATIVE DAY
THURSDAY, FEBRUARY 28, 2013

Senate Chamber

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

Roll call showed all members present except Senator Pearce, absent and formally excused by the Chair; and Senators Bair, Brackett, Goedde, Lodge, and Siddoway, absent and excused.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Cameron Sears, 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, 2013, 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 28, 2013

The JUDICIARY AND RULES Committee reports that **S 1124**, **S 1125**, **S 1126**, **S 1127**, and **SJR 102** have been correctly printed.

LODGE, Chairman

S 1124 and **S 1125** were referred to the Education Committee.

S 1126, **S 1127**, and **SJR 102** were referred to the State Affairs Committee.

February 28, 2013

The JUDICIARY AND RULES Committee reports that Senate amendments to **S 1018**, **S 1097**, **S 1091**, **H 66**, and **S 1057** have been correctly printed.

LODGE, Chairman

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

February 28, 2013

The JUDICIARY AND RULES Committee reports that **S 1018**, as amended, **S 1097**, as amended, **S 1091**, as amended, and **S 1057**, as amended, have been correctly engrossed.

LODGE, Chairman

S 1018, as amended, **S 1097**, as amended, **S 1091**, as amended, and **S 1057**, as amended, were filed for first reading.

February 27, 2013

The JUDICIARY AND RULES Committee reports that Enrolled **S 1010** was delivered to the Office of the Governor at 11:26 a.m., February 27, 2013.

LODGE, Chairman

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

February 27, 2013

The RESOURCES AND ENVIRONMENT Committee reports out **H 93**, **H 128**, **H 129**, and **H 132** with the recommendation that they do pass.

PEARCE, Chairman

H 93, **H 128**, **H 129**, and **H 132** were filed for second reading.

Senator Goedde was recorded present at this order of business.

February 27, 2013

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:

Elisha D. Figueroa as the Administrator of the Office of Drug Policy, term to continue at the pleasure of the Governor.

Elizabeth "Liz" Susan Chavez to the Judicial Council, term to expire July 1, 2017.

LODGE, Chairman

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

February 27, 2013

The JUDICIARY AND RULES Committee reports out **H 153** with the recommendation that it do pass.

LODGE, Chairman

H 153 was filed for second reading.

February 27, 2013

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

Wendy Jaquet to the State Board of Health and Welfare, term to expire January 1, 2017.

HEIDER, Chairman

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

February 27, 2013

The HEALTH AND WELFARE Committee reports out H 109 with the recommendation that it do pass.

HEIDER, Chairman

H 109 was filed for second reading.

Senator Bair was recorded present at this order of business.

February 27, 2013

The HEALTH AND WELFARE Committee reports out S 1116 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

HEIDER, Chairman

There being no objection, S 1116 was referred to the Fourteenth Order of Business, General Calendar.

February 27, 2013

The EDUCATION Committee reports out H 163 with the recommendation that it do pass.

GOEDDE, Chairman

H 163 was filed for second reading.

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

Messages from the House

February 27, 2013

Dear Mr. President:

I transmit herewith H 103, H 168, H 184, H 187, H 203, and H 142 , which have passed the House.

ALEXANDER, Chief Clerk

H 103, H 168, H 184, H 187, H 203, and H 142 were filed for first reading.

February 27, 2013

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 Brackett was recorded present at this order of business.

February 27, 2013

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

On request by Senator Davis, granted by unanimous consent, HCR 5 retained its place on the calendar for Monday, March 4, 2013.

On request by Senator McKenzie, granted by unanimous consent, SCR 117, SCR 118, and SCR 119 retained their place on the calendar for Friday, March 1, 2013.

Senator Siddoway was recorded present at this order of business.

The President announced that HCR 3 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Nonini, seconded by Senator Lacey, HCR 3 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Mark P. VonLindern was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Schmidt, seconded by Senator Johnson, the Gubernatorial reappointment of Mark P. VonLindern as a member of the Hazardous Waste Facility Siting License Application Review Panel was confirmed by voice vote.

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

The President 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 Nuxoll, seconded by Senator Buckner-Webb, 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 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 1128
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE STATE INDEPENDENT LIVING COUNCIL FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1129
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE OFFICE OF SPECIES CONSERVATION FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1130
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE OFFICE OF ENERGY RESOURCES FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING CERTAIN NON-GENERAL FUND REAPPROPRIATION FOR FISCAL YEAR 2014; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1131
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE ENDOWMENT FUND INVESTMENT BOARD FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING A CONTINUOUS APPROPRIATION FOR CERTAIN COSTS; EXPRESSING LEGISLATIVE INTENT REGARDING THE TRANSFER OF MONEYS FROM THE EARNINGS RESERVE FUNDS TO THE INCOME FUNDS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1132
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1133
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO SCHOOL SECURITY PLANS; AMENDING THE HEADING FOR CHAPTER 18, TITLE 33, IDAHO CODE; AMENDING CHAPTER 18, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1804, IDAHO CODE, TO ESTABLISH PROVISIONS FOR SCHOOL SAFETY AND SECURITY PLANS AND TO PROVIDE THAT CERTAIN PLANS AND REPORTS ARE CONFIDENTIAL AND EXEMPT FROM DISCLOSURE; AND AMENDING SECTION 9-340B, IDAHO CODE, TO PROVIDE THAT CERTAIN PLANS AND REPORTS ARE EXEMPT FROM DISCLOSURE.

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.

S 1018, as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

S 1097, as amended, S 1091, as amended, and S 1057, as amended, by Education Committee, were read the first time at length and filed for second reading.

H 66, as amended in the Senate, by Transportation and Defense Committee, was read the first time at length and filed for second reading.

H 103 , by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 168 , by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 184 and H 187 , by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 203 , by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 142 , by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

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

Second Reading of Bills

S 1120 , by Finance Committee, was 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 9, H 11, H 28, H 7, H 8, and H 10 , by Business Committee, were read the second time at length and filed for third reading.

S 1114 , by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

H 86 , by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 137 , by Local Government 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.

S 1098 , 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

H 122 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Johnson, Keough, Lacey, Lakey, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 32.

NAYS–None.

Absent and excused–Hill, Lodge, Pearce. Total - 3.

Total - 35.

Whereupon the President declared **H 122** 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Johnson, Keough, Lacey, Lakey, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 32.

NAYS–None.

Absent and excused–Hill, Lodge, Pearce. Total - 3.

Total - 35.

Whereupon the President declared **H 123** passed, title was approved, and the bill ordered returned to the House.

H 48 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Johnson, Keough, Lacey, Lakey, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 31.

NAYS–Durst. Total - 1.

Absent and excused–Hill, Lodge, Pearce. Total - 3.

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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Johnson, Keough, Lacey, Lakey, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 32.

NAYS–None.

Absent and excused–Hill, Lodge, Pearce. Total - 3.

Total - 35.

Whereupon the President declared **H 49** 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–None.

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

Total - 35.

Whereupon the President declared **H 166** passed, title was approved, and the bill ordered returned to the House.

H 174 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–None.

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

Total - 35.

Whereupon the President declared **H 174** passed, title was approved, and the bill ordered returned to the House.

H 180 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 31.

NAYS–Nonini, Rice. Total - 2.

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

Total - 35.

Whereupon the President declared **H 180** 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–None.

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

Total - 35.

Whereupon the President declared **H 82** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, **H 89** retained its place on the Third Reading Calendar for one legislative day.

H 42 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–None.

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

Total - 35.

Whereupon the President declared **H 42** 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–None.

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

Total - 35.

Whereupon the President declared **H 47** passed, title was approved, and the bill ordered returned to the House.

Senator Lodge was recorded present at this order of business.

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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Pearce. Total - 1.

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 89** was placed before the Senate for consideration at this time.

H 89 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Pearce. Total - 1.

Total - 35.

Whereupon the President declared **H 89** 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 11:20 a.m. until the hour of 10 a.m., Friday, March 1, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

FIFTY-FOURTH LEGISLATIVE DAY
FRIDAY, MARCH 1, 2013

Senate Chamber

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

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

Prayer was offered by Senator John Tippets.

The Pledge of Allegiance was led by Abigail Sweet, 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 28, 2013, 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 28, 2013

The JUDICIARY AND RULES Committee reports that S 1128, S 1129, S 1130, S 1131, S 1132, and S 1133 have been correctly printed.

LODGE, Chairman

S 1128, S 1129, S 1130, S 1131, and S 1132 were referred to the Finance Committee.

S 1133 was referred to the Education Committee.

Senator McKenzie was recorded present at this order of business.

February 28, 2013

The JUDICIARY AND RULES Committee reports that S 1044 has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled S 1044 and ordered it transmitted to the House for the signature of the Speaker.

February 28, 2013

The JUDICIARY AND RULES Committee reports that Enrolled S 1028 was delivered to the Office of the Governor at 11:28 a.m., February 28, 2013.

LODGE, Chairman

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

February 28, 2013

The AGRICULTURAL AFFAIRS Committee reports out H 112 with the recommendation that it do pass.

BAIR, Chairman

H 112 was filed for second reading.

February 28, 2013

The FINANCE Committee reports out H 203 with the recommendation that it do pass.

CAMERON, Chairman

H 203 was filed for second reading.

February 28, 2013

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1041 with the recommendation that it do pass.

TIPPETS, Chairman

S 1041 was filed for second reading.

February 28, 2013

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1068 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

TIPPETS, Chairman

There being no objection, S 1068 was referred to the Fourteenth Order of Business, General Calendar.

March 1, 2013

The EDUCATION Committee reports out H 177 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

GOEDDE, Chairman

There being no objection, H 177 was referred to the Fourteenth Order of Business, General Calendar.

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

Messages from the House

February 28, 2013

Dear Mr. President:

I transmit herewith H 178, H 162, H 131, H 102, H 105, H 125, H 210, H 205, H 183, H 192, and H 197 , which have passed the House.

ALEXANDER, Chief Clerk

H 178, H 162, H 131, H 102, H 105, H 125, H 210, H 205, H 183, H 192, and H 197 were filed for first reading.

February 28, 2013

Dear Mr. President:

I return herewith Enrolled S 1016 and S 1017 , which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled S 1016 and S 1017 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

February 28, 2013

Dear Mr. President:

I transmit herewith Enrolled HCR 4 and H 29 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled HCR 4 and H 29 and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

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 McKenzie, seconded by Senator Davis, SCR 117 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

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 McKenzie, seconded by Senator Buckner-Webb, SCR 118 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that SCR 119 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator McKenzie, seconded by Senator Buckner-Webb, SCR 119 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Elisha D. Figueroa 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 Elisha D. Figueroa as the Administrator of the Office of Drug Policy 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 appointment of Elizabeth "Liz" Susan Chavez was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Johnson, seconded by Senator Buckner-Webb, the Gubernatorial appointment of Elizabeth "Liz" Susan Chavez as a member of the Judicial Council was confirmed by voice vote.

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

The President announced that the Health and Welfare Committee report relative to the Gubernatorial appointment of Wendy Jaquet 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 Wendy Jaquet 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 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

H 178 , by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 162 , by Education Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 131 , by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 102, H 105, and H 125 , by Judiciary, Rules, and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 210 , by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 205 , by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 183 and H 192 , by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 197 , by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

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

Second Reading of Bills

H 93, H 128, H 129, and H 132 , by Resources and Conservation Committee, were read the second time at length and filed for third reading.

H 153 , by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

H 109 , by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 163 , by Education Committee, was read the second time at length and filed for third reading.

S 1018, as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1097, as amended, S 1091, as amended, and S 1057, as amended, by Education Committee, were read the second time at length and filed for third reading.

H 66, as amended in the Senate, 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 Lakey, granted by unanimous consent, S 1114 retained its place on the Third Reading Calendar for Tuesday, March 5, 2013.

On request by Senator Winder, granted by unanimous consent, S 1082 and S 1107 were referred to the Fourteenth Order of Business, General Calendar.

S 1120 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Keough. Total - 1.

Total - 35.

Whereupon the President declared S 1120 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Keough. Total - 1.

Total - 35.

Whereupon the President declared S 1098 passed, title was approved, and the bill ordered transmitted to the House.

H 9 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Goedde, Guthrie, Heider, Johnson, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 31.

NAYS–None.

Absent and excused–Fulcher, Hagedorn, Hill, Keough. Total - 4.

Total - 35.

Whereupon the President declared H 9 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 Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Keough. Total - 1.

Total - 35.

Whereupon the President declared H 11 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Keough. Total - 1.

Total - 35.

Whereupon the President declared H 28 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Keough. Total - 1.

Total - 35.

Whereupon the President 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Rice, Schmidt, Stennett, Tippets, Werk, Winder. Total - 27.

NAYS–Bayer, Fulcher, Nonini, Pearce, Thayn, Vick. Total - 6.

Absent and excused–Keough, Siddoway. Total - 2.

Total - 35.

Whereupon the President declared H 8 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 Cameron arose as sponsor of the bill and opened the debate.

On request by Senator Cameron, granted by unanimous consent, H 10 retained its place on the Third Reading Calendar for Monday, March 4, 2013.

H 86 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Johnson, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 31.

NAYS–Nuxoll. Total - 1.

Absent and excused–Hagedorn, Hill, Keough. Total - 3.

Total - 35.

Whereupon the President declared H 86 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 12 noon until the hour of 10 a.m., Monday, March 4, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

FIFTY-SEVENTH LEGISLATIVE DAY
MONDAY, MARCH 4, 2013

Senate Chamber

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

Roll call showed all members present except Senator Goedde, absent and formally excused by the Chair; and President Pro Tempore Hill and Senators Bayer, Bock, Cameron, Lodge, McKenzie, Nuxoll, and Siddoway, absent and excused.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Nerissa Schmechel, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 1, 2013, 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 120
BY JUDICIARY AND RULES COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND COMMENDING THE BOISE SCHOOL DISTRICT FOR ITS 2013 READ RIGHT AWARD OF EXCELLENCE, ITS CONTINUING COMMITMENT TO THE READ RIGHT PROGRAM AND ITS FOCUS ON THE SUCCESS OF BOISE STUDENTS.

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

WHEREAS, reading is the foundation of learning; and

WHEREAS, the Read Right program was originally funded through a grant from the J.A. & Kathryn Albertson Foundation to provide an avenue for students from diverse backgrounds to become successful readers when other methods have failed; and

WHEREAS, the Read Right program is designed to help struggling readers to focus on the construction of meaning every time they read rather than focus on single words in isolation and to begin to "remodel" how they read for the specific purpose of comprehension; and

WHEREAS, the Read Right program helps struggling readers integrate phonetic clues with preexisting knowledge of the subject matter, preexisting knowledge of language and its structure, knowledge of punctuation and more as they seek to understand the meaning of the text; and

WHEREAS, participation in the Read Right program requires time, commitment and belief in the methodology by both the tutors and students; and

WHEREAS, the Boise School District began using the Read Right program nearly fifteen years ago, and it is currently offered in nine Boise elementary schools and three junior high schools; and

WHEREAS, the Boise School District has remained committed to quality implementation of the Read Right program since it first began using the Read Right methods; and

WHEREAS, the Boise School District's Read Right team includes thirty full and part-time staff members who tutor, through the Read Right program, an estimated 375 Boise students on any given day; and

WHEREAS, the Boise School District has used the instructional methods of the Read Right program to help an estimated 2,000 children and teens with significant reading challenges find success; and

WHEREAS, the Boise School District's Read Right program has helped yield, on average, an eleven percent improvement over the last decade in the number of kindergartners through third graders reading at grade level in the district according to the Idaho Reading Indicator; and

WHEREAS, the Read Right program has enabled the Boise School District's kindergarten through third grade students to read at grade level nine percentage points higher than the state average, according to the Fall 2011-2012 Idaho Reading Indicator; and

WHEREAS, the Boise School District has been named a recipient of the 2013 Read Right Award of Excellence for embracing the practices essential for a successful Read Right program, including outstanding fidelity to the instructional methodology, regular summative evaluation and strong administrative support; and

WHEREAS, the Boise School District is one of only seven recipients, including just two school districts from across the country deemed worthy to receive this prestigious and meaningful award.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Boise School District be recognized and commended for its 2013 Read Right Award of Excellence, its continuing commitment to the Read Right program and its focus on the success of Boise students.

SCR 120 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

Senators Bayer and Nuxoll were recorded present at this order of business.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 1, 2013

The JUDICIARY AND RULES Committee reports that Enrolled **S 1016** and **S 1017** were delivered to the Office of the Governor at 11:53 a.m., March 1, 2013.

LODGE, Chairman

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

March 1, 2013

The TRANSPORTATION Committee reports out S 1064 and S 1117 with the recommendation that they do pass.

BRACKETT, Chairman

S 1064 and S 1117 were filed for second reading.

Senator Bock was recorded present at this order of business.

March 1, 2013

The FINANCE Committee reports out H 210, S 1128, S 1129, S 1130, S 1131, and S 1132 with the recommendation that they do pass.

CAMERON, Chairman

H 210, S 1128, S 1129, S 1130, S 1131, and S 1132 were filed for second reading.

Senator Lodge 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 1, 2013

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 1010, S 1076, and S 1077

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 1, 2013

Dear Mr. President:

I transmit herewith Enrolled H 72 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 72 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

Senators Siddoway and McKenzie were recorded present at this order of business.

S 1134
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO AERONAUTICS; TO DEFINE A TERM, TO ESTABLISH PROVISIONS RELATING TO RESTRICTIONS ON THE USE OF UNMANNED AIRCRAFT SYSTEMS, TO PROVIDE EXCEPTIONS, TO PROVIDE FOR A CIVIL CAUSE OF ACTION, TO PROVIDE FOR CERTAIN DAMAGES AND TO PROVIDE THAT AN OWNER OF CERTAIN FACILITIES SHALL NOT BE PROHIBITED FROM USING AN UNMANNED AIRCRAFT SYSTEM TO INSPECT SUCH FACILITIES.

S 1135
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO GROUNDS FOR MEDICAL DISCIPLINE BY THE STATE BOARD OF MEDICINE; AMENDING SECTION 54-1814, IDAHO CODE, TO PROVIDE ADDITIONAL GROUNDS FOR MEDICAL DISCIPLINE BY THE STATE BOARD OF MEDICINE OVER LICENSEES OR REGISTRANTS UNDER ITS JURISDICTION.

S 1136
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO UNIFORM CONTROLLED SUBSTANCES; AMENDING SECTION 37-2705, IDAHO CODE, TO REVISE A LISTING OF SYNTHETIC DRUGS; AND DECLARING AN EMERGENCY.

S 1137
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO GARNISHMENTS; AMENDING SECTION 8-507, IDAHO CODE, TO REVISE PROVISIONS RELATING TO SERVICE OF WRIT OF ATTACHMENT, EXECUTION OR GARNISHMENT, TO DEFINE TERMS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 8-507A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO SERVICE ON A DEFENDANT AND THIRD PARTIES BY CERTAIN PERSONS; AMENDING SECTION 8-507C, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE AVAILABILITY OF CERTAIN FORMS AND TO REVISE A CERTAIN NOTICE FORM; AMENDING SECTION 8-507D, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE SERVICE AND MAILING CRITERIA OF CERTAIN DOCUMENTS AND RELATED DUTIES OF THE SHERIFF AND SERVING ATTORNEY; AMENDING SECTION 8-508, IDAHO CODE, TO REVISE PROVISIONS RELATING TO LIABILITY OF A GARNISHEE; AMENDING SECTION 8-509, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A CONTINUING GARNISHMENT; AMENDING SECTION 8-510, IDAHO CODE, TO REVISE PROVISIONS RELATING TO NOTICE OF GARNISHMENT AND DISCHARGE OF A GARNISHEE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 8-521, IDAHO CODE, TO PROVIDE THAT NO SERVING ATTORNEY SHALL BE LIABLE TO BE SUMMONED AS A GARNISHEE; AMENDING SECTION 11-102, IDAHO

CODE, TO REVISE PROVISIONS RELATING TO THE FORM OF A CERTAIN WRIT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 11-103, IDAHO CODE, TO PROVIDE THAT CERTAIN PROVISIONS APPLY TO A SERVING ATTORNEY; AMENDING SECTION 11-107, IDAHO CODE, TO PROVIDE THAT EXECUTIONS FOR CERTAIN GARNISHMENTS BE ISSUED TO CERTAIN PERSONS AND TO REVISE PROVISIONS RELATING TO THE TIMING OF AN EXECUTION ISSUED AGAINST EACH JUDGMENT DEBTOR IN EACH COUNTY; AMENDING SECTION 11-203, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A CLAIM OF EXEMPTION BY DEFENDANT OR THIRD PARTY CLAIM, TO REVISE PROVISIONS RELATING TO A MOTION TO CONTEST A CLAIM, TO REVISE PROVISIONS RELATING TO THE HOLDING AND RELEASING OF PROPERTY BY A SHERIFF OR SERVING ATTORNEY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 11-206, IDAHO CODE, TO DEFINE TERMS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 11-301, IDAHO CODE, TO PROVIDE THAT CERTAIN PROCEEDS SHALL BE PAYED TO THE JUDGMENT CREDITOR AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING CHAPTER 32, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-3203A, IDAHO CODE, TO PROVIDE THAT A SERVING ATTORNEY MAY CHARGE REASONABLE FEES FOR SERVICES AND MAY CHARGE A COMMISSION.

S 1138
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE LOCAL PLANNING ACT; AMENDING SECTION 67-6511, IDAHO CODE, TO PROVIDE THAT OVERLAY ZONING DISTRICTS HAVE SPECIFIC STANDARDS, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-6522, IDAHO CODE, TO PROVIDE THAT IN NO EVENT SHALL THE GOVERNING BOARD BY LOCAL ORDINANCE ENACT PROVISIONS THAT ABROGATE THE STATUTORY AUTHORITY OF A PUBLIC HEALTH DISTRICT, STATE AND/OR FEDERAL AGENCY; AMENDING SECTION 67-6535, IDAHO CODE, TO ENUMERATE EXPRESS STANDARDS REGARDING THE LOCAL PLANNING ACT, TO PROVIDE PROCEDURES FOR RECONSIDERATION AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTIONS 31-1425 AND 31-3908A, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES.

S 1134, S 1135, S 1136, S 1137, and S 1138 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

H 112 , by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

H 203 , by Appropriations Committee, was read the second time at length and filed for third reading.

S 1041 , by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

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

Reports of Standing Committees

March 4, 2013

The JUDICIARY AND RULES Committee reports that S 1138 has been correctly printed.

LODGE, Chairman

S 1138 was referred to the Local Government and Taxation Committee.

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

Motions and Resolutions

President Pro Tempore Hill and Senator Cameron were recorded present at this order of business.

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 Davis, seconded by Senator Stennett, HCR 5 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 Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Lakey, granted by unanimous consent, S 1018, as amended, was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Winder, granted by unanimous consent, S 1097, as amended, retained its place on the Third Reading Calendar for one legislative day.

S 1091, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Thayn and Durst 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Goedde. Total - 1.

Total - 35.

Whereupon the President declared S 1091, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1057, 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, Davis, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 29.

NAYS–Bock, Cameron, Johnson, Keough, Lacey. Total - 5.

Absent and excused–Goedde. Total - 1.

Total - 35.

Whereupon the President declared **S 1057**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

H 66, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Goedde. Total - 1.

Total - 35.

Whereupon the President declared **H 66**, 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, **H 10** retained its place on the Third Reading Calendar for one legislative day.

H 137 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 Lakey disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Goedde. Total - 1.

Total - 35.

Whereupon the President declared **H 137** passed, title was approved, and the bill ordered returned to the House.

H 93 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Goedde. Total - 1.

Total - 35.

Whereupon the President declared **H 93** 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 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, Bock, Brackett, Cameron, Davis, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 32.

NAYS–Durst. Total - 1.

Absent and excused–Buckner-Webb, Goedde. Total - 2.

Total - 35.

Whereupon the President declared **H 128** 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 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, Bock, Brackett, Cameron, Davis, Guthrie, Hagedorn, Heider, Hill, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Patrick, Pearce, Rice, Schmidt, Siddoway, Thayn, Tippets, Vick, Winder. Total - 25.

NAYS–Bayer, Durst, Fulcher, Johnson, Nonini, Nuxoll, Stennett, Werk. Total - 8.

Absent and excused–Buckner-Webb, Goedde. Total - 2.

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 Pearce arose as 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, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Winder. Total - 31.

NAYS–Bock, Werk. Total - 2.

Absent and excused–Buckner-Webb, Goedde. Total - 2.

Total - 35.

Whereupon the President declared **H 132** 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 11:15 a.m. until the hour of 10 a.m., Tuesday, March 5, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

FIFTY-EIGHTH LEGISLATIVE DAY
TUESDAY, MARCH 5, 2013

Senate Chamber

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

Roll call showed all members present except Senators Bayer, Bock, Cameron, Johnson, Keough, Lacey, Mortimer, Nuxoll, Schmidt, Thayn, and Vick, absent and excused.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Madeline Breen, 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, 2013, 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 Bock, Lacey, and Keough were recorded present at this order of business.

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

Reports of Standing Committees

March 5, 2013

The JUDICIARY AND RULES Committee reports that S 1134, S 1135, S 1136, S 1137, and SCR 120 have been correctly printed.

LODGE, Chairman

S 1134 was referred to the Transportation Committee.

S 1135 was referred to the Health and Welfare Committee.

S 1136 and S 1137 were referred to the Judiciary and Rules Committee.

SCR 120 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, 2013

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:

Roger L. Jones to the Idaho Lottery Commission, term to expire January 1, 2017.

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.

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

March 4, 2013

The STATE AFFAIRS Committee reports out S 1029 and S 1078 with the recommendation that they do pass.

MCKENZIE, Chairman

S 1029 and S 1078 were filed for second reading.

Senators Vick and Mortimer were recorded present at this order of business.

March 4, 2013

The STATE AFFAIRS Committee reports out S 1118 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, S 1118 was referred to the Fourteenth Order of Business, General Calendar.

March 4, 2013

The RESOURCES AND ENVIRONMENT Committee reports out H 130 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PEARCE, Chairman

There being no objection, H 130 was referred to the Fourteenth Order of Business, General Calendar.

March 4, 2013

The RESOURCES AND ENVIRONMENT Committee reports out H 131 with the recommendation that it do pass.

PEARCE, Chairman

H 131 was filed for second reading.

March 4, 2013

The JUDICIARY AND RULES Committee reports out H 103, S 1119, and S 1122 with the recommendation that they do pass.

LODGE, Chairman

H 103, S 1119, and S 1122 were filed for second reading.

Senator Johnson was recorded present at this order of business.

March 5, 2013

The AGRICULTURAL AFFAIRS Committee reports out H 96 and H 175 with the recommendation that they do pass.

BAIR, Chairman

H 96 and H 175 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 4, 2013

Dear Mr. President:

I transmit herewith H 147, H 148, H 149, H 157, H 181, H 170, H 196, H 199, H 124, H 214, H 220, HJM 1, HCR 6, HCR 12, HCR 8, and HCR 10 , which have passed the House.

ALEXANDER, Chief Clerk

H 147, H 148, H 149, H 157, H 181, H 170, H 196, H 199, H 124, H 214, H 220, HJM 1, HCR 6, HCR 12, HCR 8, and HCR 10 were filed for first reading.

March 4, 2013

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.

March 4, 2013

Dear Mr. President:

I transmit herewith Enrolled HCR 3, H 122, H 123, H 48, H 49, H 166, H 174, H 180, H 82, H 42, H 47, H 50, and H 89 for the signature of the President.

ALEXANDER, Chief Clerk

The President Pro Tempore signed Enrolled HCR 3, H 122, H 123, H 48, H 49, H 166, H 174, H 180, H 82, H 42, H 47, H 50, and H 89 and ordered them returned to the House.

Senators Thayn and Nuxoll were 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 1139
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE PUBLIC HEALTH DISTRICTS FOR FISCAL YEAR 2014; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1140
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF SELF-GOVERNING AGENCIES FOR THE MEDICAL BOARDS FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1141
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE STATE TREASURER FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING STATE TREASURER LGIP FUND REAPPROPRIATION FOR FISCAL YEAR 2014; PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION; PROVIDING LEGISLATIVE INTENT FOR THE USE OF CONFERENCE RELATED ACTIVITIES; AND PROVIDING LEGISLATIVE INTENT FOR THE PAYMENT OF BANK SERVICE FEES.

S 1142
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1143
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DIVISION OF VETERANS SERVICES FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1144
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2014; PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION; EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS; AND PROVIDING NON-GENERAL FUND REAPPROPRIATION FOR FISCAL YEAR 2014.

S 1139, S 1140, S 1141, S 1142, S 1143, and S 1144 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 147, H 148, H 149, and H 124 , by Judiciary, Rules, and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 157 , by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 181 and H 220 , by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

HCR 12 , by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

H 170 , by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

HCR 8 , by Transportation and Defense Committee, was introduced, read at length, and referred to the Transportation Committee.

H 196 and **H 199** , by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 214 , by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

HCR 6 and **HCR 10** , by Health and Welfare Committee, were introduced, read at length, and referred to the Health and Welfare Committee.

HJM 1 , by Resources and Conservation Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

President Little assumed the Chair.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1064 , by Transportation Committee, was read the second time at length and filed for third reading.

S 1117 , by State Affairs Committee, was read the second time at length and filed for third reading.

H 210 , by Appropriations Committee, was read the second time at length and filed for third reading.

S 1128, **S 1129**, **S 1130**, **S 1131**, and **S 1132** , by Finance Committee, were read the second time at length and filed for third reading.

On request by Senator Brackett, granted by unanimous consent, a correction was made to the fiscal note for **S 1117** .

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 1116**, **S 1068**, **H 177**, **S 1082**, and **S 1107** , without recommendation, amended as follows:

SENATE AMENDMENT TO S 1116

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 23 through 30, and insert:

"(3) Following the determination that an individual is deceased by a person qualified to do so, such person shall, as soon as reasonably possible, notify the Idaho state communication center of the location where the deceased will be or has been transported to and include the deceased individual's name and date of birth if known.".

CORRECTION TO TITLE

On page 1, in line 4, delete "DISPATCH AGENCIES,".

SENATE AMENDMENT TO S 1068

AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 9 through 33; and in line 34, delete "SECTION 2." and insert: "SECTION 1.".

CORRECTION TO TITLE

On page 1, delete lines 2 through 5, and insert: "RELATING TO MEMBERS OF THE ARMED SERVICES AND THEIR SPOUSES; AMENDING SECTION 67-2620,".

SENATE AMENDMENT TO H 177

AMENDMENT TO SECTION 2

On page 3 of the printed bill, delete lines 4 and 5, and insert:

"(7) Select the ~~financial institution or institutions to act as the depository~~ depositories and act as or select managers of the program in accordance".

SENATE AMENDMENT TO S 1082

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 31, delete "nothing" and insert: "the normal fee provided in section 49-402, Idaho Code,".

SENATE AMENDMENT TO S 1107

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 12 and 13, and insert: "this chapter shall be delivered or may be transmitted electronically, as that term is defined in section 63-115, Idaho Code, if electronic transmission is requested by the taxpayer, to the taxpayer, or to his agent or".

The Committee also has **S 1059** and **S 1018**, as amended, under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Buckner-Webb, the report was adopted by voice vote.

S 1116, as amended, **S 1068**, as amended, **S 1082**, as amended, and **S 1107**, 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 177, 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 Lakey, granted by unanimous consent, S 1114 was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Goedde, granted by unanimous consent, S 1097, as amended, retained its place on the Third Reading Calendar for one legislative day.

Senator Bayer was recorded present at this order of business.

S 1041 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Durst arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Davis, Durst, Hagedorn, Hill, Keough, Lakey, Martin, McKenzie, Werk, Winder. Total - 10.

NAYS–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Fulcher, Guthrie, Heider, Johnson, Lacey, Lodge, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick. Total - 24.

Absent and excused–Goedde. Total - 1.

Total - 35.

Whereupon the President declared that S 1041 had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

H 10 , 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 Cameron arose as sponsor of the bill and reopened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Patrick, Schmidt, Siddoway, Stennett, Tippets, Werk, Winder. Total - 26.

NAYS–Bayer, Fulcher, Nonini, Nuxoll, Pearce, Rice, Thayn, Vick. Total - 8.

Absent and excused–Goedde. Total - 1.

Total - 35.

Whereupon the President declared H 10 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Goedde. Total - 1.

Total - 35.

Whereupon the President declared H 153 passed, title was approved, and the bill ordered returned to the House.

H 109 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Goedde. Total - 1.

Total - 35.

Whereupon the President declared H 109 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Goedde. Total - 1.

Total - 35.

Whereupon the President declared H 163 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, H 112 retained its place on the Third Reading Calendar for one legislative day.

H 203 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 30.

NAYS–Nonini, Pearce, Rice. Total - 3.

Absent and excused–Durst, Goedde. Total - 2.

Total - 35.

Whereupon the President declared H 203 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 Sixth Order of Business.

Reports of Standing Committees

March 5, 2013

The JUDICIARY AND RULES Committee reports that S 1139, S 1140, S 1141, S 1142, S 1143, and S 1144 have been correctly printed.

LODGE, Chairman

S 1139, S 1140, S 1141, S 1142, S 1143, and S 1144 were referred to the Finance Committee.

March 5, 2013

The JUDICIARY AND RULES Committee reports that Senate amendments to S 1116, S 1068, H 177, S 1082, and S 1107 have been correctly printed.

LODGE, Chairman

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

March 5, 2013

The JUDICIARY AND RULES Committee reports that S 1116, as amended, S 1068, as amended, S 1082, as amended, and S 1107, as amended, have been correctly engrossed.

LODGE, Chairman

S 1116, as amended, S 1068, as amended, S 1082, as amended, and S 1107, 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

S 1116, as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

S 1068, as amended, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

S 1082, as amended, by Transportation Committee, was read the first time at length and filed for second reading.

S 1107, as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

H 177, as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

On request by Senator 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 10 a.m., Wednesday, March 6, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

FIFTY-NINTH LEGISLATIVE DAY
WEDNESDAY, MARCH 6, 2013

Senate Chamber

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

Roll call showed all members present except Senators Fulcher, Lodge, and Winder, absent and excused.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Carson 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 5, 2013, 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 Lodge 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 6, 2013

The JUDICIARY AND RULES Committee reports that Enrolled S 1044 was delivered to the Office of the Governor at 10:47 a.m., March 5, 2013.

LODGE, Chairman

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

March 5, 2013

The FINANCE Committee reports out S 1139, S 1140, S 1141, S 1142, S 1143, and S 1144 with the recommendation that they do pass.

CAMERON, Chairman

S 1139, S 1140, S 1141, S 1142, S 1143, and S 1144 were filed for second reading.

March 5, 2013

The TRANSPORTATION Committee reports out H 168, H 169, and HCR 7 with the recommendation that they do pass.

BRACKETT, Chairman

H 168 and H 169 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.

March 5, 2013

The TRANSPORTATION Committee reports out H 167 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, H 167 was referred to the Fourteenth Order of Business, General Calendar.

March 5, 2013

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1021 with the recommendation that it do pass.

TIPPETS, Chairman

S 1021 was filed for second reading.

March 5, 2013

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1045 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

TIPPETS, Chairman

There being no objection, S 1045 was referred to the Fourteenth Order of Business, General Calendar.

March 5, 2013

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 139, H 141, and S 1111 with the recommendation that they do pass.

SIDDOWAY, Chairman

H 139, H 141, and S 1111 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 5, 2013

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 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 5, 2013

Dear Mr. President:

I transmit herewith HCR 16, H 206, H 233, H 234, H 235, H 236, H 237, H 238, H 188, H 211, and H 216 , which have passed the House.

ALEXANDER, Chief Clerk

HCR 16, H 206, H 233, H 234, H 235, H 236, H 237, H 238, H 188, H 211, and H 216 were filed for first reading.

March 5, 2013

Dear Mr. President:

I return herewith SCR 104 , which has passed the House.

ALEXANDER, Chief Clerk

SCR 104 was referred to the Judiciary and Rules Committee for enrolling.

March 5, 2013

Dear Mr. President:

I transmit herewith Enrolled H 9, H 11, H 28, H 7, H 8, and H 86 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 9, H 11, H 28, H 7, H 8, and H 86 and ordered them returned to the House.

Senator Winder 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

HCR 16 , by Education Committee, was introduced, read at length, and referred to the Education Committee.

H 206 , by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 233, H 234, H 235, H 236, H 237, and H 238 , by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 188 and H 211 , by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 216 , by State Affairs Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1029 and S 1078 , by State Affairs Committee, were read the second time at length and filed for third reading.

H 131 , by Resources and Conservation Committee, was read the second time at length and filed for third reading.

H 103 , by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

S 1119 and S 1122 , by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

H 96 , by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

H 175 , by State Affairs Committee, was read the second time at length and filed for third reading.

S 1116, as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1068, as amended, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

S 1082, as amended, by Transportation Committee, was read the second time at length and filed for third reading.

S 1107, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

H 177, as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1097, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Fulcher. Total - 1.

Total - 35.

Whereupon the President declared S 1097, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1064 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Winder. Total - 33.

NAYS–Werk. Total - 1.

Absent and excused–Fulcher. Total - 1.

Total - 35.

Whereupon the President declared S 1064 passed, title was approved, and the bill ordered transmitted to the House.

Senator Fulcher was recorded present at this order of business.

S 1117 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Cameron, Fulcher, Goedde, Hagedorn, Heider, Johnson, Lakey, Lodge, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Siddoway, Thayn, Tippets, Vick. Total - 22.

NAYS–Bock, Buckner-Webb, Davis, Durst, Guthrie, Hill, Keough, Lacey, Martin, Schmidt, Stennett, Werk, Winder. Total - 13.

Paired and voting included in roll call:

AYE - Fulcher NAY - Buckner-Webb

Total - 35.

Whereupon the President declared S 1117 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, all Senate non Finance Committee bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by Senate Finance Committee bills, followed by House bills.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 10 a.m., Thursday, March 7, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

SIXTIETH LEGISLATIVE DAY
THURSDAY, MARCH 7, 2013

Senate Chamber

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

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

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Robin Crotteau, 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, 2013, 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 121
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE DOCKET OF THE BUREAU OF OCCUPATIONAL LICENSES RELATING TO RULES OF THE IDAHO DRIVING BUSINESSES LICENSURE BOARD.

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 Bureau of Occupational Licenses relating to Rules of the Idaho Driving Businesses Licensure Board 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-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 24.25.01, Bureau of Occupational Licenses, Rules of the Idaho Driving Businesses Licensure Board, adopted as a pending rule under Docket Number 24-2501-1201, the entire rulemaking docket, 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 BUREAU OF OCCUPATIONAL LICENSES RELATING TO RULES OF THE BOARD OF ARCHITECTURAL EXAMINERS.

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 Bureau of Occupational Licenses relating to Rules of the Board of Architectural Examiners 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-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 24.01.01, Bureau of Occupational Licenses, Rules of the Board of Architectural Examiners, Section 550, Subsection 03, relating to Contracts, only, adopted as a pending rule under Docket Number 24-0101-1201, and that IDAPA 24.01.01, final rule Section 550, Subsection 04, relating to Direct Supervision, only, be, and the same are hereby rejected and declared null, void and of no force and effect.

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 6, 2013

The JUDICIARY AND RULES Committee reports that **SCR 104** has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled **SCR 104** and ordered it transmitted to the House for the signature of the Speaker.

March 5, 2013

The EDUCATION Committee reports out **S 1133** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

GOEDDE, Chairman

There being no objection, **S 1133** was referred to the Fourteenth Order of Business, General Calendar.

March 6, 2013

The STATE AFFAIRS Committee reports out **S 1080**, **S 1108**, and **S 1079** with the recommendation that they do pass.

MCKENZIE, Chairman

S 1080, **S 1108**, and **S 1079** were filed for second reading.

March 6, 2013

The FINANCE Committee reports out H 233, H 234, H 235, H 236, H 237, and H 238 with the recommendation that they do pass.

CAMERON, Chairman

H 233, H 234, H 235, H 236, H 237, and H 238 were filed for second reading.

March 6, 2013

The EDUCATION Committee reports out HCR 16 with the recommendation that it do pass.

GOEDDE, Chairman

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 6, 2013

The HEALTH AND WELFARE Committee reports out HCR 6 and HCR 10 with the recommendation that they do pass.

HEIDER, Chairman

HCR 6 and HCR 10 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 6, 2013

The LOCAL GOVERNMENT AND TAXATION Committee reports out S 1138 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SIDDOWAY, Chairman

There being no objection, S 1138 was referred to the Fourteenth Order of Business, General Calendar.

March 6, 2013

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 184 and H 187 with the recommendation that they do pass.

SIDDOWAY, Chairman

H 184 and H 187 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 6, 2013

Dear Mr. President:

I transmit herewith H 217, H 221, H 224, H 225, and H 226 , which have passed the House.

ALEXANDER, Chief Clerk

H 217, H 221, H 224, H 225, and H 226 were filed for first reading.

March 6, 2013

Dear Mr. President:

I return herewith S 1031, S 1101, S 1102, S 1103, S 1104, S 1001, S 1003, as amended, S 1004, and S 1027 , which have passed the House.

ALEXANDER, Chief Clerk

S 1031, S 1101, S 1102, S 1103, S 1104, S 1001, S 1003, as amended, S 1004, and S 1027 were referred to the Judiciary and Rules Committee for enrolling.

March 6, 2013

Dear Mr. President:

I transmit herewith Enrolled HCR 5, H 137, H 93, H 128, H 129, and H 132 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled HCR 5, H 137, H 93, H 128, H 129, and H 132 and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that SCR 120 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Fulcher, SCR 120 was adopted by voice vote, title was approved, and the resolution ordered transmitted 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 Rice, seconded by Senator Buckner-Webb, HCR 7 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Roger L. Jones 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 Roger L. Jones as a member of the Idaho Lottery Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial 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 1145
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO WORKER'S COMPENSATION; AMENDING SECTION 72-523, IDAHO CODE, TO EXTEND A TEMPORARY PREMIUM TAX REDUCTION AND TO EXTEND CERTAIN DEDUCTION PROVISIONS.

S 1146
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO EDUCATION; AMENDING SECTION 33-522, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN CONDITIONS CONCERNING THE DECLARATION OF A FINANCIAL EMERGENCY.

S 1147
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO EDUCATION; AMENDING SECTION 33-1275, IDAHO CODE, TO REMOVE LANGUAGE RELATING TO FACT-FINDERS, APPOINTMENT AND HEARINGS, TO ESTABLISH PROVISIONS RELATING TO TERMS OF AGREEMENTS, TO PROVIDE THAT AGREEMENTS SHALL HAVE A ONE YEAR DURATION, TO ESTABLISH PROVISIONS RELATING TO LIMITATIONS ON THE PARTIES' AUTHORITY, TO ESTABLISH PROVISIONS RELATING TO CERTAIN AGREEMENTS HAVING A NONROLLING TWO YEAR DURATION, TO ESTABLISH PROVISIONS RELATING TO WHAT A FINANCIAL TERM INCLUDES AND TO DEFINE TERMS; AMENDING CHAPTER 12, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1275, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO FACT-FINDERS, CERTAIN HEARINGS AND A REPORT; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION, PROVIDING A SUNSET DATE AND PROVIDING EFFECTIVE DATES.

S 1148
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO EDUCATION; AMENDING SECTION 33-514, IDAHO CODE, TO REVISE A DATE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-515, IDAHO CODE, TO REMOVE LANGUAGE RELATING TO A NOTICE CONCERNING RENEWAL OF A CONTRACT, TO REVISE A DATE, TO REVISE PROVISIONS RELATING TO CONTRACTS AUTOMATICALLY RENEWED, TO ESTABLISH PROVISIONS RELATING TO AN INFORMAL REVIEW IF THE BOARD DETERMINES TO CHANGE CERTAIN TERMS OF A CONTRACT, TO MAKE A CODIFIER'S CORRECTION, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 33-514, IDAHO CODE, RELATING TO ISSUANCE OF ANNUAL CONTRACTS, SUPPORT PROGRAMS, CATEGORIES OF CONTRACTS AND OPTIONAL PLACEMENT; REPEALING SECTION 33-515, IDAHO CODE, RELATING TO ISSUANCE OF RENEWABLE CONTRACTS; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-514, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO THE ISSUANCE OF ANNUAL CONTRACTS, TO ESTABLISH PROVISIONS RELATING TO CATEGORIES OF CONTRACTS, TO ESTABLISH PROVISIONS RELATING TO SCHOOL DISTRICT OPTIONS IN HIRING CERTAIN EMPLOYEES AND TO ESTABLISH PROVISIONS RELATING TO EVALUATIONS; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-515, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO THE ISSUANCE OF RENEWABLE CONTRACTS, TO ESTABLISH PROVISIONS RELATING TO CERTAIN EVALUATIONS, TO ESTABLISH PROVISIONS RELATING TO CERTAIN CONTRACTS AUTOMATICALLY RENEWED, TO ESTABLISH PROVISIONS RELATING TO INCREASING OR DECREASING THE SALARY OF CERTAIN PERSONS, TO ESTABLISH PROVISIONS RELATING TO A REASONABLE PERIOD OF PROBATION, TO ESTABLISH PROVISIONS RELATING TO DISCHARGE OR TO REDUCE A SALARY, TO ESTABLISH PROVISIONS RELATING TO A FINANCIAL EMERGENCY AND TO ESTABLISH PROVISIONS RELATING TO CERTAIN BOARD ACTION BASED UPON REASONS OTHER THAN UNSATISFACTORY SERVICE; PROVIDING SEVERABILITY; DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

S 1149
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO EDUCATION; AMENDING SECTION 33-1271, IDAHO CODE, TO REVISE LANGUAGE RELATING TO ENTERING INTO A NEGOTIATION AGREEMENT, TO PROVIDE FOR NEGOTIATIONS IN GOOD FAITH, TO REVISE PROVISIONS RELATING TO A REQUEST FOR NEGOTIATIONS AND TO REVISE PROVISIONS RELATING TO RATIFICATION; AMENDING SECTION 33-1272, IDAHO CODE, TO REVISE DEFINITIONS, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1273, IDAHO CODE, TO CLARIFY THAT THE LOCAL EDUCATION ORGANIZATION SHALL BE THE EXCLUSIVE REPRESENTATIVE FOR CERTAIN EMPLOYEES IN THAT DISTRICT FOR PURPOSES OF NEGOTIATIONS PURSUANT TO LAW AND TO PROVIDE THAT NEGOTIATIONS SHALL ONLY OCCUR BETWEEN CERTAIN REPRESENTATIVES; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1150
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO EDUCATION; AMENDING SECTION 33-513, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO AN EMPLOYEE'S APPEAL TO THE DISTRICT COURT, TO ESTABLISH PROVISIONS RELATING TO THE DISTRICT COURT'S ACTION, TO PROVIDE THAT THE DETERMINATION OF THE BOARD OF TRUSTEES SHALL BE AFFIRMED UNLESS THE COURT MAKES CERTAIN FINDINGS, TO MAKE A CODIFIER'S CORRECTION AND TO MAKE TECHNICAL CORRECTIONS.

S 1151
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO CRIMINAL PROCEDURE; AMENDING SECTION 19-2604, IDAHO CODE, TO REVISE PROVISIONS WHEN RELIEF FROM A FELONY CONVICTION MAY BE GRANTED AND TO PROVIDE PROCEDURES.

S 1145, **S 1146**, **S 1147**, **S 1148**, **S 1149**, **S 1150**, and **S 1151** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 217 , by State Affairs Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 221, **H 224**, **H 225**, and **H 226** , by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

On request by Senator Cameron, granted by unanimous consent, **S 1141** was recommitted to the Finance Committee.

S 1139, **S 1140**, **S 1142**, **S 1143**, and **S 1144** , by Finance Committee, were read the second time at length and filed for third reading.

H 168 and **H 169** , by Transportation and Defense Committee, were read the second time at length and filed for third reading.

S 1021 , by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 139 and **H 141** , by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

S 1111 , 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.

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 1059**, **S 1018**, as amended, **H 130**, **H 167**, and **S 1045** , without recommendation, amended as follows:

SENATE AMENDMENT TO S 1059
AMENDMENT TO SECTION 1
On page 1 of the printed bill, in line 20, following "crime." insert: "Nothing contained in this section shall be construed to impose upon any state prison facility an obligation to continue to treat a person who tested positive for any disease enumerated in section 39-601, Idaho Code, or be financially responsible for such treatment after the person is released from the state prison facility.".

SENATE AMENDMENT TO S 1018, As Amended
AMENDMENT TO SECTION 2
On page 3 of the engrossed bill, in line 9, delete "one thousand" and insert: "five hundred"; and in line 10, delete "1,0" and insert: "5".

SENATE AMENDMENT TO H 130
AMENDMENT TO SECTION 1
On page 1 of the printed bill, in line 34, delete ", or" and insert: "~~, or~~ and"; and in line 35, following "qualified." insert: "If no director is elected and qualified at the end of an incumbent director's three (3) year term, an election shall be held at the next regular election of the irrigation district for the incumbent director's successor to hold office for the remainder of the unexpired term. This election requirement shall apply retroactively where an incumbent director remains in office on the date of the effective date of this act because the incumbent's successor was not elected and qualified in the 2012 election.".

AMENDMENT TO SECTION 2
On page 2, in line 43, following "begin," insert: "at the meeting of the irrigation district's board of directors as provided in section 43-201(2), Idaho Code,"; in line 44, following "shall" insert: ": (1)"; in line 46, following "Code" insert: "; (2) be presented a certificate of election; (3) execute a bond if one (1) is hereinafter required; and (4) assume the duties of the office of director. The incumbent director's term of office shall be terminated upon the next director's assumption of office as provided in this section".

AMENDMENT TO SECTION 3
On page 3, in line 22, delete "The secretary must, immediately," and insert: "~~The secretary must, immediately,~~"; delete lines 23 and 24, and insert: "~~make out and deliver to such person or persons a certificate of election signed by him and authenticated with the seal of the board.~~".

CORRECTION TO TITLE
On page 1, in line 4, following "OFFICE," insert: "TO PROVIDE A PROCEDURE IF NO DIRECTOR IS ELECTED AND QUALIFIED AT THE END OF AN INCUMBENT'S TERM, TO PROVIDE FOR RETROACTIVITY OF SPECIFIED ELECTION REQUIREMENTS UNDER CERTAIN CONDITIONS,"; in line 11, following "BOND" delete "AND" and insert: ", TO PROVIDE FOR SPECIFIED ACTION AT A MEETING OF THE IRRIGATION DISTRICT'S BOARD OF DIRECTORS,"; in line 12, following "QUALIFICATIONS" insert: ", TO PROVIDE FOR CERTIFICATES OF ELECTION, TO PROVIDE FOR BONDS, TO PROVIDE FOR ASSUMPTION OF DUTIES OF THE DIRECTOR AND TO PROVIDE FOR TERMINATION OF AN INCUMBENT'S TERM OF OFFICE"; in line 14, delete "AND" and insert: ","; and in line 15, following "RESULT" insert: "AND TO REMOVE PROVISIONS RELATING TO CERTAIN DUTIES OF THE SECRETARY".

SENATE AMENDMENT TO H 167
AMENDMENT TO SECTION 3
On page 3 of the printed bill, delete lines 20 and 21, and insert: "designee and the dealer advisory board or their designee(s), as".

SENATE AMENDMENT TO S 1045
AMENDMENT TO SECTION 1
On page 2 of the printed bill, in line 43, following "days." insert: "As used in this subsection and chapter, "active duty" means full-time duty in the active military service of the United

States. Such term includes full-time training duty, annual training duty, and attendance, while in the active military service, at a school designated as a service school by law or by the secretary of the military department concerned.".

CORRECTION TO TITLE

On page 1, delete line 3, and insert: "DEFINITION OF "VETERAN" AND TO PROVIDE A DEFINITION OF "ACTIVE DUTY."".

The Committee also has S 1118 and S 1114 under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Buckner-Webb, the report was adopted by voice vote.

S 1059, as amended, S 1018, as amended, as amended, and S 1045, 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 130, 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.

Senator Bock was recorded present at this order of business.

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

Third Reading of Bills

S 1029 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared S 1029 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 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, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Siddoway, Thayn, Tippets, Vick, Winder. Total - 30.

NAYS–Bock, Buckner-Webb, Schmidt, Stennett, Werk. Total - 5.

Total - 35.

Whereupon the President declared S 1078 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 Bock arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared S 1119 passed, title was approved, and the bill ordered transmitted to the House.

S 1122 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared S 1122 passed, title was approved, and the bill ordered transmitted to the House.

S 1116, as amended, 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared S 1116, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1068, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Durst arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

Whereupon the President declared S 1068, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1082, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bayer, Brackett, Durst, Fulcher, Hagedorn, Heider, Keough, Lakey, Martin, Nonini, Nuxoll, Patrick, Pearce, Vick, Winder. Total - 15.

NAYS–Bair, Bock, Buckner-Webb, Cameron, Davis, Goedde, Guthrie, Hill, Johnson, Lacey, Lodge, McKenzie, Mortimer, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk. Total - 20.

Total - 35.

Whereupon the President declared that S 1082, as amended, had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

S 1107, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Durst. Total - 1.

Absent and excused–Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared S 1107, as amended, passed, title was approved, and the bill ordered transmitted to the House.

H 177, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared H 177, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

S 1128 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared S 1129 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 4:15 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 4:15 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senator Vick, absent and formally excused by the Chair; and Senators Bayer, Buckner-Webb, Cameron, Durst, Fulcher, Goedde, Heider, Mortimer, Nonini, Patrick, Pearce, Rice, and 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

March 7, 2013

The JUDICIARY AND RULES Committee reports that Senate amendments to S 1059, S 1018, as amended, H 130, H 167, and S 1045 have been correctly printed.

LODGE, Chairman

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

March 7, 2013

The JUDICIARY AND RULES Committee reports that S 1059, as amended, S 1018, as amended, as amended, and S 1045, as amended, have been correctly engrossed.

LODGE, Chairman

S 1059, as amended, S 1018, as amended, as amended, and S 1045, as amended, were filed for first reading.

March 7, 2013

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

Terry Gestrin to the State Insurance Fund Board, term to expire December 1, 2014.

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.

Senators Rice, Patrick, and Cameron were recorded present at this order of business.

March 7, 2013

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1106 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

TIPPETS, Chairman

There being no objection, S 1106 was referred to the Fourteenth Order of Business, General Calendar.

March 7, 2013

The COMMERCE AND HUMAN RESOURCES Committee reports out H 26, H 44, and H 46 with the recommendation that they do pass.

TIPPETS, Chairman

H 26, H 44, and H 46 were filed for second reading.

March 7, 2013

The TRANSPORTATION Committee reports out H 117, H 118, and HCR 8 with the recommendation that they do pass.

BRACKETT, Chairman

H 117 and H 118 were filed for second reading.

HCR 8 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 Eleventh Order of Business.

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

S 1059, as amended, and S 1018, as amended, as amended, by Judiciary and Rules Committee, were read the first time at length and filed for second reading.

S 1045, as amended, by Transportation Committee, was read the first time at length and filed for second reading.

Senator Bayer was recorded present at this order of business.

H 130, as amended in the Senate, by Resources and Conservation Committee, was read the first time at length and filed for second reading.

H 167, 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

Senator Heider was recorded present at this order of business.

On request by Senator McKenzie, granted by unanimous consent, a correction was made to the fiscal note for S 1079 .

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Senators Winder, Fulcher, Durst, Buckner-Webb, Goedde, Mortimer, Pearce, and Nonini were recorded present at this order of business.

S 1130 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 33.

NAYS–Nuxoll. Total - 1.

Absent and excused–Vick. 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 Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Vick. 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Pearce, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 31.

NAYS–Hagedorn, Nuxoll, Rice. Total - 3.

Absent and excused–Vick. Total - 1.

Total - 35.

Whereupon the President declared S 1132 passed, title was approved, and the bill ordered transmitted to the House.

H 112 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Durst arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Vick. Total - 1.

Total - 35.

Whereupon the President declared H 112 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?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Vick. Total - 1.

Total - 35.

Whereupon the President declared H 210 passed, title was approved, and the bill ordered returned to the House.

H 131 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 33.

NAYS–Durst. Total - 1.

Absent and excused–Vick. Total - 1.

Total - 35.

Whereupon the President declared H 131 passed, title was approved, and the bill ordered returned to the House.

H 103 was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Hagedorn and Bock 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 32.

NAYS–Nonini, Pearce. Total - 2.

Absent and excused–Vick. Total - 1.

Total - 35.

Whereupon the President declared H 103 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 Durst arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Vick. Total - 1.

Total - 35.

Whereupon the President declared **H 96** passed, title was approved, and the bill ordered returned to the House.

H 175 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Vick. Total - 1.

Total - 35.

Whereupon the President declared **H 175** 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 5:25 p.m. until the hour of 10 a.m., Friday, March 8, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

SIXTY-FIRST LEGISLATIVE DAY
FRIDAY, MARCH 8, 2013

Senate Chamber

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

Roll call showed all members present except Senators Durst and Vick, absent and formally excused by the Chair; and Senators Bayer, Cameron, Johnson, Keough, Lacey, Mortimer, Nuxoll, Schmidt, Siddoway, and Thayn, absent and excused.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Kyle Hoodenpyle, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 7, 2013, 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 Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 123
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND HONORING FIVE IDAHO SERVICEMEN WHO FOUGHT AND LOST THEIR LIVES IN AFGHANISTAN WITHIN THE PAST YEAR.

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

WHEREAS, American service members, many of them Idahoans, or their family members have served their country honorably and at great personal sacrifice in the wars in Iraq and Afghanistan; and

WHEREAS, five persons with Idaho ties paid the ultimate sacrifice within the past year; and

WHEREAS, U.S. Army Staff Sergeant Daniel J. Brown, 27 years of age, from Jerome was killed in action in Kandahar, Afghanistan, on March 24, 2012. Daniel had been a standout athlete at Jerome High School and mentored younger children in baseball as his senior project. His family said of him that he loved the company of others and was a friend to everyone he knew because he always put others before himself. Daniel felt a call to join the Army after the events of 9/11. He was a leader who took his role seriously and led by example. He was a well-decorated soldier, and during his nearly nine years in the Army he was awarded the service's Commendation Medal four times. Brigadier General Jeffrey Bailey said of Daniel that he put his life on the line, not for glory or personal gain but because he embraced the values of the Army. Daniel is survived by his wife, Jordan Brown, their twin now fourteen-month-old daughters Mattie L. and Marlee L. Brown, his mother Rebecca K. Brown, father Jerald L. Brown, brother Matthew L. Brown and grandparents; and

WHEREAS, U.S. Army Private First Class Chris J. Workman, 33 years of age, was killed in action in Divalak, Afghanistan, on April 19, 2012. Chris was a graduate of Minico High School in Rupert, Idaho, and Idaho State University. He loved to hunt, fish and just hang out with his older brother Harry as they were best friends growing up. His family said of him that he was a highly energetic, self-reliant man who was very outgoing and had many friends throughout Idaho. As a little boy, Chris had dreamed of becoming a soldier. His military career began in 2008 when he joined the Army Reserves at Gowen Field in Boise. This solidified his desire to become an active duty soldier and the following year he enlisted in active duty service and was assigned to Schofield Barracks in Oahu, Hawaii. Chris was deployed to Afghanistan in January 2012 as a gunner on a Blackhawk helicopter. He is survived by his wife, Camille Rudeen Workman, stepson Cole C. Hayes, brother Harry Workman and parents John and Anna Workman and extended family; and

WHEREAS, U.S. Army Private First Class Cody O. Moosman, 24 years of age, was killed in action in Gayan Alwara Mandi, Afghanistan, on July 3, 2012. Cody graduated from Franklin County High School in Preston, Idaho, and joined the military in May 2010. Since he was in the third grade, Cody told his family that he wanted to be in the Army, as he loved the idea of protecting his fellow citizens. He loved the outdoors and was an avid hunter and fisherman who had completed his Eagle Scout badge. His family stated that they enjoyed watching him stand up for America. Cody is survived by his mother Mareen Moosman and father Dennis Moosman, two brothers, two sisters, his grandparents and nieces and nephews; and

WHEREAS, U.S. Army Specialist Ethan J. Martin, 22 years of age, was killed in action in Koragay, Afghanistan, on August 7, 2012. Ethan's childhood years were spent hunting, fishing and playing in Bonners Ferry. In his sophomore year he moved to Lewiston, where he graduated from Lewiston High School. Shortly after graduation, he made the decision to join the military. His family describes him as a very loving young man with a tender heart. He had planned to attend nursing school after the Army. He was loved by everyone who knew him and had a special talent for touching the lives of everybody around him. He will be remembered for his carefree attitude, love of life and his goofy smile. Ethan is survived by his mother Kristie Surprenant, stepfather Bob A. Surprenant, father Harvey Martin, stepmother Pamela Martin, a sister, stepsiblings, grandparents and numerous aunts, uncles and cousins; and

WHEREAS, U.S. Army Private First Class Shane G. Wilson, 20 years of age, was killed in action in Khost, Afghanistan, on October 18, 2012, while supporting Operation Enduring Freedom. Shane graduated from Kuna High School in 2011 and looked forward to serving his country. He had wanted to be a military man from a very young age and was proud to be a soldier. Shane was assigned to the 3rd Battalion, 187th Infantry

Regiment, 3rd Brigade Compact Team, 101st Airborne Division, out of Fort Campbell, Kentucky. He was a very humble young man, was fiercely loyal, and knew how to keep a confidence. He was caring and compassionate and always placed others before himself. Shane is survived by his mother Danielle DeMarco, father Greg Wilson, sisters Shelby Wilson and Sydney DeMarco, grandparents, great-grandparents and extended family.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that we honor, memorialize and commemorate U.S. Army Staff Sergeant Daniel J. Brown, U.S. Army Private First Class Chris J. Workman, U.S. Army Private First Class Cody O. Moosman, U.S. Army Specialist Ethan J. Martin and U.S. Army Private First Class Shane G. Wilson for their unselfish service to our country, fighting for our freedoms, and we recognize, honor and memorialize their ultimate sacrifice.

BE IT FURTHER RESOLVED that the Secretary of the Senate is authorized to send a copy of this Concurrent Resolution to the immediate families of the servicemen mentioned above.

SCR 123 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 8, 2013

The JUDICIARY AND RULES Committee reports that **S 1145**, **S 1146**, **S 1147**, **S 1148**, **S 1149**, **S 1150**, **S 1151**, **SCR 121**, and **SCR 122** have been correctly printed.

LODGE, Chairman

S 1145 was referred to the Commerce and Human Resources Committee.

S 1146, **S 1147**, **S 1148**, **S 1149**, and **S 1150** were referred to the Education Committee.

S 1151 was referred to the Judiciary and Rules Committee.

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 7, 2013

The JUDICIARY AND RULES Committee reports that **S 1031**, **S 1101**, **S 1102**, **S 1103**, **S 1104**, **S 1001**, **S 1003**, as amended, **S 1004**, and **S 1027** have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled **S 1031**, **S 1101**, **S 1102**, **S 1103**, **S 1104**, **S 1001**, **S 1003**, as amended, **S 1004**, and **S 1027** and ordered them transmitted to the House for the signature of the Speaker.

March 7, 2013

The HEALTH AND WELFARE Committee reports out **H 142** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

HEIDER, Chairman

There being no objection, **H 142** was referred to the Fourteenth Order of Business, General Calendar.

March 7, 2013

The HEALTH AND WELFARE Committee reports out **H 188** and **H 211** with the recommendation that they do pass.

HEIDER, Chairman

H 188 and **H 211** were filed for second reading.

March 7, 2013

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 140** with the recommendation that it do pass.

SIDDOWAY, Chairman

H 140 was filed for second reading.

March 8, 2013

The STATE AFFAIRS Committee reports out **H 107**, **H 161**, **H 181**, **S 1105**, and **S 1112** with the recommendation that they do pass.

MCKENZIE, Chairman

H 107, **H 161**, **H 181**, **S 1105**, and **S 1112** 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 7, 2013

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 1016 and **S 1017**

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 Siddoway was recorded present at this order of business.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 7, 2013

Dear Mr. President:

I transmit herewith **H 218**, **H 223**, **HCR 17**, **H 251**, **H 253**, **H 255**, **H 232**, **HCR 14**, **H 244**, **H 45**, as amended, **H 98**, as amended, **H 91**, as amended, **H 113**, as amended, and **H 30**, as amended, which have passed the House.

ALEXANDER, Chief Clerk

H 218, H 223, HCR 17, H 251, H 253, H 255, H 232, HCR 14, H 244, H 45, as amended, H 98, as amended, H 91, as amended, H 113, as amended, and H 30, as amended, were filed for first reading.

March 7, 2013

Dear Mr. President:

I transmit herewith Enrolled H 10, H 153, H 109, H 163, and H 203 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 10, H 153, H 109, H 163, and H 203 and ordered them returned to the House.

March 8, 2013

Dear Mr. President:

I return herewith Enrolled SCR 104 , which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled SCR 104 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 1152
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DIVISION OF PROFESSIONAL-TECHNICAL EDUCATION FOR FISCAL YEAR 2014; PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION; EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS FOR THE POSTSECONDARY PROGRAM; AND PROVIDING NON-GENERAL FUND REAPPROPRIATION FOR FISCAL YEAR 2014.

S 1153
BY FINANCE COMMITTEE
AN ACT
REDUCING THE APPROPRIATION TO THE CATASTROPHIC HEALTH CARE COST FUND AND DIRECTING A TRANSFER FOR FISCAL YEAR 2013; AND DECLARING AN EMERGENCY.

S 1154
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE IDAHO COMMISSION FOR LIBRARIES FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1155
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO WATER DISTRICTS; AMENDING SECTION 42-605, IDAHO CODE, TO CLARIFY COMPENSATION PROVISIONS RELATING TO WATERMASTERS AND ASSISTANTS.

S 1156
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO IRRIGATION DISTRICTS; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 13, TITLE 43, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 43-1314, IDAHO CODE, TO PROVIDE FOR THE PARTITION OF CERTAIN IRRIGATION DISTRICTS AND TO PROVIDE FOR PETITIONS TO PARTITION; AMENDING CHAPTER 13, TITLE 43, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 43-1315, IDAHO CODE, TO PROVIDE FOR THE FILING OF PETITIONS AND TO PROVIDE THAT THE PETITIONS ALONG WITH MAPS AND OTHER PAPERS FILED THEREWITH SHALL BE OPEN TO PUBLIC INSPECTION; AMENDING CHAPTER 13, TITLE 43, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 43-1316, IDAHO CODE, TO PROVIDE THAT CERTAIN MAPS SHALL ACCOMPANY PETITIONS; AMENDING CHAPTER 13, TITLE 43, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 43-1317, IDAHO CODE, TO PROVIDE FOR BOND; AMENDING CHAPTER 13, TITLE 43, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 43-1318, IDAHO CODE, TO PROVIDE FOR NOTICE RELATING TO THE FILING OF PETITIONS FOR PARTITION AND TO PROVIDE REQUIREMENTS RELATING TO SUCH NOTICES; AMENDING CHAPTER 13, TITLE 43, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 43-1319, IDAHO CODE, TO PROVIDE FOR NOTICES OF HEARING AND TO PROVIDE REQUIREMENTS RELATING TO SUCH NOTICES; AMENDING CHAPTER 13, TITLE 43, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 43-1320, IDAHO CODE, TO PROVIDE FOR EXAMINATION BY THE DEPARTMENT OF WATER RESOURCES, TO PROVIDE FOR REPORTS AND TO REQUIRE THE BOARD OF COUNTY COMMISSIONERS TO NOTIFY THE DEPARTMENT OF THE FINAL ACTION TAKEN ON THE PETITION; AMENDING CHAPTER 13, TITLE 43, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 43-1321, IDAHO CODE, TO PROVIDE CONDITIONS UNDER WHICH ORDERS SHALL BE ISSUED, TO PROVIDE THAT CERTAIN BOUNDARIES SHALL NOT BE MODIFIED, TO PROVIDE FOR THE INCLUSION OF CERTAIN LAND WITHIN THE NEW IRRIGATION DISTRICT AND TO PROVIDE THAT SUPPLEMENTAL PETITIONS MAY BE ACCEPTED PRIOR TO THE DATE OF HEARING; AMENDING CHAPTER 13, TITLE 43, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 43-1322, IDAHO CODE, TO PROVIDE FOR ORDERS DIVIDING NEWLY PARTITIONED IRRIGATION DISTRICTS INTO DIVISIONS, TO PROVIDE CERTAIN REQUIREMENTS, TO PROVIDE FOR THE ELECTION OF DIRECTORS, TO PROVIDE THAT CERTAIN INFORMATION RELATING TO DIVISIONS BE INCLUDED IN THE PETITION, TO PROVIDE FOR AN ALTERNATIVE NUMBER OF DISTRICTS AND TO PROVIDE THAT THE REMAINING IRRIGATION DISTRICT SHALL BE DIVIDED INTO DIVISIONS; AMENDING CHAPTER 13, TITLE 43, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 43-1323, IDAHO CODE, TO PROVIDE FOR THE EFFECTIVE DATE OF THE PARTITION, TO REQUIRE THE NEWLY PARTITIONED IRRIGATION DISTRICT TO TAKE CERTAIN ACTION AND TO PROVIDE FOR APPEAL FROM OR JUDICIAL CHALLENGE TO ORDERS; AMENDING CHAPTER 13, TITLE 43, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 43-1324, IDAHO CODE, TO PROVIDE FOR THE JOINT OWNERSHIP OF CERTAIN REAL OR PERSONAL PROPERTIES,

TO PROVIDE FOR PROPORTIONATE HOLDINGS OF CANALS AND LATERALS, TO PROVIDE FOR THE PROPORTIONATE OBLIGATION OF OUTSTANDING DEBT AND TO PROVIDE FOR THE DIVISION OF ASSESSMENTS; AMENDING CHAPTER 13, TITLE 43, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 43-1325, IDAHO CODE, TO PROVIDE FOR A JOINT BOARD OF CONTROL; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1157
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO IRRIGATION DISTRICTS; AMENDING SECTION 43-119, IDAHO CODE, TO PROVIDE THAT CERTAIN LIMITED LIABILITY COMPANIES SHALL HAVE THE SAME RIGHTS AND PRIVILEGES IN THE CONDUCT OF IRRIGATION DISTRICT BUSINESS AS DO NATURAL PERSONS, TO REVISE PROVISIONS RELATING TO VOTING AND OTHERWISE ACTING IN REGARD TO IRRIGATION DISTRICT BUSINESS BY CORPORATIONS, LIMITED LIABILITY COMPANIES, PARTNERSHIPS AND TRUSTS, TO REQUIRE CERTAIN ENTITIES TO FURNISH IRRIGATION DISTRICTS WITH WRITTEN DESIGNATIONS OF THOSE AUTHORIZED TO VOTE OR OTHERWISE ACT FOR THE ENTITY UNDER SPECIFIED CONDITIONS, TO REVISE PROVISIONS RELATING TO THE AUTHORITY OF SPOUSES AND TO REVISE PROVISIONS RELATING TO CERTAIN RESTRICTIONS ON VOTING.

S 1152, S 1153, S 1154, S 1155, S 1156, and S 1157 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senators Johnson, Keough, Lacey, Mortimer, and Schmidt were recorded present at this order of business.

H 218 , by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 223 , by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

HCR 17 , by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

H 251, H 253, and H 255 , by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 232 , by State Affairs Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

HCR 14 , by Health and Welfare Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

H 244 , by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 45, as amended, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 98, as amended, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 91, 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 113, as amended, by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 30, as amended, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

Senator Bayer was recorded present at this order of business.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1080, S 1108, and S 1079 , by State Affairs Committee, were read the second time at length and filed for third reading.

H 233, H 234, H 235, H 236, H 237, and H 238 , by Appropriations Committee, were read the second time at length and filed for third reading.

H 184 and H 187 , by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

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

H 44 , by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

H 46 , by Business Committee, was read the second time at length and filed for third reading.

H 117 and H 118 , by Transportation and Defense Committee, were read the second time at length and filed for third reading.

S 1059, as amended, and S 1018, as amended, as amended, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

S 1045, as amended, by Transportation Committee, was read the second time at length and filed for third reading.

H 130, as amended in the Senate, by Resources and Conservation Committee, was read the second time at length and filed for third reading.

H 167, as amended in the Senate, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

Senator Nuxoll was recorded present at this order of business.

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

Motions and Resolutions

Senator Cameron 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 Goedde, seconded by Senator Buckner-Webb, HCR 16 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

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 Schmidt, seconded by Senator Heider, HCR 6 was adopted by voice vote, title was approved, and the resolution ordered returned 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 Schmidt, seconded by Senator Fulcher, HCR 10 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that HCR 8 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Brackett, seconded by Senator Buckner-Webb, HCR 8 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Terry Gestrin was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Goedde, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Terry Gestrin as a member of the State Insurance Fund Board was confirmed by voice vote.

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

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

Reports of Standing Committees

March 8, 2013

The TRANSPORTATION Committee reports out S 1134 with the recommendation that it be re-referred to the State Affairs Committee.

BRACKETT, Chairman

There being no objection, S 1134 was 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

S 1139 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 33.

NAYS–Durst. Total - 1.

Absent and excused–Vick. Total - 1.

Paired and voting included in roll call:
AYE - Werk NAY - Durst

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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 33.

NAYS–Durst. Total - 1.

Absent and excused–Vick. Total - 1.

Paired and voting included in roll call:
AYE - Werk NAY - Durst

Total - 35.

Whereupon the President declared S 1140 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, S 1142 retained its place on the Third Reading Calendar for Monday, March 11, 2013.

S 1143 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Durst, Vick. Total - 2.

Total - 35.

Whereupon the President declared S 1143 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 33.

NAYS–Durst. Total - 1.

Absent and excused–Vick. Total - 1.

Paired and voting included in roll call:
AYE - Werk NAY - Durst

Total - 35.

Whereupon the President declared S 1144 passed, title was approved, and the bill ordered transmitted to the House.

S 1021 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Durst, Vick. Total - 2.

Total - 35.

Whereupon the President declared S 1021 passed, title was approved, and the bill ordered transmitted to the House.

S 1111 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Durst, Vick. Total - 2.

Total - 35.

Whereupon the President declared S 1111 passed, title was approved, and the bill ordered transmitted to the House.

H 168 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?"

On request by Senator Davis, granted by unanimous consent, the following typographical correction was made to H 168 , pursuant to Senate Rule 9(F):

On Page 1, line 31, beginning with "resulting from the negligence of", "of" was changed to "or."

Roll call resulted as follows:

AYES–Bair, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Tippets, Werk, Winder. Total - 29.

NAYS–Durst. Total - 1.

Absent and excused–Bayer, Goedde, Nonini, Thayn, Vick. Total - 5.

Paired and voting included in roll call:
AYE - Werk NAY - Durst

Total - 35.

Whereupon the President declared H 168 passed, title was approved, and the bill ordered returned to the House.

President Little called Senator Cameron to the Chair.

H 169 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 31.

NAYS–None.

Absent and excused–Durst, Goedde, Nonini, Vick. Total - 4.

Total - 35.

Whereupon the President declared H 169 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. 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 31.

NAYS–Durst. Total - 1.

Absent and excused–Goedde, Nonini, Vick. Total - 3.

Paired and voting included in roll call:

AYE - Werk NAY - Durst

Total - 35.

Whereupon the President declared **H 139** 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 12 noon until the hour of 10 a.m., Monday, March 11, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

SIXTY-FOURTH LEGISLATIVE DAY
MONDAY, MARCH 11, 2013

Senate Chamber

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

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

Prayer was offered by Chaplain James R. Wibberding.

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

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 8, 2013, 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 Nuxoll 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 11, 2013

The JUDICIARY AND RULES Committee reports that S 1152, S 1153, S 1154, S 1155, S 1156, S 1157, and SCR 123 have been correctly printed.

LODGE, Chairman

S 1152, S 1153, and S 1154 were referred to the Finance Committee.

S 1155, S 1156, and S 1157 were referred to the Resources and Environment Committee.

SCR 123 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 8, 2013

The JUDICIARY AND RULES Committee reports that Enrolled SCR 104 was delivered to the Office of the Secretary of State at 10:46 a.m., March 8, 2013.

LODGE, Chairman

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

March 8, 2013

The STATE AFFAIRS Committee reports out H 55 with the recommendation that it do pass.

MCKENZIE, Chairman

H 55 was filed for second reading.

Senator Keough was recorded present at this order of business.

March 8, 2013

The FINANCE Committee reports out H 251, H 253, and H 255 with the recommendation that they do pass.

CAMERON, Chairman

H 251, H 253, and H 255 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 8, 2013

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 Tenth Order of Business.

Motions and Resolutions

The President announced that SCR 121 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Patrick, seconded by Senator Buckner-Webb, SCR 121 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that SCR 122 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Patrick, seconded by Senator Buckner-Webb, SCR 122 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 1158
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO SOCIAL SECURITY BENEFITS; AMENDING SECTION 59-1101, IDAHO CODE, TO REVISE TERMINOLOGY, TO PROVIDE CORRECT CITATIONS, TO PROVIDE THAT SOCIAL SECURITY BENEFITS EXTEND TO POLICE OFFICERS AND FIREFIGHTERS, TO DEFINE TERMS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

S 1158 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 188 and H 211 , by Health and Welfare Committee, were read the second time at length and filed for third reading.

H 140 , by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 107, H 161, and H 181 , by State Affairs Committee, were read the second time at length and filed for third reading.

S 1105 and S 1112 , by State Affairs Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, **H 118** was placed above **H 117** on the Third Reading Calendar.

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

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out S 1114, S 1133, S 1138, S 1106, and H 142 , without recommendation, amended as follows:

SENATE AMENDMENT TO S 1114

AMENDMENT TO SECTION 3

On page 2 of the printed bill, in line 16, following "recovery." insert: "Families play a key role in the successful treatment of mental illness and substance abuse disorders and provision of behavioral health services.".

AMENDMENT TO SECTION 7

On page 5, in line 7, delete "right" and insert: "~~right~~ need"; in line 8, following "to" insert: "receive"; and in line 9, following "provide" insert: "within budgetary confines".

AMENDMENT TO SECTION 9

Also on page 5, in line 37, following "care" insert: "that incorporates patient choice and family involvement to the extent reasonably practicable and medically and professionally appropriate".

AMENDMENT TO SECTION 11

On page 6, in line 45, following "districts." insert: "However, the regional behavioral health boards shall have no authority to levy taxes.".

AMENDMENT TO SECTION 13

On page 7, following line 31, insert:

"(5) All meetings of the executive committee shall be held in accordance with the open meeting law as provided for in chapter 23, title 67, Idaho Code.".

AMENDMENT TO SECTION 14

Also on page 7, in line 37, following "herein." insert: "All meetings of the regional behavioral health board shall be held in accordance with the open meeting law as provided for in chapter 23, title 67, Idaho Code.".

AMENDMENT TO SECTION 15

On page 9, in line 28, delete "as defined in section 39-3129, Idaho Code,".

CORRECTION TO TITLE

On page 1, in line 13, following "TERMINOLOGY" insert: "AND TO PROVIDE FOR BUDGETARY CONFINES".

SENATE AMENDMENT TO S 1133

AMENDMENT TO SECTION 2

On page 1 of the printed bill, in line 17, delete "SAFETY AND"; also in line 17, delete "The" and insert: "Beginning in the 2014-2015 school year, the"; in line 18, following "district" insert: ", or the board of trustees' designee,"; in line 20, delete "safety and"; in line 22, delete "safety and"; in line 27, following "to," insert: "violence prevention efforts,"; in line 30, delete "security" and insert: "school"; in line 37, delete "safety posture and"; and in line 38, following "assessment" insert: "analysis".

On page 2, in line 5, delete "Safety and security" and insert: "Security".

AMENDMENT TO SECTION 3

On page 4, in line 47, delete "safety and"; also in line 47, following "plans" insert: ", threat assessment results".

CORRECTION TO TITLE

On page 1, in line 5, delete "SAFETY AND"; and in line 7, following "PLANS" insert: ", RESULTS".

SENATE AMENDMENT TO S 1138

AMENDMENT TO SECTION 3

On page 3 of the printed bill, delete lines 28 through 30, and insert: "ever the nature of any decision standard or criterion allows, the decision shall identify aspects of compliance or noncompliance with relevant approval standards and criteria in the written decision."; and delete line 39, and insert: "express approval standards or failure to explain compliance or non-".

On page 4, delete lines 1 through 8, and insert: "affirmed, reversed or modified after compliance with applicable procedural standards. A written decision shall be provided to the applicant or affected person within sixty (60) days of receipt of the request for reconsideration or the request is deemed denied. A decision shall not be deemed final for purposes of judicial review unless the process required in this subsection has been followed. The twenty-eight (28) day time frame for seeking judicial review is tolled until the date of the written decision regarding reconsideration or the expiration of the sixty (60) day reconsideration period, whichever occurs first."; in line 25, following "Code." insert: "An appeal shall be from the final decision and not limited to issues raised in the request for reconsideration.".

CORRECTION TO TITLE

On page 1, in line 10, following "RECONSIDERATION" insert: ", TO PROVIDE STANDARDS FOR APPEAL".

SENATE AMENDMENT TO S 1106

AMENDMENT TO SECTION 2

On page 2 of the printed bill, in line 9, delete "division of human resources" and insert: "department of administration".

CORRECTION TO TITLE

On page 1, in line 8, delete "DIVISION OF HUMAN RESOURCES" and insert: "DEPARTMENT OF ADMINISTRATION".

SENATE AMENDMENT TO S 1106

AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 16 through 18, and insert:

"SECTION 2. That Chapter 57, Title 67, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 67-5761B, Idaho Code, and to read as follows:";

and in line 19, delete "5344" and insert: "5761B".

CORRECTION TO TITLE

On page 1, in line 2, delete "PERSONNEL SYSTEM" and insert: "HEALTH SAVINGS ACCOUNTS"; in line 3, following "TER" delete "53" and insert: "57"; and also in line 3, delete "5344" and insert: "5761B".

SENATE AMENDMENT TO H 142

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 34, following "Code" insert: ", except for a dentist practicing dentistry as an employee or contracting dentist providing dentistry services to any health center as defined and authorized in section 330 of the public health service act as amended codified at 42 U.S.C. 254b".

The Committee also has **S 1118** under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Buckner-Webb, the report was adopted by voice vote.

S 1114, as amended, **S 1133**, as amended, **S 1138**, as amended, and **S 1106**, 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 142, 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 1142 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Durst. Total - 1.

Absent and excused–Schmidt. Total - 1.

Total - 35.

Whereupon the President declared **S 1142** passed, title was approved, and the bill ordered transmitted to the House.

S 1080 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Schmidt. Total - 1.

Total - 35.

Whereupon the President declared **S 1080** passed, title was approved, and the bill ordered transmitted to the House.

S 1108 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, Brackett, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Siddoway, Thayn, Tippets, Winder. Total - 25.

NAYS–Bayer, Bock, Buckner-Webb, Durst, Lacey, Nonini, Schmidt, Stennett, Vick, Werk. Total - 10.

Paired and voting included in roll call:

AYE - Guthrie NAY - Schmidt

Total - 35.

Whereupon the President declared **S 1108** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:30 p.m. until the hour of 10 a.m., Tuesday, March 12, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

SIXTY-FIFTH LEGISLATIVE DAY
TUESDAY, MARCH 12, 2013

Senate Chamber

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

Roll call showed all members present except Senators Bair, Bayer, Cameron, Durst, Stennett, and Werk, absent and excused.

Prayer was offered by Senator Russell Fulcher.

The Pledge of Allegiance was led by Kyra Perron, 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, 2013, 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 Werk and Bayer 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 12, 2013

The JUDICIARY AND RULES Committee reports that **S 1158** has been correctly printed.

LODGE, Chairman

S 1158 was referred to the Commerce and Human Resources Committee.

March 11, 2013

The JUDICIARY AND RULES Committee reports that Senate amendments to **S 1114**, **S 1133**, **S 1138**, **S 1106**, and **H 142** have been correctly printed.

LODGE, Chairman

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

Senator Bair was recorded present at this order of business.

March 11, 2013

The JUDICIARY AND RULES Committee reports that **S 1114**, as amended, **S 1133**, as amended, **S 1138**, as amended, and **S 1106**, as amended, have been correctly engrossed.

LODGE, Chairman

S 1114, as amended, **S 1133**, as amended, **S 1138**, as amended, and **S 1106**, as amended, were filed for first reading.

Senator Stennett was recorded present at this order of business.

March 11, 2013

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:

Sheila A. Olsen to the Idaho Commission on Human Rights, term to expire July 1, 2014.

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 11, 2013

The STATE AFFAIRS Committee reports out **H 73** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, **H 73** was referred to the Fourteenth Order of Business, General Calendar.

March 11, 2013

The STATE AFFAIRS Committee reports out **H 53** and **H 159** with the recommendation that they do pass.

MCKENZIE, Chairman

H 53 and **H 159** were filed for second reading.

March 11, 2013

The FINANCE Committee reports out **S 1152**, **S 1153**, and **S 1154** with the recommendation that they do pass.

CAMERON, Chairman

S 1152, **S 1153**, and **S 1154** were filed for second reading.

March 11, 2013

The JUDICIARY AND RULES Committee reports out **H 105** with the recommendation that it do pass.

LODGE, Chairman

H 105 was filed for second reading.

March 11, 2013

The RESOURCES AND ENVIRONMENT Committee reports out **HJM 1** with the recommendation that it do pass.

PEARCE, Chairman

HJM 1 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 11, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Tom Stroschein of Moscow, Idaho, was reappointed as a member of the State Board of Health and Welfare to serve a term commencing January 7, 2013, and expiring January 7, 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.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 11, 2013

Dear Mr. President:

I transmit herewith H 219, H 252, H 254, H 242, H 176, H 90, as amended, H 193, as amended, H 171, as amended, H 120, as amended, H 262, H 263, H 243, H 202, H 222, and HCR 20 , which have passed the House.

ALEXANDER, Chief Clerk

H 219, H 252, H 254, H 242, H 176, H 90, as amended, H 193, as amended, H 171, as amended, H 120, as amended, H 262, H 263, H 243, H 202, H 222, and HCR 20 were filed for first reading.

March 11, 2013

Dear Mr. President:

I transmit herewith Enrolled HCR 7 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled HCR 7 and ordered it returned to the House.

March 11, 2013

Dear Mr. President:

I return herewith Enrolled S 1031, S 1101, S 1102, S 1103, S 1104, S 1001, S 1003, as amended, S 1004, and S 1027 , which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled S 1031, S 1101, S 1102, S 1103, S 1104, S 1001, S 1003, as amended, S 1004, and S 1027 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 Cameron was recorded present at this order of business.

S 1159
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO SOLID WASTE DISPOSAL; AMENDING CHAPTER 44, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-4412, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO COMPLIANCE WITH NOTICE AND MEETING PROVISIONS IN CERTAIN CIRCUMSTANCES RELATING TO INSTANCES WHERE A BOARD OF COUNTY COMMISSIONERS OR CITY COUNCIL IS CONSIDERING ADOPTING ANY ALTERATION, ADDITION, EXPANSION OR OTHER MODIFICATION IN THE DESIGN OR OPERATION OF A SOLID WASTE DISPOSAL SITE THAT MAY RESULT IN THE POTENTIAL RELEASE OF CERTAIN AIR POLLUTANTS OR IN THE INCREASE OF EXISTING EMISSIONS OF CERTAIN AIR POLLUTANTS AND TO PROVIDE FOR THE APPLICATION OF LAW; AMENDING SECTION 31-869, IDAHO CODE, TO PROVIDE FOR THE APPLICATION OF LAW AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 31-4903, IDAHO CODE, TO PROVIDE FOR THE APPLICATION OF LAW AND TO MAKE TECHNICAL CORRECTIONS.

S 1160
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE STATE LIQUOR DIVISION FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1161
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF SELF-GOVERNING AGENCIES FOR REGULATORY BOARDS FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1162
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE STATE CONTROLLER FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION; PROVIDING FOR THE RECOVERY OF STATE CONTROLLER SERVICE COSTS TO THE

GENERAL FUND; AND PROVIDING NON-GENERAL FUND REAPPROPRIATION.

S 1163
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE COMMISSION ON HISPANIC AFFAIRS FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1164
BY FINANCE COMMITTEE
AN ACT
REDUCING THE APPROPRIATION TO THE DIVISION OF VOCATIONAL REHABILITATION FOR FISCAL YEAR 2013; APPROPRIATING MONEYS TO THE DIVISION OF VOCATIONAL REHABILITATION FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION; AND DECLARING AN EMERGENCY.

S 1165
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO ATTORNEY'S FEES; AMENDING SECTION 41-1839, IDAHO CODE, TO REVISE A PROVISION RELATING TO ATTORNEY'S FEES WHEN AN INSURER FAILS TO PAY A PERSON ENTITLED.

S 1159, S 1160, S 1161, S 1162, S 1163, S 1164, and S 1165 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

S 1114, as amended, and S 1133, as amended, by Judiciary and Rules Committee, were read the first time at length and filed for second reading.

S 1138, as amended, and S 1106, as amended, by State Affairs Committee, were read the first time at length and filed for second reading.

Senator Durst was recorded present at this order of business.

H 142, as amended in the Senate, by Health and Welfare Committee, was read the first time at length and filed for second reading.

H 219, H 176, H 193, as amended, H 120, as amended, H 202, and H 222 , by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 252, H 254, H 262, and H 263 , by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 242 and H 243 , by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 90, as amended, by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 171, as amended, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

HCR 20 , 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 55 , by State Affairs Committee, was read the second time at length and filed for third reading.

H 251, H 253, and H 255 , by Appropriations 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 1079 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared S 1079 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. Senators Mortimer and Lakey 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared S 1059, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1018, as amended, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared S 1018, as amended, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1045, 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared S 1045, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1105 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?"

Pursuant to Senate Rule 39(H), President Pro Tempore Hill disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared S 1105 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared S 1112 passed, title was approved, and the bill ordered transmitted to the House.

H 130, as amended in the Senate, 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Durst. Total - 1.

Total - 35.

Whereupon the President declared H 130, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

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 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.

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 30.

NAYS–Johnson, Nonini, Nuxoll, Pearce, Vick. Total - 5.

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.

H 141 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Durst. Total - 1.

Total - 35.

Whereupon the President declared H 141 passed, title was approved, and the bill ordered returned to the House.

President Little called President Pro Tempore Hill to the Chair.

H 233 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, McKenzie, Mortimer, Patrick, Schmidt, Siddoway, Stennett, Werk. Total - 25.

NAYS–Hagedorn, Martin, Nonini, Nuxoll, Pearce, Rice, Thayn, Tippets, Vick, Winder. Total - 10.

Total - 35.

Whereupon the President Pro Tempore declared H 233 passed, title was approved, and the bill ordered returned to the House.

H 234 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Durst. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 234 passed, title was approved, and the bill ordered returned to the House.

H 235 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 235 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 236 passed, title was approved, and the bill ordered returned to the House.

President Little returned to the Chair.

H 237 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared H 237 passed, title was approved, and the bill ordered returned to the House.

H 238 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), Senator Mortimer disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared H 238 passed, title was approved, and the bill ordered returned to the House.

President Little called President Pro Tempore Hill to the Chair.

H 184 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 184 passed, title was approved, and the bill ordered returned to the House.

H 187 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 187 passed, title was approved, and the bill ordered returned to the House.

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

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12 noon until the hour of 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 Brackett, Cameron, Goedde, Johnson, and Pearce, 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, 2013

The JUDICIARY AND RULES Committee reports that Enrolled S 1031, S 1101, S 1102, S 1103, S 1104, S 1001, S 1003, as amended, S 1004, and S 1027 were delivered to the Office of the Governor at 10:47 a.m., March 12, 2013.

LODGE, Chairman

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

March 12, 2013

The FINANCE Committee reports out H 252, H 254, H 262, and H 263 with the recommendation that they do pass.

CAMERON, Chairman

H 252, H 254, H 262, and H 263 were filed for second reading.

Senator Pearce was recorded present at this order of business.

March 12, 2013

The COMMERCE AND HUMAN RESOURCES Committee reports out H 43, H 100, and H 199 with the recommendation that they do pass.

TIPPETS, Chairman

H 43, H 100, and H 199 were filed for second reading.

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

March 12, 2013

The TRANSPORTATION Committee reports out H 217 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, H 217 was referred to the Fourteenth Order of Business, General Calendar.

March 12, 2013

The TRANSPORTATION Committee reports out H 41 and H 170 with the recommendation that they do pass.

BRACKETT, Chairman

H 41 and H 170 were filed for second reading.

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

Messages from the House

March 12, 2013

Dear Mr. President:

I return herewith S 1055, S 1113, S 1007, S 1008, S 1024, S 1092, S 1120, and S 1043 , which have passed the House.

ALEXANDER, Chief Clerk

S 1055, S 1113, S 1007, S 1008, S 1024, S 1092, S 1120, and S 1043 were referred to the Judiciary and Rules Committee for enrolling.

March 12, 2013

Dear Mr. President:

I transmit herewith Enrolled H 112, H 210, H 131, H 103, H 96, H 175, HCR 16, HCR 6, HCR 10, HCR 8, H 168, H 169, H 139, and H 66, as amended in the Senate, for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 112, H 210, H 131, H 103, H 96, H 175, HCR 16, HCR 6, HCR 10, HCR 8, H 168, H 169, H 139, and H 66, as amended in the Senate, and ordered them returned to the House.

Senator Cameron was recorded present at this order of business.

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

Third Reading of Bills

Senator Goedde was recorded present at this order of business.

H 26 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared **H 26** 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 Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared **H 44** 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared **H 46** passed, title was approved, and the bill ordered returned to the House.

H 118 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared **H 118** 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared **H 117** passed, title was approved, and the bill ordered returned to the House.

H 188 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared **H 188** passed, title was approved, and the bill ordered returned to the House.

H 211 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bock arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Patrick, Rice, Schmidt, Stennett, Tippets, Werk, Winder. Total - 25.

NAYS–Bair, Bayer, Fulcher, Mortimer, Nonini, Nuxoll, Pearce, Siddoway, Thayn, Vick. Total - 10.

Total - 35.

Whereupon the President declared **H 211** passed, title was approved, and the bill ordered returned to the House.

H 140 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Keough, Schmidt. Total - 2.

Paired and voting included in roll call:

AYE - Bock NAY - Schmidt

Total - 35.

Whereupon the President declared **H 140** passed, title was approved, and the bill ordered returned to the House.

H 107 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 31.

NAYS–Nonini, Nuxoll, Pearce. Total - 3.

Absent and excused–Schmidt. Total - 1.

Total - 35.

Whereupon the President declared **H 107** 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Nonini. Total - 1.

Absent and excused–Schmidt. Total - 1.

Total - 35.

Whereupon the President declared **H 161** passed, title was approved, and the bill ordered returned to the House.

H 181 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared **H 181** 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 5:05 p.m. until the hour of 10:30 a.m., Wednesday, March 13, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

SIXTY-SIXTH LEGISLATIVE DAY
WEDNESDAY, MARCH 13, 2013

Senate Chamber

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

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

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Nerissa Schmechel, 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, 2013, 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 124
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND HONORING FIVE IDAHO SERVICEMEN WHO FOUGHT AND LOST THEIR LIVES IN AFGHANISTAN WITHIN THE PAST YEAR.

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

WHEREAS, American service members, many of them Idahoans, or their family members have served their country honorably and at great personal sacrifice in the wars in Iraq and Afghanistan; and

WHEREAS, five persons with Idaho ties paid the ultimate sacrifice within the past year; and

WHEREAS, U.S. Army Staff Sergeant Daniel J. Brown, 27 years of age, from Jerome was killed in action in Kandahar, Afghanistan, on March 24, 2012. Daniel had been a standout athlete at Jerome High School and mentored younger children in baseball as his senior project. His family said of him that he loved the company of others and was a friend to everyone he knew because he always put others before himself. Daniel felt a call to join the Army after the events of 9/11. He was a leader who took his role seriously and led by example. He was a well-decorated soldier, and during his nearly nine years in the Army he was awarded the service's Commendation Medal four times. Brigadier General Jeffrey Bailey said of Daniel that he put his life on the line, not for glory or personal gain but because he embraced the values of the Army. Daniel is survived by his wife, Jordan Brown, their twin now fourteen-month-old daughters Mattie L. and Marlee L. Brown, his mother Rebecca K. Brown, father Jerald L. Brown, brother Matthew L. Brown and grandparents; and

WHEREAS, U.S. Army Sergeant Chris J. Workman, 33 years of age, was killed in action in Divalak, Afghanistan, on April 19, 2012. Chris was a graduate of Minico High School in Rupert, Idaho, and Idaho State University. He loved to hunt, fish and just hang out with his older brother Harry as they were best friends growing up. His family said of him that he was a highly energetic, self-reliant man who was very outgoing and had many friends throughout Idaho. As a little boy, Chris had dreamed of becoming a soldier. His military career began in 2008 when he joined the Army Reserves at Gowen Field in Boise. This solidified his desire to become an active duty soldier and the following year he enlisted in active duty service and was assigned to Schofield Barracks in Oahu, Hawaii. Chris was deployed to Afghanistan in January 2012 as a gunner on a Blackhawk helicopter. He is survived by his wife, Camille Rudeen Workman, stepson Cole C. Hayes, brother Harry Workman and parents John and Anna Workman and extended family; and

WHEREAS, U.S. Army Private First Class Cody O. Moosman, 24 years of age, was killed in action in Gayan Alwara Mandi, Afghanistan, on July 3, 2012. Cody graduated from Franklin County High School in Preston, Idaho, and joined the military in May 2010. Since he was in the third grade, Cody told his family that he wanted to be in the Army, as he loved the idea of protecting his fellow citizens. He loved the outdoors and was an avid hunter and fisherman who had completed his Eagle Scout badge. His family stated that they enjoyed watching him stand up for America. Cody is survived by his mother Mareen Moosman and father Dennis Moosman, two brothers, two sisters, his grandparents and nieces and nephews; and

WHEREAS, U.S. Army Specialist Ethan J. Martin, 22 years of age, was killed in action in Koragay, Afghanistan, on August 7, 2012. Ethan's childhood years were spent hunting, fishing and playing in Bonners Ferry. In his sophomore year he moved to Lewiston, where he graduated from Lewiston High School. Shortly after graduation, he made the decision to join the military. His family describes him as a very loving young man with a tender heart. He had planned to attend nursing school after the Army. He was loved by everyone who knew him and had a special talent for touching the lives of everybody around him. He will be remembered for his carefree attitude, love of life and his goofy smile. Ethan is survived by his mother Kristie Surprenant, stepfather Bob A. Surprenant, father Harvey Martin, stepmother Pamela Martin, a sister, stepsiblings, grandparents and numerous aunts, uncles and cousins; and

WHEREAS, U.S. Army Private First Class Shane G. Wilson, 20 years of age, died in Khost, Afghanistan, on October 18, 2012, while supporting Operation Enduring Freedom. Shane graduated from Kuna High School in 2011 and looked forward to serving his country. He had wanted to be a military man from a very young age and was proud to be a soldier. Shane was assigned to the 3rd Battalion, 187th Infantry Regiment, 3rd Brigade Compact Team, 101st Airborne Division, out of Fort Campbell, Kentucky. He was a very humble young man, was fiercely loyal, and knew how to

keep a confidence. He was caring and compassionate and always placed others before himself. Shane is survived by his mother Danielle DeMarco, father Greg Wilson, sisters Shelby Wilson and Sydney DeMarco, grandparents, great-grandparents and extended family.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that we honor, memorialize and commemorate U.S. Army Staff Sergeant Daniel J. Brown, U.S. Army Sergeant Chris J. Workman, U.S. Army Private First Class Cody O. Moosman, U.S. Army Specialist Ethan J. Martin and U.S. Army Private First Class Shane G. Wilson for their unselfish service to our country, fighting for our freedoms, and we recognize, honor and memorialize their ultimate sacrifice.

BE IT FURTHER RESOLVED that the Secretary of the Senate is authorized to send a copy of this Concurrent Resolution to the immediate families of the servicemen mentioned above.

SCR 124 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 13, 2013

The JUDICIARY AND RULES Committee reports that **S 1159**, **S 1160**, **S 1161**, **S 1162**, **S 1163**, **S 1164**, and **S 1165** have been correctly printed.

LODGE, Chairman

S 1159 was referred to the Local Government and Taxation Committee.

S 1160, **S 1161**, **S 1162**, **S 1163**, and **S 1164** were referred to the Finance Committee.

S 1165 was referred to the Commerce and Human Resources Committee.

March 13, 2013

The JUDICIARY AND RULES Committee reports that **S 1055**, **S 1113**, **S 1007**, **S 1008**, **S 1024**, **S 1092**, **S 1120**, and **S 1043** have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled **S 1055**, **S 1113**, **S 1007**, **S 1008**, **S 1024**, **S 1092**, **S 1120**, and **S 1043** and ordered them transmitted to the House for the signature of the Speaker.

March 12, 2013

The HEALTH AND WELFARE Committee reports out **H 214** with the recommendation that it do pass.

HEIDER, Chairman

H 214 was filed for second reading.

March 13, 2013

The EDUCATION Committee reports out **H 224** with the recommendation that it do pass.

GOEDDE, Chairman

H 224 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 12, 2013

Dear Mr. President:

I transmit herewith **H 138**, **H 269**, **H 270**, **HCR 23**, **HCR 24**, **H 245**, **H 257**, and **H 261** , which have passed the House.

ALEXANDER, Chief Clerk

H 138, **H 269**, **H 270**, **HCR 23**, **HCR 24**, **H 245**, **H 257**, and **H 261** were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, **SCR 123** was referred to the State Affairs Committee.

Senator Cameron was recorded present at this order of business.

The President announced that **HJM 1** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Siddoway, seconded by Senator Fulcher, **HJM 1** was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Sheila A. Olsen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Tippets, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Sheila A. 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.

The Senate advanced to the Eleventh Order of Business.

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

H 138 , by Local Government Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 269 and **H 270** , by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

HCR 23 and **HCR 24** , by State Affairs Committee, were introduced, read at length, and referred to the Commerce and Human Resources Committee.

H 245 and **H 257** , by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 261 , 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

H 53 and H 159 , by State Affairs Committee, were read the second time at length and filed for third reading.

S 1152, S 1153, and S 1154 , by Finance Committee, were read the second time at length and filed for third reading.

H 105 , by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

S 1114, as amended, and S 1133, as amended, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

S 1138, as amended, and S 1106, as amended, by State Affairs Committee, were read the second time at length and filed for third reading.

H 142, as amended in the Senate, by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 252, H 254, H 262, and H 263 , by Appropriations Committee, were read the second time at length and filed for third reading.

H 43 , by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

H 100 and H 199 , by Business Committee, were read the second time at length and filed for third reading.

H 41 , by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 170 , 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

H 55 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Fulcher, Goedde, Guthrie, Heider, Hill, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Pearce, Rice, Siddoway, Stennett, Thayn, Tippets, Vick, Winder. Total - 26.

NAYS–Davis, Durst, Johnson, Keough, Patrick, Werk. Total - 6.

Absent and excused–Hagedorn, Nuxoll, Schmidt. Total - 3.

Total - 35.

Whereupon the President declared H 55 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Pearce, Rice, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 32.

NAYS–None.

Absent and excused–Hagedorn, Nuxoll, Schmidt. Total - 3.

Total - 35.

Whereupon the President declared H 251 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 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, Bock, Brackett, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Pearce, Rice, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 31.

NAYS–None.

Absent and excused–Buckner-Webb, Hagedorn, Nuxoll, Schmidt. Total - 4.

Total - 35.

Whereupon the President declared H 253 passed, title was approved, and the bill ordered returned to the House.

H 255 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Pearce, Rice, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 31.

NAYS–None.

Absent and excused–Buckner-Webb, Hagedorn, Nuxoll, Schmidt. Total - 4.

Total - 35.

Whereupon the President declared H 255 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 returned to the Sixth Order of Business.

Reports of Standing Committees

SCR 124 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 Werk, by voice vote, the Senate adjourned at 11:55 a.m. until the hour of 9:30 a.m., Thursday, March 14, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

SIXTY-SEVENTH LEGISLATIVE DAY
THURSDAY, MARCH 14, 2013

Senate Chamber

President Pro Tempore Hill called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Bayer, Brackett, Cameron, Fulcher, McKenzie, and Rice, absent and excused.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Cameron Sears, 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, 2013, 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 125
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING LEGISLATIVE FINDINGS AND APPROVING ADMINISTRATIVE RULES THAT IMPOSE A FEE OR CHARGE, WITH STATED EXCEPTIONS, AND REJECTING CERTAIN AGENCY RULES THAT ARE NOT APPROVED.

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

WHEREAS, the Legislature pursuant to Section 67-5224, Idaho Code, must approve certain administrative rules that impose a fee or charge by adoption of a concurrent resolution before the rules become effective; and

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule of the Department of Agriculture governing Organic Food Product Rules is not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the State Athletic Commission, Rules of the State Athletic Commission, is not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Idaho State Lottery Commission, Rules Governing Operations of the Idaho State Lottery, 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-second 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 2013 legislative session, which impose a fee or charge, be, and the same are approved, with the exception of the following enumerated pending fee rules:

> IDAPA 02.06.33, the Department of Agriculture, Organic Food Product Rules, Section 201, Subsection 04.b, only, adopted as a pending fee rule under Docket Number 02-0633-1201;
>
> IDAPA 03.01.01, the State Athletic Commission, Rules of the State Athletic Commission, adopted as a pending fee rule under Docket Number 03-0101-1201, the entire rulemaking docket; and
>
> IDAPA 52.01.03, the Idaho State Lottery Commission, Rules Governing Operations of the Idaho State Lottery, adopted as a pending fee rule under Docket Number 52-0103-1201, the entire rulemaking docket.

BE IT FURTHER RESOLVED that IDAPA 02.06.33, the Department of Agriculture, Organic Food Product Rules, Section 201, Subsection 04.b, only, adopted as a pending fee rule under Docket Number 02-0633-1201; IDAPA 03.01.01, the State Athletic Commission, Rules of the State Athletic Commission, adopted as a pending fee rule under Docket Number 03-0101-1201, the entire rulemaking docket; and IDAPA 52.01.03, the Idaho State Lottery Commission, Rules Governing Operations of the Idaho State Lottery, adopted as a pending fee rule under Docket Number 52-0103-1201, the entire rulemaking docket; are hereby rejected and not approved, and thereby pursuant to Sections 67-5224 and 67-5291, Idaho Code, are declared null, void and of no force and effect.

BE IT FURTHER RESOLVED that rule provisions imposing fees or charges that were not submitted through the Office of the Administrative Rules Coordinator for legislative review or that otherwise are not included and approved in this concurrent resolution shall be null, void and of no force and effect unless approved by adoption of a separate concurrent resolution by both houses of the Legislature as provided in Section 67-5224, Idaho Code.

SCR 126
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-second 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 2013 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-second 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 were not submitted to the Legislature for review during the 2013 legislative session shall expire by operation of statute upon adjournment of the First Regular Session of the Sixty-second Idaho Legislature, unless approved by adoption of a separate concurrent resolution by both houses of the Legislature.

SCR 125 and **SCR 126** 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, 2013

The STATE AFFAIRS Committee reports out **H 220** and **HCR 12** with the recommendation that they do pass.

MCKENZIE, Chairman

H 220 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 13, 2013

The FINANCE Committee reports out **H 269**, **H 270**, **S 1160**, **S 1161**, **S 1162**, **S 1163**, and **S 1164** with the recommendation that they do pass.

CAMERON, Chairman

H 269, **H 270**, **S 1160**, **S 1161**, **S 1162**, **S 1163**, and **S 1164** were filed for second reading.

March 13, 2013

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:

Linda Mitchell to the Lake Pend Oreille Basin Commission, term to expire July 24, 2015.

PEARCE, 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 13, 2013

The RESOURCES AND ENVIRONMENT Committee reports out **HCR 14**, **S 1155**, **S 1156**, and **S 1157** with the recommendation that they do pass.

PEARCE, Chairman

HCR 14 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1155, **S 1156**, and **S 1157** were filed for second reading.

Senator Brackett was recorded present at this order of business.

March 13, 2013

The JUDICIARY AND RULES Committee reports out **H 102**, **S 1060**, **S 1123**, and **S 1136** with the recommendation that they do pass.

LODGE, Chairman

H 102, **S 1060**, **S 1123**, and **S 1136** were filed for second reading.

March 13, 2013

The LOCAL GOVERNMENT AND TAXATION Committee reports out **S 1047** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SIDDOWAY, Chairman

There being no objection, **S 1047** was referred to the Fourteenth Order of Business, General Calendar.

March 13, 2013

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 244** with the recommendation that it do pass.

SIDDOWAY, Chairman

H 244 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 13, 2013

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 1003, as amended, S 1004, S 1027, S 1031, S 1101, S 1102, S 1103, and S 1104

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 13, 2013

Dear Mr. President:

I transmit herewith H 248 , which has passed the House.

ALEXANDER, Chief Clerk

H 248 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, the following typographical correction was made to SCR 124 , pursuant to Senate Rule 9(F):

On page 2, line 24 of the bill, "Compact" was changed to "Combat."

Senators Bayer and Cameron were 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 1166
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO DOMESTIC CERVIDAE; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3704A, IDAHO CODE, TO PROVIDE FOR THE SUBMISSION OF BRAIN TISSUE FROM CERTAIN DOMESTIC CERVIDAE TO OFFICIAL LABORATORIES FOR THE PURPOSE OF TESTING FOR CHRONIC WASTING DISEASE AND TO PROVIDE EXCEPTIONS; AMENDING SECTION 25-3705, IDAHO CODE, TO PROVIDE FOR INSPECTION OF DOMESTIC CERVIDAE RANCHES, TO PROVIDE THAT INVENTORY AND FACILITY INSPECTIONS SHALL TAKE PLACE AT SPECIFIED TIME INTERVALS AND TO PROVIDE FOR INSPECTION UPON REQUEST OF A CERVIDAE PRODUCER; AMENDING SECTION 25-3708, IDAHO CODE, TO REVISE FEE PROVISIONS, TO PROVIDE FEE APPLICABILITY, TO PROVIDE FOR IMPORT FEES, TO PROVIDE FOR EXPORT FEES, TO PROVIDE FOR TRANSFER FEES, TO PROVIDE FOR MANNER OF PAYMENT, TO REVISE VERBIAGE AND TO PROVIDE THAT FEES SHALL BE USED SOLELY FOR SPECIFIED PURPOSES; AND DECLARING AN EMERGENCY.

S 1167
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE SECRETARY OF STATE FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1168
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO IDAHO PUBLIC TELEVISION FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1169
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE BOARD OF TAX APPEALS FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1170
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE SOIL AND WATER CONSERVATION COMMISSION FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1171
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1172
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE LAVA HOT SPRINGS FOUNDATION FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1173
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; EXEMPTING THE DEPARTMENT FROM CERTAIN TRANSFER LIMITATIONS; PROVIDING REAPPROPRIATION AUTHORITY FOR CERTAIN BALANCES; PROVIDING LEGISLATIVE INTENT; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1174
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2014; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE BUSINESS AND JOBS DEVELOPMENT FUND; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1175
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE STATE TAX COMMISSION FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1176
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE CATASTROPHIC HEALTH CARE FUND AND DIRECTING A TRANSFER FOR FISCAL YEAR 2014.

S 1177
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1178
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE STATE TREASURER FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES; PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION; PROVIDING LEGISLATIVE INTENT FOR THE USE OF CONFERENCE RELATED ACTIVITIES; AND PROVIDING LEGISLATIVE INTENT FOR THE PAYMENT OF BANK SERVICE FEES.

S 1166, **S 1167**, **S 1168**, **S 1169**, **S 1170**, **S 1171**, **S 1172**, **S 1173**, **S 1174**, **S 1175**, **S 1176**, **S 1177**, and **S 1178** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 248 , by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 214 , by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 224 , 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 Lakey, granted by unanimous consent, **S 1114**, as amended, retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, **H 142**, as amended in the Senate, retained its place on the Third Reading Calendar for one legislative day.

Senators Fulcher and Rice were recorded present at this order of business.

S 1152 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Durst. Total - 1.

Absent and excused–McKenzie. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **S 1152** passed, title was approved, and the bill ordered transmitted to the House.

S 1153 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1153 passed, title was approved, and the bill ordered transmitted to the House.

S 1154 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1154 passed, title was approved, and the bill ordered transmitted to the House.

S 1133, 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Durst. Total - 1.

Absent and excused–McKenzie. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1133, as amended, passed, title was approved, and the bill ordered transmitted to the House.

President Little assumed the Chair.

S 1138, 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

Whereupon the President declared S 1138, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1106, 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, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Thayn, Tippets, Vick, Winder. Total - 30.

NAYS–Bock, Buckner-Webb, Stennett, Werk. Total - 4.

Absent and excused–McKenzie. Total - 1.

Total - 35.

Whereupon the President declared S 1106, as amended, passed, title was approved, and the bill ordered transmitted to the House.

H 53 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–McKenzie. Total - 1.

Total - 35.

Whereupon the President declared H 53 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 Keough 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, Bock, Brackett, Buckner-Webb, Cameron, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Johnson, Keough, Lacey, Lodge, Nonini, Nuxoll, Patrick, Rice, Schmidt, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 27.

NAYS–Davis, Hill, Lakey, Martin, Mortimer, Pearce, Siddoway. Total - 7.

Absent and excused–McKenzie. Total - 1.

Total - 35.

Whereupon the President declared H 159 passed, title was approved, and the bill ordered returned to the House.

Senator McKenzie was recorded present at this order of business.

H 105 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared H 105 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

At this time Senator Davis arose on a point of personal privilege to announce that a distinguished visitor had arrived, and the President appointed Senators McKenzie, Hagedorn, and Werk to escort Consul General, Denis Stevens, into the Senate Chamber where he addressed the members of the Senate.

The President thanked Consul General, Denis Stevens for his remarks and Senators McKenzie, Hagedorn, and Werk escorted Consul General, Denis Stevens 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

H 252 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, Bock, Brackett, Buckner-Webb, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Stennett, Tippets, Werk, Winder. Total - 27.

NAYS–Bayer, Hagedorn, Nonini, Nuxoll, Pearce, Thayn, Vick. Total - 7.

Absent and excused–Cameron. Total - 1.

Total - 35.

Whereupon the President declared H 252 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 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, Bock, Brackett, Buckner-Webb, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lodge, Martin, McKenzie, Mortimer, Patrick, Pearce, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 30.

NAYS–Lakey, Nonini, Nuxoll, Rice. Total - 4.

Absent and excused–Cameron. Total - 1.

Total - 35.

Whereupon the President declared H 254 passed, title was approved, and the bill ordered returned to the House.

H 262 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, Bock, Brackett, Buckner-Webb, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Cameron. Total - 1.

Total - 35.

Whereupon the President declared H 262 passed, title was approved, and the bill ordered returned to the House.

H 263 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Nonini, Pearce. Total - 2.

Total - 35.

Whereupon the President declared H 263 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 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, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Johnson, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Winder. Total - 30.

NAYS–Bock, Werk. Total - 2.

Absent and excused–Davis, Hill, Keough. Total - 3.

Total - 35.

Whereupon the President declared **H 43** passed, title was approved, and the bill ordered returned to the House.

H 100 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?"

On request by Senator Davis, granted by unanimous consent, the following typographical correction was made to **H 100** , pursuant to Senate Rule 9(F):

On page 2, line 28 of the bill after "number" insert "of" and at the end of the line strike the "n" from the word "an."

Roll call resulted as follows:

AYES–Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 29.

NAYS–Bair, Bayer, Nonini, Nuxoll, Pearce, Siddoway. Total - 6.

Total - 35.

Whereupon the President declared **H 100** passed, title was approved, and the bill ordered returned to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 9:30 a.m., Friday, March 15, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

SIXTY-EIGHTH LEGISLATIVE DAY
FRIDAY, MARCH 15, 2013

Senate Chamber

President Little called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senator Goedde, absent and formally excused by the Chair; and Senators Brackett, Cameron, Durst, Lodge, McKenzie, Nonini, Siddoway, and Vick, absent and excused.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Abigail Sweet, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 14, 2013, 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 McKenzie and Durst 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 15, 2013

The JUDICIARY AND RULES Committee reports that **S 1166**, **S 1167**, **S 1168**, **S 1169**, **S 1170**, **S 1171**, **S 1172**, **S 1173**, **S 1174**, **S 1175**, **S 1176**, **S 1177**, **S 1178**, **SCR 125**, and **SCR 126** have been correctly printed.

LODGE, Chairman

S 1166 was referred to the Agricultural Affairs Committee.

S 1167, **S 1168**, **S 1169**, **S 1170**, **S 1171**, **S 1172**, **S 1173**, **S 1174**, **S 1175**, **S 1176**, **S 1177**, and **S 1178** were referred to the Finance Committee.

SCR 125 and **SCR 126** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 14, 2013

The TRANSPORTATION Committee reports out **H 216** with the recommendation that it do pass.

BRACKETT, Chairman

H 216 was filed for second reading.

March 14, 2013

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 76**, **H 127**, **H 162**, and **H 185** with the recommendation that they do pass.

TIPPETS, Chairman

H 76, **H 127**, **H 162**, and **H 185** were filed for second reading.

March 14, 2013

The COMMERCE AND HUMAN RESOURCES Committee reports out **S 1165** with the recommendation that it be re-referred to the Judiciary and Rules Committee.

TIPPETS, Chairman

There being no objection, **S 1165** was referred to the Judiciary and Rules Committee.

Senator Cameron was recorded present at this order of business.

March 14, 2013

The HEALTH AND WELFARE Committee reports out **S 1135** with the recommendation that it do pass.

HEIDER, Chairman

S 1135 was filed for second reading.

March 14, 2013

The EDUCATION Committee reports out **H 218**, **H 225**, and **S 1146** with the recommendation that they do pass.

GOEDDE, Chairman

H 218, **H 225**, and **S 1146** were filed for second reading.

March 15, 2013

The AGRICULTURAL AFFAIRS Committee reports out **H 110** and **H 113**, as amended, with the recommendation that they do pass.

BAIR, Chairman

H 110 and **H 113**, as amended, were filed for second reading.

Senators Vick and Siddoway were recorded present at this order of business.

March 15, 2013

The STATE AFFAIRS Committee reports out **S 1134** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, **S 1134** 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 13, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kenneth Edmunds of Twin Falls, Idaho, was appointed as a member of the State Board of Education to serve a term commencing March 1, 2013, and expiring March 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.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 14, 2013

Dear Mr. President:

I transmit herewith **H 259**, **H 260**, **H 280**, **H 283**, **H 284**, **H 285**, **H 239**, **H 215**, **HCR 25**, **HCR 19**, and **HCR 18** , which have passed the House.

ALEXANDER, Chief Clerk

H 259, **H 260**, **H 280**, **H 283**, **H 284**, **H 285**, **H 239**, **H 215**, **HCR 25**, **HCR 19**, and **HCR 18** were filed for first reading.

March 14, 2013

Dear Mr. President:

I return herewith **S 1050**, **S 1081**, **S 1083**, **S 1058**, **S 1014**, **S 1089**, and **S 1032** , which have passed the House.

ALEXANDER, Chief Clerk

S 1050, **S 1081**, **S 1083**, **S 1058**, **S 1014**, **S 1089**, and **S 1032** were referred to the Judiciary and Rules Committee for enrolling.

March 14, 2013

Dear Mr. President:

I transmit herewith Enrolled **H 141**, **H 233**, **H 234**, **H 235**, **H 236**, **H 237**, **H 238**, **H 184**, and **H 187** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 141**, **H 233**, **H 234**, **H 235**, **H 236**, **H 237**, **H 238**, **H 184**, and **H 187** and ordered them returned to the House.

March 14, 2013

Dear Mr. President:

I return herewith Enrolled **S 1055**, **S 1113**, **S 1007**, **S 1008**, **S 1024**, **S 1092**, **S 1120**, and **S 1043** , which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1055**, **S 1113**, **S 1007**, **S 1008**, **S 1024**, **S 1092**, **S 1120**, and **S 1043** 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 returned to the Sixth Order of Business.

Reports of Standing Committees

March 15, 2013

The JUDICIARY AND RULES Committee reports that **S 1089** has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled **S 1089** 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 Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, **SCR 124** retained its place on the calendar.

The President announced that **HCR 12** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Winder, seconded by Senator Stennett, **HCR 12** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, **HCR 14** retained its place on the calendar for Tuesday, March 19, 2013.

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

On motion by Senator Keough, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Linda Mitchell as a member of the Lake Pend Oreille Basin Commission was confirmed by voice vote.

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

The Senate advanced to the Eleventh Order of Business.

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

S 1179
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO TRANSPORTATION AND VEHICLES; AMENDING SECTION 40-317, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO AGREEMENTS WITH AUTHORIZED REPRESENTATIVES OF CONTIGUOUS STATES FOR CERTAIN PURPOSES; AND AMENDING CHAPTER 2, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-244, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO CERTAIN INDIAN TRIBAL MEMBERS FOR PURPOSES OF VEHICLE REGISTRATION AND TITLING.

S 1179 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 259 and **H 260** , by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

H 280 and **H 215** , by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 283, **H 284**, and **H 285** , by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 239 , by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

HCR 25 and **HCR 18** , by State Affairs Committee, were introduced, read at length, and referred to the State Affairs Committee.

HCR 19 , 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

Senator Lodge was recorded present at this order of business.

H 220 , by State Affairs Committee, was read the second time at length and filed for third reading.

H 269 and **H 270** , by Appropriations Committee, were read the second time at length and filed for third reading.

S 1160, **S 1161**, **S 1162**, **S 1163**, and **S 1164** , by Finance Committee, were read the second time at length and filed for third reading.

S 1155, **S 1156**, and **S 1157** , by State Affairs Committee, were read the second time at length and filed for third reading.

H 102 , by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

S 1060, **S 1123**, and **S 1136** , by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

H 244 , by Revenue and Taxation 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 73**, **H 217**, **S 1047**, and **S 1134** , without recommendation, amended as follows:

SENATE AMENDMENT TO H 73
AMENDMENT TO SECTION 2

On page 2 of the printed bill, delete line 6, and insert: "representatives~~,~~ to include one (1) legislator from each of the two (2) largest parties~~, to repre-~~".

SENATE AMENDMENT TO H 217
AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 33, following "person or" insert: "damage to"; in line 35, delete "of the loaned vehicle" and insert: "~~of the loaned vehicle~~"; in line 37, following "state," insert: "then"; also in line 37, following "person or" insert: "damage to"; in line 39, following "policy." insert: "When an operator's policy provides liability or physical damage coverage for damage to the loaned vehicle, that coverage shall be primary and shall be limited to the lower of the reasonable cost to repair or the owner's actual cost to replace the loaned vehicle."; in line 41, delete "," and insert: "~~,~~"; and in line 43, delete "including the loaned vehicle".

SENATE AMENDMENT TO S 1047
AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 14 through 41, and delete pages 2, 3 and 4, and insert:

"SECTION 1. That Chapter 30, Title 63, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 63-3060A, Idaho Code, and to read as follows:

63-3060A. CONTINUOUS EXECUTION ON INDIVIDUAL EARNINGS. Where an execution or garnishment against earnings for a state tax liability is served upon any person or upon the state of Idaho, and there is in possession of such person or the state of Idaho any such earnings of the individual debtor, the execution and the garnishment shall operate continuously and shall require such person or the state of Idaho to withhold the nonexempt portion of earnings at each succeeding earnings disbursement interval until released by the state tax commission or until the dollar amount specifically set forth on the record of assessment, identified in section 63-3045A, Idaho Code, and subject to garnishment as of the date the tax warrant is issued, is discharged or satisfied in full. The proportion of earnings subject to garnishment pursuant to this section, as compared to total gross taxable earnings, shall be limited to twenty-five percent (25%), except if the federal government is also garnishing the earnings of such person then the garnishment shall be limited to ten percent (10%). All

garnishment or execution against earnings for the payments of any tax owed to the state of Idaho shall be governed by this section. For purposes of this section, earnings are gross taxable earnings from sources identified in section 11-206(1), Idaho Code.

SECTION 2. That Section 63-3068, Idaho Code, be, and the same is hereby amended to read as follows:

63-3068. PERIOD OF LIMITATIONS FOR ISSUING A NOTICE OF DEFICIENCY AND COLLECTION OF TAX. (a) Except as otherwise provided in this section, a notice of deficiency, as provided in section 63-3045, Idaho Code, for the tax imposed in this chapter shall be issued within three (3) years from either the due date of the return, without regard to extensions, or from the date the return was filed, whichever is later.

(b) If an assessment has been made as provided in this chapter, then such tax shall be collected either by levy, or by a proceeding brought in court, within a period of ~~six~~ twelve (~~6~~ 12) years from the date of entry of the record of assessment required by section 63-3045A, Idaho Code, of the tax and provided, further, that this shall not be in derogation of any of the remedies elsewhere provided in this chapter.

(c) In the case of a fraudulent return or a false return with the intent to evade the tax imposed in this chapter, or a willful attempt in any manner to defeat or evade the tax imposed in this chapter, a notice of deficiency may be issued, the tax may be assessed, or a proceeding in court for collection of such tax may be begun without assessment, at any time.

(d) In the case of a failure to file a return, for any reason, a notice of deficiency may be issued, the tax imposed in this chapter may be assessed, or a proceeding in court for collection of such tax may be begun without assessment, at any time.

(e) In the case of income received during the lifetime of a decedent, or by his estate during the period of administration, a notice of deficiency shall be issued, a claim shall be made, the tax shall be assessed or any proceeding in court without assessment for the collection of such tax shall be begun, within twelve (12) months after written request for prompt action is filed with the state tax commission by the executor, administrator, or other fiduciary representing the estate of such decedent. This subsection shall not apply if the return for which the request for prompt action relates has not been filed with the state tax commission.

(f) When Idaho taxable income or tax credits for any taxable year have been adjusted as a result of a final federal determination, the period of limitation for issuing a notice of deficiency shall be reopened and shall not expire until the later of one (1) year from the date of delivery of the final federal determination to the state tax commission by the taxpayer, three (3) years from the due date of the return, without regard to extensions, or three (3) years from the date the return was filed. For purposes of this subsection the term "final federal determination" shall mean the final resolution of all issues which were adjusted by the internal revenue service. When the final federal determination is submitted, the taxpayer shall also submit copies of all schedules and written explanations provided by the internal revenue service. Upon the expiration of the period of limitations as provided in subsections (a) and (m) of this section, only those specific items of income, deductions, gains, losses, or credits which were adjusted in the final federal determination shall be subject to adjustment for purposes of recomputing Idaho income, deductions, gains, losses, credits, and the effect of such adjustments on Idaho allocations and apportionments.

(g) If an adjustment, which was made within the period of limitations as provided in this section, affects the amount of tax credit, net operating loss, or capital loss, claimed in a taxable year other than the tax year in which the adjustment is made, then adjustments to the credit, net operating loss, or capital loss claimed in such other tax year may be made and a resulting notice of deficiency may be issued even though such notice of deficiency would otherwise be barred under the provisions of this section.

(h) Notwithstanding any other provisions of this section, when an amended Idaho return is filed within the period of limitations as provided in subsections (a) and (m) of this section, the period of limitations for issuing a notice of deficiency shall be three (3) years from the date the amended return was filed. However, upon the expiration of the period of limitations as provided in subsections (a) and (m) of this section, only those specific items of income, deductions, gains, losses, or credits, which were adjusted in the amended Idaho return shall be subject to adjustment for purposes of recomputing Idaho income, deductions, gains, losses, credits, and the effect of such adjustments on Idaho allocations and apportionments.

(i) If a taxpayer has filed an amended federal return, and no corresponding Idaho amended return has been filed with the state tax commission, then the period of limitations for issuing a notice of deficiency shall be reopened and shall not expire until three (3) years from the date of delivery to the tax commission by the taxpayer of the amended federal return. However, upon the expiration of the period of limitations as provided in subsections (a) and (m) of this section, then only those specific items of income, deductions, gains, losses, or credits, which were adjusted in the amended federal return shall be subject to adjustment for purposes of recomputing Idaho income, deductions, gains, losses, credits, and the effect of such adjustments on Idaho allocations and apportionments.

(j) Notwithstanding any other provisions of this section, a notice of deficiency, related to items on the return of any pass-through entity, as defined in this section, which other taxpayers are required by law to report, shall be issued to such other taxpayers within the later of three (3) years from the due date of the other taxpayers' return, without regard to extensions, three (3) years from the date the other taxpayers' returns were filed, or three (3) years from the date of filing of the pass-through entity's return. If the pass-through entity files an amended return, notices of deficiency may be issued to the other taxpayers within three (3) years from the date the amended return for the pass-through entity was filed with the state tax commission. If the pass-through entity files an amended return with the internal revenue service, or the internal revenue service issues a final determination to the pass-through entity, then the period of limitations for issuing a notice of deficiency to the other taxpayers shall be reopened and shall not expire until three (3) years from the date of delivery to the tax commission by the pass-through entity of the amended federal return or the later of one (1) year from the date of delivery to the state tax commission by the pass-through entity of the final federal determination, three (3) years from the due date of the pass-through entity's return, without regard to extensions, or three (3) years from the date the pass-through entity's return was filed.

(k) For purposes of this section, "pass-through entity" means a partnership, ~~S corporation~~ S corporation, trust, limited liability company or any other entity whose items of income, deductions, gains, losses and credits must be reported by other taxpayer(s). For further purposes of this section, the term "other taxpayer" shall include, by way of unlimiting example, such taxpayers as partners, shareholders, beneficiaries, joint venturers or investors.

(l) In the case of a duplicate return filed under section 63-217(1)(b), Idaho Code, the limitation under this section shall be the later of one (1) year from the filing of the duplicate return or the date otherwise applicable under this section.

(m) Prior to the expiration of the time prescribed in this section for the issuance of a notice of deficiency for the tax imposed in this chapter, both the state tax commission, its delegate or deputy, and the taxpayer may consent in writing to extend the period of time within which a notice of deficiency may be issued. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon. When a pass-through entity extends the period of limitations in accordance with this subsection, the period of limitations for the other taxpayers is automatically extended for the same period for the purpose of issuing a notice of deficiency to the other taxpayers reflecting the adjustments to the pass-through entity's return.

(n) The expiration of the period of limitations as provided in this section shall be suspended for the time period during which the state tax commission is prohibited from issuing a notice of deficiency, making the assessment, or from collecting by levy or a proceeding in court, and for thirty (30) days thereafter.

(o) For the purposes of this section, "return" includes a notice of deficiency determination issued by the state tax commission when no return was filed by the taxpayer. Such a return is deemed filed on the date the taxes determined by the state tax commission are assessed.".

CORRECTION TO TITLE

On page 1, delete lines 2 through 12, and insert:

"RELATING TO GARNISHMENT FOR PAYMENT OF STATE TAXES; AMENDING CHAPTER 30, TITLE 63, BY THE ADDITION OF A NEW SECTION 63-3060A, IDAHO CODE, TO PROVIDE THAT EXECUTION ON INDIVIDUAL EARNINGS MAY BE CONTINUOUS AND TO PROVIDE A MAXIMUM PERCENTAGE THAT MAY BE COLLECTED FROM ANY CERTAIN PERIOD OF INCOME; AND AMENDING SECTION 63-3068, IDAHO CODE, TO ALLOW A LONGER PERIOD FOR COLLECTION OF STATE TAXES AND TO MAKE A TECHNICAL CORRECTION.".

SENATE AMENDMENT TO S 1134

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 35 through 37, and insert: "subsection shall not apply to county sheriffs or other state or local agencies engaged in search and rescue efforts and shall not apply to state and local law enforcement agencies engaged in lawful activity.".

The Committee also has **S 1118** under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Buckner-Webb, the report was adopted by voice vote.

S 1047, as amended, and **S 1134**, 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 73, as amended in the Senate, and **H 217**, 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 15, 2013

The JUDICIARY AND RULES Committee reports that Senate amendments to **H 73**, **H 217**, **S 1047**, and **S 1134** have been correctly printed.

LODGE, Chairman

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

March 15, 2013

The JUDICIARY AND RULES Committee reports that **S 1047**, as amended, and **S 1134**, as amended, have been correctly engrossed.

LODGE, Chairman

S 1047, as amended, and **S 1134**, 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

S 1047, as amended, by Local Government and Taxation Committee, was read the first time at length and filed for second reading.

S 1134, as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

H 73, as amended in the Senate, and **H 217**, as amended in the Senate, by State Affairs Committee, were 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

On request by Senator Lakey, granted by unanimous consent, a correction was made to the fiscal note for **S 1114**, as amended.

On request by Senator Davis, granted by unanimous consent, **H 142**, as amended in the Senate, was referred to the Fourteenth Order of Business, General Calendar.

Senator Nonini was recorded present at this order of business.

S 1114, 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.

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

Messages from the House

March 15, 2013

Dear Mr. President:

I return herewith Enrolled **S 1089** , which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1089** 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

At this time Senator Davis arose on a point of personal privilege to announce that a distinguished visitor had arrived, and the President appointed Senators Cameron, Chairman and Senators Tippets, and Buckner-Webb to escort His Excellency, the Governor of the State of Idaho, C.L. "Butch" Otter, into the Senate Chamber for the purpose of attending the Service Members Memorial.

The President announced that **SCR 124** was before the Senate for final consideration.

Moved by Senator Davis, seconded by Senator Stennett, that **SCR 124** be adopted. The question being, "Shall the resolution be adopted?"

Roll call vote was requested by Senator Fulcher. All Senators present stood in support of the request.

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Brackett, Goedde. Total - 2.

Total - 35.

Whereupon the President declared **SCR 124** adopted, title was approved, and the resolution ordered transmitted to the House.

At this time the Senate went at ease and Governor Otter addressed the members of the Senate.

The President thanked Governor Otter for his remarks and Senators Cameron, Tippets, and Buckner-Webb escorted Governor Otter from the Chamber, and 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 Senate adjourned at 12 noon until the hour of 10 a.m., Monday, March 18, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

SEVENTY-FIRST LEGISLATIVE DAY
MONDAY, MARCH 18, 2013

Senate Chamber

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

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

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Zachary Baron, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 15, 2013, 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 127
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO MONITOR ENERGY, ENVIRONMENT AND TECHNOLOGY ISSUES AND TO MONITOR THE INTEGRATED STATE ENERGY PLAN AND OTHER ISSUES.

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

WHEREAS, for the past sixteen years, the Legislature has adopted concurrent resolutions that authorized the Legislative Council to appoint a committee to monitor energy, environment and technology related issues from both the statewide perspective and the national perspective and to submit a final report to the Idaho Legislature; and

WHEREAS, in 2006 and 2011 the Legislature felt the State of Idaho needed to have an Integrated State Energy Plan that provides for the state's power generation needs and protects the health and safety of the citizens of Idaho and the products produced in this state; and

WHEREAS, Idaho will have substantial power needs in the near future, and the goal of the 2012 Integrated State Energy Plan is to ensure that those needs will be met; and

WHEREAS, it is the goal of the 2012 Integrated State Energy Plan to maintain the health, safety and welfare of Idaho's citizens, the quality and financial security of existing agricultural businesses and industries, the economic growth of the State of Idaho, and the environmental quality and natural resources of this state; and

WHEREAS, it is the goal that the 2012 Integrated State Energy Plan be a living, vibrant document; and

WHEREAS, the committee met in 2011 and revised the 2007 Integrated State Energy Plan, followed the fluctuation in petroleum prices and heard testimony regarding issues facing regulated utilities, municipal utilities and cooperatives, industry and alternative energy sources and met in 2012 and followed other energy, environment and technology issues.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislative Council is authorized to appoint a committee to monitor the 2012 Integrated State Energy Plan that provides for the state's power generation needs and protects the health and safety of the citizens of Idaho and the products produced in this state, and makes any recommendations for necessary changes in both state law and the plan regarding energy in the state, including but not limited to, oil and natural gas, and to monitor other energy, environment and technology related issues, including those instituted 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 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 make a progress report to the Second Regular Session of the Sixty-second Idaho Legislature and report its findings, recommendations and proposed legislation, if any, to the First Regular Session of the Sixty-third Idaho Legislature.

SCR 127 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

Senator Johnson was recorded present at this order of business.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 18, 2013

The JUDICIARY AND RULES Committee reports that S 1179 has been correctly printed.

LODGE, Chairman

S 1179 was referred to the Transportation Committee.

March 18, 2013

The JUDICIARY AND RULES Committee reports that S 1050, S 1081, S 1083, S 1058, S 1014, and S 1032 have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled S 1050, S 1081, S 1083, S 1058, S 1014, and S 1032 and ordered them transmitted to the House for the signature of the Speaker.

March 15, 2013

The JUDICIARY AND RULES Committee reports that Enrolled S 1055, S 1113, S 1007, S 1008, S 1024, S 1092, S 1120, S 1043, and S 1089 were delivered to the Office of the Governor at 2:15 p.m., March 15, 2013.

LODGE, Chairman

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

Senator McKenzie was recorded present at this order of business.

March 15, 2013

The STATE AFFAIRS Committee reports out H 192, H 223, S 1126, and S 1127 with the recommendation that they do pass.

MCKENZIE, Chairman

H 192, H 223, S 1126, and S 1127 were filed for second reading.

March 15, 2013

The FINANCE Committee reports out H 283, H 284, H 285, S 1167, S 1168, S 1169, S 1170, S 1171, S 1172, S 1173, S 1174, S 1175, S 1176, S 1177, and S 1178 with the recommendation that they do pass.

CAMERON, Chairman

H 283, H 284, H 285, S 1167, S 1168, S 1169, S 1170, S 1171, S 1172, S 1173, S 1174, S 1175, S 1176, S 1177, and S 1178 were filed for second reading.

On request by Senator Cameron, granted by unanimous consent, a correction was made to the fiscal note for S 1175 .

March 18, 2013

The JUDICIARY AND RULES Committee reports out S 1109 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, S 1109 was referred to the Fourteenth Order of Business, General Calendar.

March 18, 2013

The JUDICIARY AND RULES Committee reports out H 147, H 148, and H 149 with the recommendation that they do pass.

LODGE, Chairman

H 147, H 148, and H 149 were filed for second reading.

March 18, 2013

The STATE AFFAIRS Committee reports out H 121, H 183, and H 193, as amended, with the recommendation that they do pass.

MCKENZIE, Chairman

H 121, H 183, and H 193, as amended, 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 15, 2013

Dear Mr. President:

I transmit herewith H 256, H 293, and H 258 , which have passed the House.

ALEXANDER, Chief Clerk

H 256, H 293, and H 258 were filed for first reading.

March 18, 2013

Dear Mr. President:

I return herewith S 1025, S 1057, as amended, S 1091, as amended, S 1098, S 1048, as amended, S 1034, S 1035, S 1128, S 1129, S 1130, S 1131, S 1132, S 1139, S 1140, S 1143, and S 1144 , which have passed the House.

ALEXANDER, Chief Clerk

S 1025, S 1057, as amended, S 1091, as amended, S 1098, S 1048, as amended, S 1034, S 1035, S 1128, S 1129, S 1130, S 1131, S 1132, S 1139, S 1140, S 1143, and S 1144 were referred to the Judiciary and Rules Committee for enrolling.

March 15, 2013

Dear Mr. President:

I transmit herewith Enrolled H 26, H 44, H 46, H 118, H 117, H 188, H 211, H 140, H 107, H 161, H 181, HJM 1, H 55, H 251, H 253, H 255, and H 177, as amended in the Senate, for the signature of the President.

ALEXANDER, Chief Clerk

The President Pro Tempore signed Enrolled H 26, H 44, H 46, H 118, H 117, H 188, H 211, H 140, H 107, H 161, H 181, HJM 1, H 55, H 251, H 253, H 255, and H 177, as amended in the Senate, and ordered them returned to the House.

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

Motions and Resolutions

The President Pro Tempore announced that SCR 125 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator McKenzie, seconded by Senator Davis, SCR 125 was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that SCR 126 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator McKenzie, seconded by Senator Buckner-Webb, SCR 126 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 1180
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR SPECIAL PROGRAMS FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1181
BY FINANCE COMMITTEE
AN ACT
RELATING TO APPROPRIATIONS, DISTRIBUTIONS AND TRANSFERS OF IDAHO MILLENNIUM FUNDS; APPROPRIATING MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE COMMUNITY-BASED SUBSTANCE ABUSE TREATMENT SERVICES PROGRAM FOR FISCAL YEAR 2014; APPROPRIATING MONEYS TO THE SUPREME COURT FOR YOUTH COURTS, TOBACCO AND ALCOHOL DIVERSION COURTS, AND STATUS OFFENDER SERVICES FOR FISCAL YEAR 2014; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE ALLUMBAUGH HOUSE FOR FISCAL YEAR 2014; APPROPRIATING MONEYS TO THE OFFICE OF DRUG POLICY FOR FISCAL YEAR 2014; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE WOMEN'S HEALTH CHECK PROGRAM FOR FISCAL YEAR 2014; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE PHYSICAL HEALTH SERVICES PROGRAM FOR FISCAL YEAR 2014; APPROPRIATING MONEYS TO THE IDAHO STATE POLICE FOR TOBACCO PERMITTEE COMPLIANCE INSPECTIONS FOR FISCAL YEAR 2014; APPROPRIATING MONEYS TO THE PUBLIC HEALTH DISTRICTS FOR THE PUBLIC HEALTH DISTRICT MILLENNIUM FUND CESSATION PROGRAM FOR FISCAL YEAR 2014; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE AMERICAN LUNG ASSOCIATION IN IDAHO FOR YOUTH TOBACCO PREVENTION SERVICES FOR FISCAL YEAR 2014; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE IDAHO DRUG FREE YOUTH PROGRAM FOR PARENT AND TEEN PREVENTION EDUCATION FOR FISCAL YEAR 2014; APPROPRIATING MONEYS TO THE STATE TREASURER FOR DISTRIBUTION TO THE IDAHO METH PROJECT FOR FISCAL YEAR 2014; PROVIDING THAT CERTAIN UNEXPENDED AND UNENCUMBERED BALANCE OF MONEYS SHALL REVERT TO THE IDAHO MILLENNIUM INCOME FUND AT THE END OF FISCAL YEAR 2014; 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 2014.

S 1182
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2013; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2013; APPROPRIATING MONEYS TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; EXEMPTING A PORTION OF THE APPROPRIATION FROM PROGRAM TRANSFER LIMITATIONS; PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION; AND DECLARING AN EMERGENCY.

S 1183
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR HEALTH EDUCATION PROGRAMS FOR FISCAL YEAR 2014; PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS; AND PROVIDING NON-GENERAL FUND REAPPROPRIATION.

S 1180, S 1181, S 1182, and S 1183 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 256 , by State Affairs Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 293 , by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 258 , by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 216 , by State Affairs Committee, was read the second time at length and filed for third reading.

H 76 and H 127 , by Business Committee, were read the second time at length and filed for third reading.

H 162 , by Education Committee, was read the second time at length and filed for third reading.

H 185 , by Environment, Energy, and Technology Committee, was read the second time at length and filed for third reading.

S 1135 , by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

H 218 and H 225 , by Education Committee, were read the second time at length and filed for third reading.

S 1146 , by State Affairs Committee, was read the second time at length and filed for third reading.

H 110 and H 113, as amended, by Agricultural Affairs Committee, were read the second time at length and filed for third reading.

S 1047, as amended, by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

S 1134, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

H 73, as amended in the Senate, and H 217, as amended in the Senate, 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 1114, 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 Lakey arose as sponsor of the bill and reopened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Brackett, Buckner-Webb, Cameron, Davis, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Patrick, Schmidt, Siddoway, Thayn, Tippets, Werk, Winder. Total - 25.

NAYS–Bayer, Bock, Durst, Fulcher, Nonini, Nuxoll, Pearce, Rice, Stennett, Vick. Total - 10.

Total - 35.

Whereupon the President Pro Tempore declared S 1114, as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, H 199 retained its place on the Third Reading Calendar for one legislative day.

H 41 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Hagedorn. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 41 passed, title was approved, and the bill ordered returned to the House.

H 170 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bock arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 170 passed, title was approved, and the bill ordered returned to the House.

H 214 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Durst. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 214 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Durst. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 224 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 Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bayer, Bock, Brackett, Buckner-Webb, Cameron, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Johnson, Keough, Lacey, Lakey, Lodge, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Vick, Werk, Winder. Total - 27.

NAYS–Bair, Davis, Hill, Martin, McKenzie, Mortimer, Pearce, Tippets. Total - 8.

Total - 35.

Whereupon the President Pro Tempore declared **H 220** passed, title was approved, and the bill ordered returned to the House.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 9:30 a.m., Tuesday, March 19, 2013.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

SEVENTY-SECOND LEGISLATIVE DAY
TUESDAY, MARCH 19, 2013

Senate Chamber

President Pro Tempore Hill called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Bair, Bock, Brackett, Buckner-Webb, Davis, Durst, Goedde, Guthrie, Nonini, Patrick, Rice, Siddoway, and Tippets, absent and excused.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Madeline Breen, 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, 2013, 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

Senator Bock was recorded present at this order of business.

SCR 128
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 THE IDAHO CRIMINAL JUSTICE SYSTEM.

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

WHEREAS, the First Regular Session of the Sixty-second Idaho Legislature is desirous of undertaking a study of the data-driven, fiscally responsible policies and practices that can increase public safety, reduce recidivism and reduce spending on corrections in Idaho; and

WHEREAS, Idaho would like to receive Justice Reinvestment Technical Assistance from the Council of State Government's Justice Center to complete a study and develop solutions and evidence-based practices to improve Idaho's criminal justice system, making it more efficient and effective; and

WHEREAS, all three branches of Idaho government are supportive of exploring a justice reinvestment and resource reallocation approach to improve public safety, reduce recidivism and reduce spending on corrections; and

WHEREAS, the Idaho Legislature finds that creating an interim legislative committee to guide the analysis and policy development, co-chaired by the Senate Judiciary and Rules Committee Chair and the House of Representatives Judiciary, Rules and Administration Committee Chair, will promote the goals of this study; and

WHEREAS, it is in the best interests of the State of Idaho and its citizens to advance this study, and the interim committee shall submit a report of its activities, findings and recommendations regarding increased public safety, reducing recidivism, reducing spending on corrections and the reallocation and reinvestment of resources.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-second 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 criminal justice system of the State of Idaho. The committee shall consist of ten legislators with five from the Senate and five from the House of Representatives. Additional legislators may also be appointed as nonvoting members of the committee. 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 Co-Chairs of the committee are authorized to appoint advisors with expertise in Idaho's criminal justice system and are expected to receive input from the Council of State Government Justice Center.

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 regarding the committee's recommendations and proposed legislation.

BE IT FURTHER RESOLVED that the committee shall report to the Second Regular Session of the Sixty-second Idaho Legislature and detail its findings and recommendations.

SJM 102
BY JUDICIARY AND RULES COMMITTEE
A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES, TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES, TO THE SECRETARY OF THE UNITED STATES DEPARTMENT OF AGRICULTURE AND THE SECRETARY OF THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Sixty-second Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the Supplemental Nutritional Assistance Program (SNAP) is administered by the states on behalf of the United States Department of Agriculture, and the states are

subject to the rules promulgated by the United States Department of Agriculture and Congress; and

WHEREAS, the health and welfare of the citizens of Idaho can be affected by their consumption of food items purchased with SNAP benefits; and

WHEREAS, a comprehensive healthy Supplemental Nutritional Assistance Program (SNAP) for Idaho citizens would include Idaho grown and produced products; and

WHEREAS, individuals who participate in healthy eating choices have less chance of developing chronic diseases and therefore, are able to be more productive employees and involved in their families' lives; and

WHEREAS, our children's futures and consequently the future of our nation are directly impacted by the food choices that are made for our children; and

WHEREAS, SNAP recipients should be encouraged to increase consumption of whole grains, fat-free and low-fat milk and fruits and vegetables; and

WHEREAS, the citizens of Idaho may at this time purchase items with SNAP benefits that are not beneficial to their health and welfare; and

WHEREAS, taxpayers have a right to expect that their tax dollars will purchase fresh, healthy food that meets nutritional standards that will not contribute to health issues and higher medical costs; and

WHEREAS, unhealthy food items include, but are not limited to, energy drinks defined as a beverage containing at least sixty-five milligrams of caffeine per eight fluid ounces that is advertised as being specifically designed to provide metabolic stimulation or an increase to the consumer's mental or physical energy; a sweetened beverage or "soft drink" defined as any nonalcoholic beverage to which a natural or artificial sweetener is added; packaged cookies, candy, chips and other "junk food" with no nutritional value; and

WHEREAS, it is important that citizens receiving SNAP benefits be encouraged to spread their food dollars throughout the month through the use of coupons and sales and wise shopping habits; and

WHEREAS, numerous community organizations are eager to partner with low-income families and offer skills that could lead to permanent jobs and less dependency on taxpayer funded benefits; and

WHEREAS, Idaho is experiencing increasing medical costs that could be lessened through proper nutrition.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature calls upon the President of the United States, the Secretary of Agriculture and Congress to give Idaho the flexibility to prohibit the purchase of unhealthy food items with Supplemental Nutritional Assistance Program (SNAP) benefits and to encourage healthy eating and lifestyle choices.

BE IT FURTHER RESOLVED that Idaho should be given the flexibility to determine the best methods of helping our citizens create a comprehensive state-based approach to promote physical activity, nutritional food selections and healthy lifestyle choices.

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, to the President of the Senate and the Speaker of the House of Representatives of Congress, to the congressional delegation representing the State of Idaho in the Congress of the United States, to the Secretary of the United States Department of Agriculture and the Secretary of the United States Department of Health and Human Services.

SCR 128 and **SJM 102** 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 19, 2013

The JUDICIARY AND RULES Committee reports that **S 1180**, **S 1181**, **S 1182**, **S 1183**, and **SCR 127** have been correctly printed.

LODGE, Chairman

S 1180, **S 1181**, **S 1182**, and **S 1183** were referred to the Finance Committee.

SCR 127 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 19, 2013

The JUDICIARY AND RULES Committee reports that **S 1025**, **S 1057**, as amended, **S 1091**, as amended, **S 1098**, **S 1048**, as amended, **S 1034**, **S 1035**, **S 1128**, **S 1129**, **S 1130**, **S 1131**, **S 1132**, **S 1139**, **S 1140**, **S 1143**, and **S 1144** have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled **S 1025**, **S 1057**, as amended, **S 1091**, as amended, **S 1098**, **S 1048**, as amended, **S 1034**, **S 1035**, **S 1128**, **S 1129**, **S 1130**, **S 1131**, **S 1132**, **S 1139**, **S 1140**, **S 1143**, and **S 1144** and ordered them transmitted to the House for the signature of the Speaker.

March 18, 2013

The FINANCE Committee reports out **H 293** with the recommendation that it do pass.

CAMERON, Chairman

H 293 was filed for second reading.

Senators Durst, Goedde, Davis, Patrick, and Buckner-Webb were recorded present at this order of business.

March 18, 2013

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:

Brent Baker to the Lake Pend Oreille Basin Commission, term to continue at the pleasure of the Governor.

Ford Elsaesser to the Lake Pend Oreille Basin Commission, term to continue at the pleasure of the Governor.

Marc Brinkmeyer to the Lake Pend Oreille Basin Commission, term to continue at the pleasure of the Governor.

PEARCE, 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 18, 2013

The HEALTH AND WELFARE Committee reports out H 239 and HCR 19 with the recommendation that they do pass.

HEIDER, Chairman

H 239 was filed for second reading.

HCR 19 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Tippets was recorded present at this order of business.

March 18, 2013

The JUDICIARY AND RULES Committee reports out H 30, as amended, H 125, S 1151, and S 1165 with the recommendation that they do pass.

LODGE, Chairman

H 30, as amended, H 125, S 1151, and S 1165 were filed for second reading.

March 19, 2013

The EDUCATION Committee reports out H 205, H 206, H 221, S 1147, and S 1148 with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

GOEDDE, Chairman

There being no objection, H 205, H 206, H 221, S 1147, and S 1148 were 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 18, 2013

Dear Mr. President:

I transmit herewith H 296, H 297, H 298, H 299, H 300, H 301, and H 302 , which have passed the House.

ALEXANDER, Chief Clerk

H 296, H 297, H 298, H 299, H 300, H 301, and H 302 were filed for first reading.

Senators Siddoway, Bair, Nonini, Guthrie, and Brackett were recorded present at this order of business.

March 18, 2013

Dear Mr. President:

I return herewith S 1063, S 1100, S 1033, as amended, S 1061, S 1062, as amended, S 1142, S 1006, as amended, and S 1064 , which have passed the House.

ALEXANDER, Chief Clerk

S 1063, S 1100, S 1033, as amended, S 1061, S 1062, as amended, S 1142, S 1006, as amended, and S 1064 were referred to the Judiciary and Rules Committee for enrolling.

March 18, 2013

Dear Mr. President:

I transmit herewith Enrolled H 53, H 159, H 105, H 252, H 254, H 262, H 263, H 43, and H 100 for the signature of the President.

ALEXANDER, Chief Clerk

The President Pro Tempore signed Enrolled H 53, H 159, H 105, H 252, H 254, H 262, H 263, H 43, and H 100 and ordered them returned to the House.

March 15, 2013

Dear Mr. President:

I return herewith S 1049, as amended in the House, which has passed the House.

ALEXANDER, Chief Clerk

On request by Senator Siddoway, granted by unanimous consent, S 1049, 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 18, 2013

Dear Mr. President:

I return herewith S 1013, as amended in the House, which has passed the House.

ALEXANDER, Chief Clerk

On request by Senator Heider, granted by unanimous consent, S 1013, as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, HCR 14 retained its place on the calendar for Thursday, March 21, 2013.

Senator Rice was recorded present at this order of business.

The President Pro Tempore announced that the House amendments to S 1049, 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 1049, as amended in the House?"

On request by Senator Siddoway, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to S 1049, as amended in the House.

S 1049, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The President Pro Tempore announced that the House amendments to S 1013, 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 1013, as amended in the House?"

On request by Senator Heider, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to S 1013, as amended in the House.

S 1013, 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 1184
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE IDAHO LIBERTY PRESERVATION ACT; PROVIDING A SHORT TITLE; PROVIDING LEGISLATIVE INTENT; AMENDING TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 12, TITLE 18, IDAHO CODE, TO PROVIDE DEFINITIONS, TO PROVIDE THAT CERTAIN PORTIONS OF THE FEDERAL NATIONAL DEFENSE AUTHORIZATION ACT OF 2012 ARE INVALID, TO PROVIDE THAT STATE ACTORS ARE PROHIBITED FROM SUPPORTING AND PARTICIPATING IN THE CERTAIN INDEFINITE DETENTION PROVISION OF THE NATIONAL DEFENSE AUTHORIZATION ACT, TO PROVIDE OFFENSES AND PENALTIES AND TO PROVIDE A CERTAIN REPORT; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1185
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO GAMING; AMENDING SECTION 67-7401, IDAHO CODE, TO REVISE THE PURPOSE OF THE STATE LOTTERY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-7403, IDAHO CODE, TO REVISE OPERATIONS OF THE STATE LOTTERY; AMENDING SECTION 67-7404, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 67-7408, IDAHO CODE, TO REVISE POWERS AND DUTIES OF THE LOTTERY COMMISSION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7438, IDAHO CODE, TO REVISE ELIGIBILITY FOR PRIZE CLAIMING AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-429A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO STATE-TRIBAL GAMING COMPACTS; AMENDING SECTION 67-429C, IDAHO CODE, TO REVISE PROVISIONS RELATING TO AMENDMENTS TO STATE-TRIBAL GAMING COMPACTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 4, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-429D, IDAHO CODE, TO AUTHORIZE LEGAL ACTIONS TO DETERMINE THE CONSTITUTIONALITY OF THE USE OF TRIBAL VIDEO GAMING MACHINES AND TO AUTHORIZE THE EXPENDITURE OF FUNDS; AND PROVIDING SEVERABILITY.

S 1186
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 2014; PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION; PROVIDING NON-GENERAL FUND REAPPROPRIATION; PROVIDING LEGISLATIVE INTENT FOR SYSTEMWIDE NEEDS; PROVIDING LEGISLATIVE INTENT FOR UNIVERSITY RESEARCH; PROVIDING LEGISLATIVE INTENT FOR THE USE OF GENERAL FUNDS; PROVIDING LEGISLATIVE INTENT ON THE ALLOCATION OF FUNDS; AND EXEMPTING APPROPRIATION OBJECT AND PROGRAM TRANSFER LIMITATIONS.

S 1184, S 1185, and S 1186 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 296, H 297, H 298, H 299, H 300, H 301, and H 302 , 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 192 and H 223 , by State Affairs Committee, were read the second time at length and filed for third reading.

S 1126 and S 1127 , by State Affairs Committee, were read the second time at length and filed for third reading.

H 283, H 284, and H 285 , by Appropriations Committee, were read the second time at length and filed for third reading.

S 1167, S 1168, S 1169, S 1170, S 1171, S 1172, S 1173, S 1174, S 1175, S 1176, S 1177, and S 1178 , by Finance Committee, were read the second time at length and filed for third reading.

H 147, H 148, and H 149 , by Judiciary, Rules, and Administration Committee, were read the second time at length and filed for third reading.

H 121, H 183, and H 193, as amended, by State Affairs Committee, were read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the 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 142, as amended in the Senate, and S 1109 , without recommendation, amended as follows:

SENATE AMENDMENT TO H 142

AMENDMENT TO SECTION 1

On page 2 of the printed bill, delete lines 35 through 39, and insert:

"(14) Engage in the practice of dentistry as a member, stockholder, employee, director, partner or proprietor in any business entity in which a person, not duly licensed to practice dentistry in this state, holds an ownership interest. The provisions of this subsection shall not apply to such engagement in a limited managed care plan pursuant to chapter 39, title 41, Idaho Code, or to a dentist practicing dentistry for any health care center as defined and authorized in section 330 of the public health service act as codified at 42 U.S.C. section 254b.".

CORRECTION TO TITLE

On page 1, in line 5, delete "AND" and insert: ","; and in line 7, following "DISCIPLINE" insert: "AND TO PROVIDE FOR EXEMPTIONS".

SENATE AMENDMENT TO S 1109

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 41 and 42; and on page 2, delete lines 1 through 5, and insert:

"(d) As to any deferred annuity contract having a cash surrender provision and from which no periodic payments are being made, the cash surrender value of the deferred annuity contract, not to exceed premiums paid into the deferred annuity contract within six (6) months prior to the filing of a bankruptcy petition, as defined in 11 U.S.C. section 101, or the date of attachment or levy on execution, as defined in section 11-201, Idaho Code, whichever is applicable.".

CORRECTION TO TITLE

On page 1, in line 3, following "TO CERTAIN" insert: "DEFERRED".

The Committee also has S 1118 under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Buckner-Webb, the report was adopted by voice vote.

S 1109, 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 142, 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 Thirteenth Order of Business.

Third Reading of Bills

President Pro Tempore Hill called Senator Keough to the Chair.

H 199 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the Acting President declared H 199 passed, title was approved, and the bill ordered returned to the House.

President Pro Tempore Hill returned to the Chair.

H 269 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, Bock, Brackett, Cameron, Durst, Fulcher, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 30.

NAYS–Hagedorn, Nonini. Total - 2.

Absent and excused–Buckner-Webb, Davis, Goedde. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared H 269 passed, title was approved, and the bill ordered returned to the House.

H 270 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, Bock, Brackett, Buckner-Webb, Cameron, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 32.

NAYS–Nonini. Total - 1.

Absent and excused–Davis, Goedde. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared H 270 passed, title was approved, and the bill ordered returned to the House.

S 1160 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–Bock, Brackett, Buckner-Webb, Cameron, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Johnson, Keough, Lacey, Lodge, McKenzie, Mortimer, Patrick, Schmidt, Stennett, Werk, Winder. Total - 20.

NAYS–Bair, Bayer, Davis, Durst, Hill, Lakey, Martin, Nonini, Nuxoll, Pearce, Rice, Siddoway, Thayn, Tippets, Vick. Total - 15.

Total - 35.

Whereupon the President Pro Tempore declared S 1160 passed, title was approved, and the bill ordered transmitted to the House.

S 1161 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 32.

NAYS–Nonini, Nuxoll, Vick. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared S 1161 passed, title was approved, and the bill ordered transmitted to the House.

S 1162 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Nonini. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1162 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–Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Nonini. Total - 1.

Absent and excused–Bair. Total - 1.

Total - 35.

Whereupon the President Pro Tempore 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Durst, Nonini. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared S 1164 passed, title was approved, and the bill ordered transmitted to the House.

S 1155 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, Davis, Durst, Fulcher, Guthrie, Heider, Hill, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Siddoway, Thayn, Tippets, Vick, Winder. Total - 24.

NAYS–Bock, Buckner-Webb, Cameron, Goedde, Hagedorn, Johnson, Keough, Lacey, Schmidt, Stennett, Werk. Total - 11.

Total - 35.

Whereupon the President Pro Tempore declared S 1155 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared S 1156 passed, title was approved, and the bill ordered transmitted to the House.

S 1157 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.

On request by Senator Bair, granted by unanimous consent, S 1157 retained its place on the Third Reading Calendar for one legislative day.

H 102 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 102 passed, title was approved, and the bill ordered returned to the House.

S 1060 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared S 1060 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, Mortimer, Patrick, Schmidt, Siddoway, Stennett, Tippets, Werk, Winder. Total - 26.

NAYS–Bayer, Fulcher, McKenzie, Nonini, Nuxoll, Pearce, Rice, Thayn, Vick. Total - 9.

Total - 35.

Whereupon the President Pro Tempore declared S 1123 passed, title was approved, and the bill ordered transmitted to the House.

S 1136 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Nonini. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1136 passed, title was approved, and the bill ordered transmitted to the House.

H 244 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 244 passed, title was approved, and the bill ordered returned to the House.

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

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12 noon until the hour of 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 Bair, Bock, Brackett, Buckner-Webb, Davis, Durst, Goedde, Guthrie, Nonini, Patrick, Rice, Siddoway, and Tippets, 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 19, 2013

The JUDICIARY AND RULES Committee reports that Senate amendments to **H 142**, as amended in the Senate, and **S 1109** have been correctly printed.

LODGE, Chairman

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

March 19, 2013

The JUDICIARY AND RULES Committee reports that **S 1109**, as amended, **S 1049**, as amended in the House, and **S 1013**, as amended in the House, have been correctly engrossed.

LODGE, Chairman

S 1109, as amended, **S 1049**, as amended in the House, and **S 1013**, as amended in the House, were filed for first reading.

March 19, 2013

The JUDICIARY AND RULES Committee reports that **S 1063**, **S 1100**, **S 1033**, as amended, **S 1061**, **S 1062**, as amended, **S 1142**, **S 1006**, as amended, and **S 1064** have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled **S 1063**, **S 1100**, **S 1033**, as amended, **S 1061**, **S 1062**, as amended, **S 1142**, **S 1006**, as amended, and **S 1064** and ordered them transmitted to the House for the signature of the Speaker.

March 19, 2013

The AGRICULTURAL AFFAIRS Committee reports out **S 1166** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BAIR, Chairman

There being no objection, **S 1166** was referred to the Fourteenth Order of Business, General Calendar.

President Pro Tempore Hill and Senators Nonini, Durst, and Buckner-Webb were recorded present at this order of business.

March 19, 2013

The FINANCE Committee reports out **H 296**, **H 297**, **H 298**, **H 299**, **H 300**, **H 301**, **H 302**, **S 1180**, **S 1181**, **S 1182**, and **S 1183** with the recommendation that they do pass.

CAMERON, Chairman

H 296, **H 297**, **H 298**, **H 299**, **H 300**, **H 301**, **H 302**, **S 1180**, **S 1181**, **S 1182**, and **S 1183** were filed for second reading.

March 19, 2013

The TRANSPORTATION Committee reports out **H 171**, as amended, and **S 1179** with the recommendation that they do pass.

BRACKETT, Chairman

H 171, as amended, and **S 1179** were filed for second reading.

March 19, 2013

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 248** and **S 1145** with the recommendation that they do pass.

TIPPETS, Chairman

H 248 and **S 1145** were filed for second reading.

Senator Mortimer 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 1109, as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

S 1049, as amended in the House, by Resources and Environment Committee, was read the first time at length and filed for second reading.

S 1013, as amended in the House, by Health and Welfare Committee, was read the first time at length and filed for second reading.

Senator Werk was recorded present at this order of business.

H 142, 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.

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

Third Reading of Bills

Senators Lacey, Rice, Siddoway, and Vick were recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, **S 1157** was placed before the Senate for consideration at this time.

Senators Johnson, Goedde, Fulcher, and McKenzie were recorded present at this order of business.

S 1157 , 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 Bair arose as sponsor of the bill and reopened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Durst. Total - 1.

Absent and excused–Bayer. Total - 1.

Total - 35.

Whereupon the President declared **S 1157** passed, title was approved, and the bill ordered transmitted to the House.

Senator Bayer was recorded present at this order of business.

H 216 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared H 216 passed, title was approved, and the bill ordered returned to the House.

H 76 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared H 76 passed, title was approved, and the bill ordered returned to the House.

H 127 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared H 127 passed, title was approved, and the bill ordered returned to the House.

H 162 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared H 162 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 Durst arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared H 185 passed, title was approved, and the bill ordered returned to the House.

S 1135 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 32.

NAYS–Pearce, Vick. Total - 2.

Absent and excused–Rice. Total - 1.

Total - 35.

Whereupon the President declared S 1135 passed, title was approved, and the bill ordered transmitted to the House.

H 218 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk. Total - 29.

NAYS–Hagedorn, Nonini, Nuxoll, Patrick, Vick, Winder. Total - 6.

Total - 35.

Whereupon the President declared H 218 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared **H 225** passed, title was approved, and the bill ordered returned to the House.

S 1146 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared **S 1146** passed, title was approved, and the bill ordered transmitted to the House.

H 110 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared **H 110** passed, title was approved, and the bill ordered returned to the House.

H 113, as amended, 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Durst. Total - 1.

Total - 35.

Whereupon the President declared **H 113**, as amended, passed, title was approved, and the bill ordered returned to the House.

S 1047, 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared **S 1047**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

S 1134, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Brackett, Buckner-Webb, Cameron, Davis, Goedde, Guthrie, Hagedorn, Heider, Hill, Keough, Lacey, Lodge, Martin, Mortimer, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 24.

NAYS–Bayer, Bock, Durst, Fulcher, Johnson, Lakey, McKenzie, Nonini, Nuxoll, Pearce, Vick. Total - 11.

Total - 35.

Whereupon the President declared **S 1134**, as amended, passed, title was approved as corrected, and the bill ordered transmitted to the House.

H 73, 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared **H 73**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

H 217, 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.

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared **H 217**, 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, all Senate non Finance Committee bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by Senate Finance Committee bills, 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

March 19, 2013

Dear Mr. President:

I transmit herewith **H 315** , which has passed the House.

ALEXANDER, Chief Clerk

H 315 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 315 , by Ways and Means Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 6:25 p.m. until the hour of 10 a.m., Wednesday, March 20, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

SEVENTY-THIRD LEGISLATIVE DAY
WEDNESDAY, MARCH 20, 2013

Senate Chamber

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

Roll call showed all members present except Senators Durst, Hagedorn, Siddoway, and Werk, absent and excused.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Robin Crotteau, 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, 2013, 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 Werk and Siddoway 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 20, 2013

The JUDICIARY AND RULES Committee reports that **S 1185**, **S 1186**, **SCR 128**, and **SJM 102** have been correctly printed.

LODGE, Chairman

S 1185 was referred to the State Affairs Committee.

S 1186 was referred to the Finance Committee.

SCR 128 and **SJM 102** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 19, 2013

The EDUCATION Committee reports out **H 261**, **S 1149**, and **S 1150** with the recommendation that they do pass.

GOEDDE, Chairman

H 261, **S 1149**, and **S 1150** were filed for second reading.

March 20, 2013

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 138** and **H 242** with the recommendation that they do pass.

SIDDOWAY, Chairman

H 138 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 19, 2013

Dear Mr. President:

I transmit herewith **H 250**, **H 275**, **H 303**, **H 304**, **H 305**, **H 306**, **H 291**, **H 80**, **H 271**, **H 231**, as amended, **HJM 2**, **HCR 27**, **HCR 29**, **H 310**, and **H 241** , which have passed the House.

ALEXANDER, Chief Clerk

H 250, **H 275**, **H 303**, **H 304**, **H 305**, **H 306**, **H 291**, **H 80**, **H 271**, **H 231**, as amended, **HJM 2**, **HCR 27**, **HCR 29**, **H 310**, and **H 241** were filed for first reading.

March 19, 2013

Dear Mr. President:

I return herewith **S 1093** and **S 1097**, as amended, which have passed the House.

ALEXANDER, Chief Clerk

S 1093 and **S 1097**, as amended, were referred to the Judiciary and Rules Committee for enrolling.

March 19, 2013

Dear Mr. President:

I transmit herewith Enrolled **HCR 12**, **H 130**, as amended in the Senate, and **H 167**, as amended in the Senate, for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **HCR 12**, **H 130**, as amended in the Senate, and **H 167**, as amended in the Senate, and ordered them returned to the House.

March 19, 2013

Dear Mr. President:

I return herewith Enrolled **S 1050**, **S 1081**, **S 1083**, **S 1058**, **S 1014**, and **S 1032** , which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1050**, **S 1081**, **S 1083**, **S 1058**, **S 1014**, and **S 1032** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Cameron, granted by unanimous consent, HCR 14 was referred to the Resources and Environment Committee.

Senator Durst was recorded present at this order of business.

The President announced that SCR 127 was before the Senate for final consideration.

Moved by Senator McKenzie, seconded by Senator Buckner-Webb, that SCR 127 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Hagedorn. Total - 1.

Total - 35.

Whereupon the President declared SCR 127 adopted, title was approved, and the resolution ordered transmitted to the House.

The President announced that HCR 19 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Lodge, seconded by Senator Bock, HCR 19 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 Brent Baker was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bair, seconded by Senator Buckner-Webb, 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.

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

On motion by Senator Keough, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Ford Elsaesser as a member of the Lake Pend Oreille Basin Commission was confirmed by voice vote.

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

The President announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Marc Brinkmeyer 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 appointment 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 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

H 250 , by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 275 , by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 303, H 304, H 305, H 306, and H 310 , by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 291 , by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 80 , by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 271 , by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 231, as amended, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

HJM 2 and HCR 27 , by State Affairs Committee, were introduced, read at length, and referred to the State Affairs Committee.

HCR 29 , by Ways and Means Committee, was introduced, read at length, and referred to the State Affairs Committee.

H 241 , by Health and Welfare 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 293 , by Appropriations Committee, was read the second time at length and filed for third reading.

H 239 , by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 30, as amended, and H 125 , by Judiciary, Rules, and Administration Committee, were read the second time at length and filed for third reading.

S 1151 and S 1165 , by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

H 296, H 297, H 298, H 299, H 300, H 301, and H 302 , by Appropriations Committee, were read the second time at length and filed for third reading.

S 1180, S 1181, S 1182, and S 1183 , by Finance Committee, were read the second time at length and filed for third reading.

H 171, as amended, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

S 1179 , by State Affairs Committee, was read the second time at length and filed for third reading.

H 248 , by Health and Welfare Committee, was read the second time at length and filed for third reading.

S 1145 , by State Affairs Committee, was read the second time at length and filed for third reading.

S 1109, as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1049, as amended in the House, by Resources and Environment Committee, was read the second time at length and filed for third reading.

S 1013, as amended in the House, by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 142, 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.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1126 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Hagedorn. 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Hagedorn. Total - 1.

Total - 35.

Whereupon the President declared S 1127 passed, title was approved, and the bill ordered transmitted to the House.

S 1167 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Nonini. Total - 1.

Absent and excused–Hagedorn. Total - 1.

Total - 35.

Whereupon the President declared S 1167 passed, title was approved, and the bill ordered transmitted to the House.

S 1168 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Patrick, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 29.

NAYS–Nonini, Nuxoll, Pearce, Rice, Vick. Total - 5.

Absent and excused–Hagedorn. Total - 1.

Total - 35.

Whereupon the President declared S 1168 passed, title was approved, and the bill ordered transmitted to the House.

S 1169 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Nonini. Total - 1.

Absent and excused–Hagedorn. Total - 1.

Total - 35.

Whereupon the President declared S 1169 passed, title was approved, and the bill ordered transmitted to the House.

S 1170 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 32.

NAYS–Nonini. Total - 1.

Absent and excused–Hagedorn, Siddoway. Total - 2.

Total - 35.

Whereupon the President declared S 1170 passed, title was approved, and the bill ordered transmitted to the House.

S 1171 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 32.

NAYS–Nonini. Total - 1.

Absent and excused–Hagedorn, Siddoway. Total - 2.

Total - 35.

Whereupon the President declared S 1171 passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Werk, that all rules of the Senate interfering with the immediate consideration of S 1151 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Durst. Total - 1.

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 S 1151 was before the Senate for final consideration.

Senator Hagedorn was recorded present at this order of business.

S 1151 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 McKenzie and Davis disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared S 1151 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 1165 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Durst. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1165 was before the Senate for final consideration.

S 1165 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bock arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared S 1165 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Durst. Total - 1.

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 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared S 1179 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 1145 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Durst. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1145 was before the Senate for final consideration.

S 1145 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), Senators Keough and Goedde disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared S 1145 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 1109, as amended, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Durst. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1109, as amended, was before the Senate for final consideration.

S 1109, 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared S 1109, 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 Winder, seconded by Senator Stennett, by voice vote the Senate recessed at 12:10 p.m. until the hour of 3:45 p.m. of this day.

RECESS
AFTERNOON SESSION

The Senate reconvened at 3:45 p.m., pursuant to recess, President Little presiding.

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

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

SR 101
BY JUDICIARY AND RULES COMMITTEE
A SENATE RESOLUTION
STATING FINDINGS OF THE SENATE AND PROVIDING FOR THE AMENDMENT OF RULE 8 OF THE RULES OF THE SENATE RELATING TO RECORDS.

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

WHEREAS, the Senate deems it necessary and desirable that Rule 8 of the Rules of the Senate be amended.

NOW, THEREFORE, BE IT RESOLVED by the members of the Senate, assembled in the First Regular Session of the Sixty-second Idaho Legislature, that Rule 8 of the Rules of the Senate shall be amended to read as follows:

RULE 8

Secretary of the Senate

Secretary of the Senate. – (A) The Secretary of the Senate shall have custody and supervise the handling of all records, bills, documents, and other official papers; he shall allow no bills, records, or papers to be taken out of his custody or out of the Senate Chamber other than in the regular routine of business; nor shall he at any time or place allow the same to be handled or examined by any person whatsoever except the President, Senators, officers, and employees of the Senate in the discharge of their duties. Public records requests of the Secretary of the Senate shall be handled as provided in Rule 8(E). Papers Missing. – (B) If any papers of which the Secretary shall have custody be missing, he shall report the fact to the President immediately upon the discovery thereof. Journal. – (C) He shall keep a correct Journal of each day's proceedings in which the titles of all Senate bills shall be entered. In all cases where a bill, motion, or resolution shall be entered upon the Journal, the name of the Senator moving or the committee introducing the same will also be entered. Docket. – (D) The Secretary shall keep a book to be called a Docket in which he shall enter under appropriate marginal numbers all Senate and House bills, joint and concurrent resolutions and memorials with corrected notes, including the dates thereof, showing the state, condition, and progress of each bill pending, until the final disposition thereof, and shall index the same under the name of the Senator, Representative, or committee introducing the bill, joint or concurrent resolution or memorial, and generally shall perform the duties of his office under the direction of the President. Public Records Request. – (E) The President Pro Tempore shall designate a custodian of public records for the Senate for the limited purpose of complying with the Idaho Public Records Act. The custodian shall coordinate and prepare all responses to requests for public records on behalf of the Senate, its committees, and its individual members. All requests for public records shall be directed to the Senate custodian, who will respond in accordance with Senate Rules and the Idaho Public Records Act. An individual member, on his written notice to the President Pro Tempore, may individually respond to requests for his public records; however, the custodian shall respond with public records, including an individual member's, within the custodian's limited designated custody and control.

SCR 129
BY JUDICIARY AND RULES COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND PROVIDING FOR THE AMENDMENT OF JOINT RULE 18 OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF IDAHO RELATING TO STATEMENTS OF PURPOSE AND FISCAL NOTES.

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

WHEREAS, the Senate and the House of Representatives deem it necessary and desirable to amend Joint Rule 18 of the Joint Rules of the Senate and the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that Joint Rule 18 of the Senate and the House of Representatives shall be amended to read as follows:

JOINT RULE 18

Statement of Purpose and Fiscal Notes

Statement of Purpose and Fiscal Notes. – No bill shall be introduced in either house unless it shall have attached thereto a concise statement of purpose and fiscal note. The contact person for the statement of purpose and fiscal note shall be identified on the document. A statement of purpose or fiscal note is not a statement of legislative intent nor intended for any use outside of the legislative process. The statement of purpose and fiscal note applies only to a bill as introduced, and does not necessarily reflect any amendment to the bill that may be adopted. No bill making an appropriation, increasing or decreasing existing appropriations, or requiring a future appropriation, or increasing or decreasing revenues of the state or any unit of local government, or requiring a significant expenditure of funds by the state or a unit of local government, shall be introduced unless it shall have attached thereto a fiscal note. This note shall contain an estimate of the amount of such appropriation, expenditure, or change under the bill. The fiscal note shall identify a full fiscal year's impact of the legislation. Statements of purpose and fiscal notes may be combined in the same statement. All statements of purpose and fiscal notes shall be reviewed for compliance with this rule by the committee to which the bill is assigned. A member may challenge the sufficiency of a statement of purpose or fiscal note at any time prior to passage, except upon introduction. Nothing in this rule shall prohibit a statement of purpose or fiscal note from being revised.

SCR 130
BY JUDICIARY AND RULES COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND PROVIDING FOR THE ADDITION OF A NEW JOINT RULE 21 OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF IDAHO RELATING TO RECORDING OF PROCEEDINGS OF THE CHAMBERS AND COMMITTEES.

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

WHEREAS, the Senate and the House of Representatives deem it necessary and desirable to add a new Joint Rule 21 to the Joint Rules of the Senate and the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Joint Rules of the Senate and the House of Representatives shall be amended by the addition thereto of a new Joint Rule 21 to read as follows:

JOINT RULE 21

RECORDING OF PROCEEDINGS OF THE CHAMBERS AND COMMITTEES. – The proceedings of each house and its committees shall be recorded and live streamed by an authorized designee, provided that either house may suspend or end recording and/or live streaming of its proceedings upon an affirmative vote of the chamber wherein the proceeding takes place. In addition, a committee may suspend or end recording and/or live streaming of its proceedings at the discretion of that committee chair or an affirmative vote of the committee wherein the proceeding takes place. No recording shall be used for a commercial or political purpose without express authorization from a member of the majority or minority leadership of the body whose proceedings are involved. A statement made during floor or committee proceedings is indicative only of the individual speaker and is not an expression of legislative intent by the body as a whole. No recording shall substitute for the Journal of either house as required by Section 13, Article III of the Constitution of the State of Idaho. All recordings shall be maintained by the Director of Legislative Services or his designee for two years, and then transferred to the state archivist. No member of the Legislature, its employees, or designees shall be permitted to certify or authenticate any recording made under this rule. All recordings shall be the property of the Legislature of the State of Idaho, which reserves all rights under copyright law.

SR 101, **SCR 129**, and **SCR 130** 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 20, 2013

The JUDICIARY AND RULES Committee reports that Enrolled **S 1050**, **S 1081**, **S 1083**, **S 1058**, **S 1014**, and **S 1032** were delivered to the Office of the Governor at 10:35 a.m., March 20, 2013.

LODGE, Chairman

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

March 20, 2013

The JUDICIARY AND RULES Committee reports that **S 1093** and **S 1097**, as amended, have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled **S 1093** and **S 1097**, as amended, and ordered them transmitted to the House for the signature of the Speaker.

March 20, 2013

The FINANCE Committee reports out **H 303**, **H 304**, **H 305**, **H 306**, **H 310**, and **S 1186** with the recommendation that they do pass.

CAMERON, Chairman

H 303, **H 304**, **H 305**, **H 306**, **H 310**, and **S 1186** were filed for second reading.

March 20, 2013

The JUDICIARY AND RULES Committee reports out **H 124** with the recommendation that it do pass.

LODGE, Chairman

H 124 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 20, 2013

Dear Mr. President:

I transmit herewith Enrolled **H 41**, **H 170**, **H 214**, **H 224**, and **H 220** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 41**, **H 170**, **H 214**, **H 224**, and **H 220** and ordered them returned to the House.

March 20, 2013

Dear Mr. President:

I return herewith Enrolled **S 1025**, **S 1057**, as amended, **S 1091**, as amended, **S 1098**, **S 1048**, as amended, **S 1034**, **S 1035**, **S 1128**, **S 1129**, **S 1130**, **S 1131**, **S 1132**, **S 1139**, **S 1140**, **S 1143**, **S 1144**, **S 1063**, **S 1100**, **S 1033**, as amended, **S 1061**, **S 1062**, as amended, **S 1142**, **S 1006**, as amended, and **S 1064** , which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1025**, **S 1057**, as amended, **S 1091**, as amended, **S 1098**, **S 1048**, as amended, **S 1034**, **S 1035**, **S 1128**, **S 1129**, **S 1130**, **S 1131**, **S 1132**, **S 1139**, **S 1140**, **S 1143**, **S 1144**, **S 1063**, **S 1100**, **S 1033**, as amended, **S 1061**, **S 1062**, as amended, **S 1142**, **S 1006**, as amended, and **S 1064** 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 1187
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION; AND PROVIDING FEDERAL FUND REAPPROPRIATION.

S 1188
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION FOR COMMUNITY COLLEGES FOR 2014; AND EXEMPTING APPROPRIATION OBJECT AND PROGRAM TRANSFER LIMITATIONS.

S 1189
BY JUDICIARY AND RULES COMMITTEE
AN ACT
RELATING TO STATUTORY INTERPRETATION; AMENDING SECTION 73-113, IDAHO CODE, TO PROVIDE FOR PRINCIPLES OF STATUTORY CONSTRUCTION OF THE IDAHO CODE.

S 1187, **S 1188**, and **S 1189** 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 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 1118**, **H 206**, **H 221**, **S 1147**, **S 1148**, and **S 1166** , without recommendation, amended as follows:

SENATE AMENDMENT TO S 1118
AMENDMENT TO SECTION 1
On page 1 of the printed bill, in line 16, following "business" insert: "; provided however, that in the event of a termination, cancellation, discontinuance or failure to renew an agreement in accordance with section 23-1105, Idaho Code, and in accordance with the provisions of chapter 11, title 23, Idaho Code, a brewer may maintain a financial interest in a licensed wholesaler's or dealer's business, or own or control any real property upon which a licensed dealer or wholesaler conducts business, for a period not exceeding one (1) year, after which period such brewer shall divest any financial interest as provided for herein to an independent wholesaler or dealer approved by the brewer. Further, during such one (1) year period, a brewer may assist in the financing of the transfer from the previous dealer or wholesaler to the succeeding dealer or wholesaler, but shall, after such year, divest said brewer's interest".

CORRECTION TO TITLE
On page 1, in line 6, following "BEER" insert: "AND TO PROVIDE A ONE YEAR EXEMPTION IN THE EVENT OF A TERMINATION, CANCELLATION, DISCONTINUANCE OR FAILURE TO RENEW AN AGREEMENT".

SENATE AMENDMENT TO H 206
AMENDMENT TO SECTION 2
On page 7 of the printed bill, in line 3, following "(50%)" insert: ", and that the average amount of funding received per public charter school shall not exceed the average amount of funding received by each school district pursuant to the provisions of section 33-906, Idaho Code"; in line 45, following "the" insert: "actual documented"; in line 46, following "oversight" insert: ", which, in the case of public charter schools authorized by the public charter school commission, shall include each school's proportional fee share of all moneys appropriated from the public charter school authorizers fund, plus the maintenance of a fifteen percent (15%) fund balance"; in line 49, delete "Such" and insert: "Unless the authorized chartering entity declines payment, such"; and in line 50, following "year and shall" delete "be" and insert: "not exceed".

SENATE AMENDMENT TO H 221
AMENDMENT TO SECTION 2
On page 4 of the printed bill, in line 34, delete ";" and insert: "."; and delete lines 35 through 39.

AMENDMENT TO THE BILL
On page 6, delete lines 28 through 48; on page 7, delete lines 1 through 50; on page 8, delete lines 1 through 25; and renumber sections accordingly.

AMENDMENT TO SECTION 5
On page 8, delete line 41, and insert: "entity permitted pursuant to subsection (1)(c) or (1)(d) of"; delete line 45, and insert: "entity permitted pursuant to subsection (1)(c) or (1)(d) of"; on page 9, in line 1, delete ","; and delete line 2, and insert: "or (1)(d) of section 33-5202A, Idaho Code, shall be governed by".

AMENDMENT TO SECTION 18
On page 27, in line 11, delete "10" and insert: "9".

CORRECTION TO TITLE
On page 1, delete lines 9 through 17, and insert: "LOCAL EDUCATION AGENCY; AMENDING SECTION 33-5205, IDAHO".

SENATE AMENDMENT TO H 221
AMENDMENT TO SECTION 2
On page 4 of the printed bill, delete lines 42 through 45; in line 46, delete "(4)" and insert: "(3)"; on page 5, following line 6, insert:
"(4) "Performance certificate" means a fixed-term, renewable certificate between a public charter school and an authorized chartering entity that outlines the roles, powers, responsibilities and performance expectations for each party to the certificate."; and in line 7, delete "(4 5)" and insert: "(5)".

AMENDMENT TO SECTION 5
On page 8, in line 36, delete "charter contract" and insert: "performance certificate".

AMENDMENT TO SECTION 6
On page 14, in line 23, delete "charter contract" and insert: "performance certificate"; in line 30, delete "charter contract" and insert: "performance certificate"; delete lines 38 and 39, and insert: "~~in connection with such transfer.~~ Provided however, that a charter and performance certificate shall not be transferred to a school district board of trustees"; and on page 15, in line 8, delete "charter contract" and insert: "performance certificate".

AMENDMENT TO SECTION 7
On page 15, in line 17, delete "CHARTER CONTRACTS" and insert: "PERFORMANCE CERTIFICATES"; in line 19, delete "char-"; in line 20, delete "ter contract" and insert: "performance certificate"; in line 24, delete "charter" and insert: "performance"; in line 25, delete "contract" and insert: "certificate"; in line 29, delete "charter contract" and insert: "performance certificate"; in line 32, delete "charter contract"

and insert: "performance certificate"; in line 33, delete "charter contract" and insert: "performance certificate"; in line 34, delete "charter contract" and insert: "performance certificate"; in line 35, delete the second "charter" and insert: "performance"; in line 36, delete "contract" and insert: "certificate"; in line 39, delete "charter contracts" and insert: "performance certificates"; and in line 40, delete "contracts" and insert: "certificates".

AMENDMENT TO SECTION 8

On page 16, in line 44, delete "charter contract" and insert: "performance certificate"; and in line 46, delete "charter contract" and insert: "performance certificate".

AMENDMENT TO SECTION 12

On page 21, in line 15, delete "charter contract" and insert: "performance certificate"; in line 24, delete "charter contract" and insert: "performance certificate".

AMENDMENT TO SECTION 13

On page 22, in line 4, delete "charter contract" and insert: "performance certificate"; in line 11, delete "charter contract" and insert: "performance certificate"; in line 25, delete "charter contract" and insert: "performance certificate"; in line 34, delete "charter contract" and insert: "performance certificate"; in line 35, delete "charter contract" and insert: "performance certificate"; in line 45, delete "charter contract" and insert: "performance certificate".

On page 23, in line 9, delete "charter contract" and insert: "performance certificate"; and in line 12, delete "charter contract" and insert: "performance certificate".

AMENDMENT TO SECTION 14

On page 23, in line 19, delete "charter" and insert: "performance"; in line 20, delete "contract" and insert: "certificate"; in line 25, delete "charter contract" and insert: "performance certificate"; in line 30, delete "charter contract" and insert: "performance certificate"; in line 37, delete "con-"; and in line 38, delete "tract" and insert: "certificate".

AMENDMENT TO SECTION 15

On page 24, delete lines 46 and 47, and insert:

"(a) The public charter school's ~~petition.~~ charter and performance certificate;".

CORRECTION TO TITLE

On page 1, in line 30, delete "CHARTER CONTRACTS" and insert: "PERFORMANCE CERTIFICATES"; in line 32, delete "CONTRACTS" and insert: "CERTIFICATES"; in line 33, delete "CONTRACTS" and insert: "CERTIFICATES"; in line 37, delete "CONTRACT" and insert: "CERTIFICATE"; and on page 2, delete lines 15 and 16, and insert: "REFERENCE TO A PETITION, TO PROVIDE A REFERENCE TO A CHARTER AND PERFORMANCE CERTIFICATE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 52, TITLE".

SENATE AMENDMENT TO S 1147

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 40, following "any item" delete "not" and insert: "other than compensation and benefits as".

On page 2, in line 4, delete "For the purpose of this"; and delete lines 5 through 7.

CORRECTION TO TITLE

On page 1, in line 7, following "DURATION" delete ", TO ESTAB-"; and in line 8, delete "LISH PROVISIONS RELATING TO WHAT A FINANCIAL TERM INCLUDES".

SENATE AMENDMENT TO S 1148

AMENDMENT TO SECTION 2

On page 3 of the printed bill, in line 40, following "renewals" insert: "of standard teacher contracts may be"; in line 41, following "current" insert: "standard teacher"; and delete lines 42 and 43, and insert: "and at a greater, lesser or equal salary, and shall be uniformly applied to all employees based upon the district's adopted salary schedule to the extent allowable in section 33-1004E, Idaho Code.".

SENATE AMENDMENT TO S 1166

AMENDMENT TO SECTION 3

On page 2 of the printed bill, in line 2, delete ", not to exceed ~~five~~ nine" and insert: "~~, not to exceed five~~ of nine"; in line 3, following "year" insert: ", with the exception of fallow deer and reindeer which shall have imposed a fee, not to exceed nine dollars ($9.00) per head per year and which shall be due on January 1 of each year"; also in line 3, delete "Such fee" and insert: "Such fees"; in line 8, following "." insert: "Import fees shall not apply to cervidae imported directly to approved slaughter establishments or custom exempt slaughter establishments."; in line 11, following "." insert: "Export fees shall not apply to cervidae exported directly to approved slaughter establishments or custom exempt slaughter establishments."; and in line 14, following "." insert: "Transfer fees shall not apply to cervidae transferred directly to approved slaughter establishments or custom exempt slaughter establishments.".

The Committee also has **H 205** 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 1118, as amended, **S 1147**, as amended, **S 1148**, as amended, and **S 1166**, 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 206, as amended in the Senate, and **H 221**, 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 248** was placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by Senate non Finance Committee bills, followed by Senate Finance Committee bills, followed by House non Appropriation bills, followed by House Appropriation 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 7:05 p.m. until the hour of 9:30 a.m., Thursday, March 21, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

SEVENTY-FOURTH LEGISLATIVE DAY
THURSDAY, MARCH 21, 2013

Senate Chamber

President Little called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Brackett and Vick, absent and excused.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Carson 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 20, 2013, 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 Vick 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 21, 2013

The JUDICIARY AND RULES Committee reports that **S 1184**, **S 1187**, **S 1188**, **S 1189**, **SR 101**, **SCR 129**, and **SCR 130** have been correctly printed.

LODGE, Chairman

S 1184 was referred to the State Affairs Committee.

S 1187 and **S 1188** were referred to the Finance Committee.

S 1189 was referred to the Judiciary and Rules Committee.

SR 101, **SCR 129**, and **SCR 130** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 21, 2013

The JUDICIARY AND RULES Committee reports that Senate amendments to **S 1118**, **H 206**, **H 221**, **S 1147**, **S 1148**, and **S 1166** have been correctly printed.

LODGE, Chairman

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

March 21, 2013

The JUDICIARY AND RULES Committee reports that **S 1118**, as amended, **S 1147**, as amended, **S 1148**, as amended, and **S 1166**, as amended, have been correctly engrossed.

LODGE, Chairman

S 1118, as amended, **S 1147**, as amended, **S 1148**, as amended, and **S 1166**, as amended, were filed for first reading.

March 21, 2013

The JUDICIARY AND RULES Committee reports that Enrolled **S 1025**, **S 1057**, as amended, **S 1091**, as amended, **S 1098**, **S 1048**, as amended, **S 1034**, **S 1035**, **S 1128**, **S 1129**, **S 1130**, **S 1131**, **S 1132**, **S 1139**, **S 1140**, **S 1143**, **S 1144**, **S 1063**, **S 1100**, **S 1033**, as amended, **S 1061**, **S 1062**, as amended, **S 1142**, **S 1006**, as amended, and **S 1064** were delivered to the Office of the Governor at 8:30 a.m., March 21, 2013.

LODGE, Chairman

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

March 20, 2013

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 243** with the recommendation that it do pass.

SIDDOWAY, Chairman

H 243 was filed for second reading.

March 21, 2013

The EDUCATION Committee reports out **H 226** and **H 260** with the recommendation that they do pass.

GOEDDE, Chairman

H 226 and **H 260** 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 20, 2013

Dear Mr. President:

I transmit herewith **H 286**, **H 274**, **H 292**, and **H 279** , which have passed the House.

ALEXANDER, Chief Clerk

H 286, **H 274**, **H 292**, and **H 279** 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 1190
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE MEDICAL ASSISTANCE SERVICES DIVISION FOR FISCAL YEAR 2014; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; REQUIRING MONTHLY MEDICAID TRACKING REPORTS; PROVIDING FOR TRANSFERS IN ADDITION TO TEN PERCENT FOR MEDICAL ASSISTANCE SERVICES FOR THE COORDINATED, ENHANCED, AND BASIC MEDICAID PLANS, AND THE MEDICAID ADMINISTRATION AND MEDICAL MANAGEMENT PROGRAM; CLARIFYING FUNDING FOR MEDICAID READINESS; PROVIDING LEGISLATIVE INTENT FOR MEDICAL ASSISTANCE SERVICES FOR REPORTING THE IMPLEMENTATION OF HOUSE BILL NO. 260, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-FIRST IDAHO LEGISLATURE; REQUIRING QUARTERLY REPORTS ON MEDICAID MANAGED CARE IMPLEMENTATION; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION.

S 1190 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 206, as amended in the Senate, and H 221, as amended in the Senate, by Education Committee, were read the first time at length and filed for second reading.

S 1118, as amended, S 1147, as amended, S 1148, as amended, and S 1166, as amended, by State Affairs Committee, were read the first time at length and filed for second reading.

Senator Brackett was recorded present at this order of business.

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 274 , by State Affairs Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 292 , by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 279 , by State Affairs Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 261 , by Education Committee, was read the second time at length and filed for third reading.

S 1149 and S 1150 , by State Affairs Committee, were read the second time at length and filed for third reading.

H 138 , by Local Government Committee, was read the second time at length and filed for third reading.

H 242 , by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 303, H 304, H 305, H 306, and H 310 , by Appropriations Committee, were read the second time at length and filed for third reading.

S 1186 , by Finance Committee, was read the second time at length and filed for third reading.

H 124 , 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

H 248 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?"

Pursuant to Senate Rule 39(H), Senators Cameron and Goedde disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bock, Brackett, Buckner-Webb, Cameron, Davis, Goedde, Guthrie, Hagedorn, Heider, Hill, Keough, Lacey, Lakey, Lodge, Martin, Patrick, Rice, Schmidt, Siddoway, Stennett, Tippets, Werk. Total - 23.

NAYS–Bayer, Durst, Fulcher, Johnson, McKenzie, Mortimer, Nonini, Nuxoll, Pearce, Thayn, Vick, Winder. Total - 12.

Paired and voting included in roll call:
AYE - Schmidt NAY - McKenzie

Total - 35.

Whereupon the President declared H 248 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, all Senate non Finance Committee bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by Senate Finance Committee bills, followed by House non Appropriation Committee bills, followed by House Appropriation Committee 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 1:30 p.m. until the hour of 9:30 a.m., Friday, March 22, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

SEVENTY-FIFTH LEGISLATIVE DAY
FRIDAY, MARCH 22, 2013

Senate Chamber

President Little called the Senate to order at 9:30 a.m.

Roll call showed all members present except President Pro Tempore Hill and Senators Fulcher, Lodge, McKenzie, Schmidt, Siddoway, Stennett, Werk, and Winder, absent and excused.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Nerissa Schmechel, 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 21, 2013, 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.

President Pro Tempore Hill 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

Senator Schmidt was recorded present at this order of business.

March 22, 2013

The JUDICIARY AND RULES Committee reports that S 1190 has been correctly printed.

LODGE, Chairman

S 1190 was referred to the Finance Committee.

March 21, 2013

The FINANCE Committee reports out S 1187 and S 1188 with the recommendation that they do pass.

CAMERON, Chairman

S 1187 and S 1188 were filed for second reading.

March 21, 2013

The COMMERCE AND HUMAN RESOURCES Committee reports out H 91, as amended, H 196, H 197, H 232, HCR 23, and S 1158 with the recommendation that they do pass.

TIPPETS, Chairman

H 91, as amended, H 196, H 197, H 232, and S 1158 were 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.

March 21, 2013

The LOCAL GOVERNMENT AND TAXATION Committee reports out H 80 and H 315 with the recommendation that they do pass.

SIDDOWAY, Chairman

H 80 and H 315 were filed for second reading.

Senator Stennett was recorded present at this order of business.

March 21, 2013

The EDUCATION Committee reports out H 275 with the recommendation that it do pass.

GOEDDE, Chairman

H 275 was filed for second reading.

March 21, 2013

The EDUCATION Committee reports out H 259 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

GOEDDE, Chairman

There being no objection, H 259 was referred to the Fourteenth Order of Business, General Calendar.

March 21, 2013

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

Kenneth Edmunds to the State Board of Education, term to expire March 1, 2018.

GOEDDE, 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 21, 2013

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:

Tom Stroschein to the State Board of Health and Welfare, term to expire January 7, 2017.

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.

Senator Werk was recorded present at this order of business.

March 22, 2013

The HEALTH AND WELFARE Committee reports out **H 98**, as amended, **H 291**, and **HCR 17** with the recommendation that they do pass.

HEIDER, Chairman

On request by Senator Schmidt, granted by unanimous consent, **H 98**, as amended, was referred to the Fourteenth Order of Business, General Calendar.

H 291 was 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.

Senators McKenzie, Winder, Fulcher, Lodge, and Siddoway were 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 20, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Ralph M. Powell of Meridian, Idaho, was appointed as a member of the Director of the Idaho State Police to serve a term commencing March 21, 2013, and continuing at the pleasure of the Governor.

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

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

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

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

March 21, 2013

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 1014**, **S 1024**, **S 1043**, **S 1050**, **S 1055**, **S 1058**, **S 1083**, **S 1089**, **S 1092**, **S 1113**, and **S 1120**

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 21, 2013

Dear Mr. President:

I transmit herewith **H 311**, **H 312**, **H 313**, **H 266**, **H 278**, **H 150**, **H 295**, **HCR 26**, **HCR 22**, **HCR 21**, **HCR 30**, **H 318**, **H 319**, **H 265**, as amended, as amended, **H 273**, and **H 314** , which have passed the House.

ALEXANDER, Chief Clerk

H 311, **H 312**, **H 313**, **H 266**, **H 278**, **H 150**, **H 295**, **HCR 26**, **HCR 22**, **HCR 21**, **HCR 30**, **H 318**, **H 319**, **H 265**, as amended, as amended, **H 273**, and **H 314** were filed for first reading.

March 21, 2013

Dear Mr. President:

I return herewith **S 1029**, **S 1107**, as amended, **S 1111**, and **S 1078** , which have passed the House.

ALEXANDER, Chief Clerk

S 1029, **S 1107**, as amended, **S 1111**, and **S 1078** were referred to the Judiciary and Rules Committee for enrolling.

March 21, 2013

Dear Mr. President:

I transmit herewith Enrolled **H 199**, **H 269**, **H 270**, **H 102**, **H 244**, **H 216**, **H 76**, **H 127**, **H 162**, **H 185**, **H 218**, **H 225**, **H 110**, and **H 113**, as amended, for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 199**, **H 269**, **H 270**, **H 102**, **H 244**, **H 216**, **H 76**, **H 127**, **H 162**, **H 185**, **H 218**, **H 225**, **H 110**, and **H 113**, as amended, and ordered them returned to the House.

March 21, 2013

Dear Mr. President:

I return herewith Enrolled S 1093 and S 1097, as amended, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled S 1093 and S 1097, as amended, 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 311, H 312, and H 313 , by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 266 , by State Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 278 , by State Affairs Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 150 , by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 295, H 318, H 319, and H 314 , by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

HCR 26 , by State Affairs Committee, was introduced, read at length, and referred to the Judiciary and Rules Committee.

HCR 22 and HCR 21 , by State Affairs Committee, were introduced, read at length, and referred to the State Affairs Committee.

HCR 30 , by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

H 265, as amended, as amended, and H 273 , by State Affairs Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 243 , by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 226, H 260, H 206, as amended in the Senate, and H 221, as amended in the Senate, by Education Committee, were read the second time at length and filed for third reading.

S 1118, as amended, S 1147, as amended, S 1148, as amended, and S 1166, as amended, by State Affairs Committee, were read the second time at length and filed for third reading.

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

General Calendar

On request by Senator Goedde, granted by unanimous consent, H 205 was 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

The President announced that SCR 128 was before the Senate for final consideration.

Moved by Senator Lodge, seconded by Senator Schmidt, that SCR 128 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared SCR 128 adopted, title was approved, and the resolution ordered transmitted to the House.

The President announced that SJM 102 was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Lodge, seconded by Senator Buckner-Webb, SJM 102 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 Thirteenth Order of Business.

Third Reading of Bills

S 1049, as amended in the House, 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared S 1049, as amended in the House, passed, title was approved, and the bill referred to Judiciary and Rules Committee for enrolling.

S 1013, as amended in the House, 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared S 1013, as amended in the House, passed, title was approved, and the bill referred to Judiciary and Rules Committee for enrolling.

S 1149 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, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Lakey, Lodge, Mortimer, Nonini, Patrick, Pearce, Rice, Schmidt, Siddoway, Thayn, Tippets, Vick, Winder. Total - 24.

NAYS–Bock, Buckner-Webb, Durst, Johnson, Keough, Lacey, Martin, McKenzie, Stennett, Werk. Total - 10.

Absent and excused–Nuxoll. Total - 1.

Paired and voting included in roll call:
AYE - Fulcher NAY - Bock

Total - 35.

Whereupon the President declared S 1149 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 Lakey arose as sponsor of the bill and opened the debate.

On request by Senator Lakey, granted by unanimous consent, S 1150 retained its place on the Third Reading Calendar for Monday, March 25, 2013.

Moved by Senator Davis, seconded by Senator Werk, that all rules of the Senate interfering with the immediate consideration of S 1118, as amended, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Pearce, Rice, Schmidt, Siddoway, Thayn, Tippets, Vick, Werk, Winder. Total - 31.

NAYS–None.

Absent and excused–Durst, Fulcher, Nuxoll, Stennett. Total - 4.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1118, as amended, was before the Senate for final consideration.

S 1118, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared S 1118, as amended, passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Mortimer, that all rules of the Senate interfering with the immediate consideration of S 1147, as amended, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Pearce, Rice, Schmidt, Siddoway, Thayn, Tippets, Vick, Werk, Winder. Total - 30.

NAYS–Bock. Total - 1.

Absent and excused–Durst, Fulcher, Nuxoll, Stennett. Total - 4.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1147, as amended, was before the Senate for final consideration.

S 1147, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as 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, Goedde, Guthrie, Hagedorn, Heider, Hill, Lakey, Lodge, Mortimer, Nonini, Patrick, Pearce, Rice, Siddoway, Thayn, Tippets, Vick, Winder. Total - 22.

NAYS–Bock, Buckner-Webb, Johnson, Keough, Lacey, Martin, McKenzie, Schmidt, Werk. Total - 9.

Absent and excused–Durst, Fulcher, Nuxoll, Stennett. Total - 4.

Total - 35.

Whereupon the President declared S 1147, as amended, passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Werk, that all rules of the Senate interfering with the immediate consideration of S 1148, as amended, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Pearce, Rice, Schmidt, Siddoway, Thayn, Tippets, Vick, Werk, Winder. Total - 31.

NAYS–None.

Absent and excused–Durst, Fulcher, Nuxoll, Stennett. Total - 4.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1148, as amended, was before the Senate for final consideration.

S 1148, 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, Brackett, Goedde, Hagedorn, Heider, Lakey, Lodge, Mortimer, Patrick, Pearce, Siddoway, Thayn, Vick, Winder. Total - 14.

NAYS–Bayer, Bock, Buckner-Webb, Cameron, Davis, Durst, Guthrie, Hill, Johnson, Keough, Lacey, Martin, McKenzie, Nonini, Rice, Schmidt, Stennett, Tippets, Werk. Total - 19.

Absent and excused–Fulcher, Nuxoll. Total - 2.

Paired and voting included in roll call:
AYE - Winder NAY - Durst

Total - 35.

Whereupon the President declared that S 1148, as amended, had failed to pass the Senate and ordered the bill filed in Office of the Secretary of Senate.

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

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

S 1191
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO INITIATIVE AND REFERENDUM ELECTIONS; AMENDING SECTION 34-1801A, IDAHO CODE, AS AMENDED IN SECTION 1 OF SENATE BILL NO. 1108, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-SECOND IDAHO LEGISLATURE, TO PROVIDE THAT THE DESIGNATION OF A LEGISLATIVE DISTRICT SHALL BE FOR OFFICIAL USE ONLY; AMENDING SECTION 34-1804, IDAHO CODE, AS AMENDED IN SECTION 2 OF SENATE BILL NO. 1108, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-SECOND IDAHO LEGISLATURE, TO REMOVE A REQUIREMENT THAT A CERTAIN SIGNATURE SHEET CONTAIN SIGNATURES OF QUALIFIED ELECTORS FROM A LEGISLATIVE DISTRICT; AMENDING SECTION 34-1807, IDAHO CODE, AS AMENDED IN SECTION 4 OF SENATE BILL NO. 1108, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-SECOND IDAHO LEGISLATURE, TO REVISE PROVISIONS RELATING TO CERTAIN PETITIONS AND SIGNATURE SHEETS; PROVIDING AN EFFECTIVE DATE AND APPLICATION.

S 1192
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO THE CAPITOL MALL; AMENDING CHAPTER 57, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5709B, IDAHO CODE, TO PROVIDE THAT THE ADMINISTRATOR OF THE DIVISION OF PUBLIC WORKS SHALL DEVELOP FACILITIES IN THE CAPITOL MALL AND TO CREATE A PROCESS FOR EXEMPTING CAPITOL MALL FACILITIES FROM PLANNING AND ZONING RESTRICTIONS; AND DECLARING AN EMERGENCY.

S 1193
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO ABORTION; REPEALING SECTION 18-603, IDAHO CODE, RELATING TO ADVERTISING MEDICINES OR OTHER MEANS FOR PREVENTING CONCEPTION OR FACILITATING MISCARRIAGE OR ABORTION; AMENDING SECTION 18-606, IDAHO CODE, TO REVISE PROVISIONS REGARDING UNLAWFUL ABORTIONS AND ACCOMPLICES OR ACCESSORIES TO ABORTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 6, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-607A, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE REQUIREMENTS FOR MEDICAL ABORTION, TO PROVIDE REQUIREMENTS FOR ADMINISTERING CERTAIN DRUGS IN ABORTIONS AND TO PROVIDE FOR CERTAIN MEDICAL ABORTIONS; AND AMENDING SECTION 18-608, IDAHO CODE, TO PROVIDE THAT ABORTIONS IN THE SECOND AND THIRD TRIMESTERS OF PREGNANCY MAY OCCUR IN A PHYSICIAN'S REGULAR OFFICE OR CLINIC UNDER CERTAIN CIRCUMSTANCES AND TO MAKE TECHNICAL CORRECTIONS.

S 1191, S 1192, and S 1193 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

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

Reports of Standing Committees

March 22, 2013

The JUDICIARY AND RULES Committee reports that S 1191, S 1192, and S 1193 have been correctly printed.

LODGE, Chairman

On request by Senator Davis, granted by unanimous consent, S 1191 was referred to the Twelfth Order of Business, Second reading of bills.

S 1192 and **S 1193** were referred to the State Affairs Committee.

March 22, 2013

The JUDICIARY AND RULES Committee reports out **S 1189** with the recommendation that it do pass.

LODGE, Chairman

S 1189 was filed for second reading.

March 22, 2013

The STATE AFFAIRS Committee reports out **H 120**, as amended, **HCR 27**, and **HCR 29** with the recommendation that they do pass.

MCKENZIE, Chairman

H 120, as amended, was filed for second reading.

HCR 27 and **HCR 29** 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 Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, **S 1166aa** was placed at the head of the Third Reading Calendar, followed by **H 192** , followed by **H 223** , followed by House bills amended in the Senate, followed by Senate non Finance Committee bills, followed by Senate Finance Committee bills, followed by House non Appropriation Committee bills, followed by House Appropriation Committee 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 9:30 a.m., Monday, March 25, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

SEVENTY-EIGHTH LEGISLATIVE DAY
MONDAY, MARCH 25, 2013

Senate Chamber

President Pro Tempore Hill called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Cameron, Davis, and McKenzie, absent and excused.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Kyle Hoodenpyle, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 22, 2013, was read and approved as corrected.

LODGE, Chairman

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

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

Reports of Standing Committees

March 25, 2013

The JUDICIARY AND RULES Committee reports that **S 1049**, as amended in the House, **S 1013**, as amended in the House, **S 1029**, **S 1107**, as amended, **S 1111**, and **S 1078** have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled **S 1049**, as amended in the House, **S 1013**, as amended in the House, **S 1029**, **S 1107**, as amended, **S 1111**, and **S 1078** and ordered them transmitted to the House for the signature of the Speaker.

March 25, 2013

The JUDICIARY AND RULES Committee reports that Enrolled **S 1093** and **S 1097**, as amended, were delivered to the Office of the Governor at 11:10 a.m., March 22, 2013.

LODGE, Chairman

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

March 25, 2013

The FINANCE Committee reports out **S 1190**, **H 311**, **H 312**, and **H 313** with the recommendation that they do pass.

CAMERON, Chairman

S 1190, **H 311**, **H 312**, and **H 313** were filed for second reading.

Senator McKenzie 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

March 22, 2013

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**, as amended, **S 1025**, **S 1032**, **S 1033**, as amended, **S 1034**, **S 1035**, **S 1048**, as amended, **S 1057**, as amended, **S 1061**, **S 1062**, as amended, **S 1063**, **S 1064**, **S 1081**, **S 1091**, as amended, **S 1098**, **S 1100**, **S 1128**, **S 1129**, **S 1130**, **S 1131**, **S 1132**, **S 1139**, **S 1140**, **S 1142**, **S 1143**, and **S 1144**

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

Senator Davis was recorded present at this order of business.

March 22, 2013

Dear Mr. President:

I transmit herewith **H 323**, **H 325**, and **H 322** , which have passed the House.

ALEXANDER, Chief Clerk

H 323, **H 325**, and **H 322** were filed for first reading.

March 22, 2013

Dear Mr. President:

I return herewith **S 1112**, **S 1152**, **S 1153**, **S 1154**, **S 1108**, and **S 1117** , which have passed the House.

ALEXANDER, Chief Clerk

S 1112, S 1152, S 1153, S 1154, S 1108, and S 1117 were referred to the Judiciary and Rules Committee for enrolling.

March 22, 2013

Dear Mr. President:

I transmit herewith Enrolled HCR 19 for the signature of the President.

ALEXANDER, Chief Clerk

The President Pro Tempore signed Enrolled HCR 19 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

On request by Senator Davis, granted by unanimous consent, SR 101, SCR 129, and SCR 130 retained their place on the calendar.

The President Pro Tempore announced that HCR 23 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Patrick, seconded by Senator Buckner-Webb, HCR 23 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that HCR 17 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Guthrie, seconded by Senator Buckner-Webb, HCR 17 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that HCR 27 was before the Senate for final consideration.

Moved by Senator McKenzie, seconded by Senator Buckner-Webb, that HCR 27 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared HCR 27 adopted, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that HCR 29 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator McKenzie, seconded by Senator Buckner-Webb, HCR 29 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that the Education Committee report relative to the Gubernatorial reappointment of Kenneth Edmunds was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Patrick, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Kenneth Edmunds 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 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 Tom Stroschein was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Schmidt, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Tom Stroschein 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 Senate advanced to the Eleventh Order of Business.

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

S 1194
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE FISCAL YEAR 2014 APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE MENTAL HEALTH SERVICES DIVISION; PROVIDING FOR REAPPROPRIATION OF GENERAL FUNDS; CLARIFYING USE OF REAPPROPRIATED FUNDS; AND PROVIDING FOR TRANSFER OF REAPPROPRIATED FUNDS IN EXCESS OF TEN PERCENT FOR THE CHILDREN'S MENTAL HEALTH PROGRAM AND THE ADULT MENTAL HEALTH PROGRAM.

S 1195
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE ATTORNEY GENERAL FOR THE STATE LEGAL SERVICES PROGRAM FOR FISCAL YEAR 2014; AND AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS.

S 1196
BY FINANCE COMMITTEE
AN ACT
APPROPRIATING ADDITIONAL MONEYS TO THE ATTORNEY GENERAL FOR INTERNET CRIMES AGAINST CHILDREN FOR FISCAL YEAR 2014; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE CONSUMER PROTECTION FUND TO THE GENERAL FUND; AND DECLARING AN EMERGENCY.

S 1197
BY FINANCE COMMITTEE
AN ACT
RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2014; AMENDING SECTION 1 OF SENATE BILL NO. 1174, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-SECOND IDAHO LEGISLATURE; AND AMENDING SECTION 2 OF SENATE BILL NO. 1174, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-SECOND IDAHO LEGISLATURE.

S 1194, **S 1195**, **S 1196**, and **S 1197** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 323 , by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 325 , by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 322 , by Ways and Means Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 205 , by Education Committee, was read the second time at length and filed for third reading.

S 1187 and **S 1188** , by Finance Committee, were read the second time at length and filed for third reading.

H 91, as amended, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

H 196 and **H 197** , by Business Committee, were read the second time at length and filed for third reading.

H 232 , by State Affairs Committee, was read the second time at length and filed for third reading.

S 1158 , by State Affairs Committee, was read the second time at length and filed for third reading.

H 80 , by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

H 315 , by Ways and Means Committee, was read the second time at length and filed for third reading.

H 275 , by Education Committee, was read the second time at length and filed for third reading.

H 291 , by Health and Welfare Committee, was read the second time at length and filed for third reading.

S 1189 , by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

H 120, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1191 , 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 Goedde, granted by unanimous consent, **H 206**, as amended in the Senate, and **H 221**, as amended in the Senate, retained their place on the Third Reading Calendar for one legislative day.

S 1166, as amended, 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Winder. Total - 28.

NAYS–Bayer, Durst, Hagedorn, Nuxoll, Vick, Werk. Total - 6.

Absent and excused–Nonini. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **S 1166**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

H 192 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared **H 192** 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared **H 223** passed, title was approved, and the bill ordered returned to the House.

H 142, 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Stennett, Tippets, Werk, Winder. Total - 28.

NAYS–Bayer, Nonini, Nuxoll, Pearce, Thayn, Vick. Total - 6.

Absent and excused–Fulcher. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 142, as amended in the Senate, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

S 1150 , 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 Lakey arose as sponsor of the bill and reopened the debate.

Moved by Senator Bock, seconded by Senator Werk, that S 1150 be referred to the Fourteenth Order of Business for amendment. The question being, "Shall the motion prevail?"

Roll call resulted as follows:

AYES–Bock, Buckner-Webb, Durst, Lacey, Schmidt, Stennett, Werk. Total - 7.

NAYS–Bair, Bayer, Brackett, Cameron, Davis, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Siddoway, Thayn, Tippets, Vick, Winder. Total - 27.

Absent and excused–Fulcher. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared that the motion to refer S 1150 to the Fourteenth Order of Business for amendment did not prevail. The question being, "Shall S 1150 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, Goedde, Hagedorn, Heider, Hill, Lakey, Lodge, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Siddoway, Thayn, Tippets, Vick, Winder. Total - 22.

NAYS–Bock, Buckner-Webb, Durst, Guthrie, Johnson, Keough, Lacey, Martin, McKenzie, Schmidt, Stennett, Werk. Total - 12.

Absent and excused–Fulcher. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1150 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Durst. Total - 1.

Absent and excused–Fulcher. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Fulcher. Total - 1.

Total - 35.

Whereupon the President Pro Tempore 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 1189 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Fulcher. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Fulcher. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1189 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 1191 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Durst. Total - 1.

Absent and excused–Fulcher. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Nonini. Total - 1.

Absent and excused–Fulcher. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1191 passed, title was approved, and the bill ordered transmitted to the House.

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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Nonini. Total - 1.

Absent and excused–Fulcher. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1172 passed, title was approved, and the bill ordered transmitted to the House.

S 1173 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Goedde, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 32.

NAYS–Hagedorn, Nonini. Total - 2.

Absent and excused–Fulcher. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1173 passed, title was approved, and the bill ordered transmitted to the House.

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

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:05 p.m. until the hour of 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 except Senators Bock, Brackett, Hagedorn, Lakey, Lodge, Nuxoll, Stennett, Vick, and Werk, 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, 2013

The JUDICIARY AND RULES Committee reports that S 1112, S 1152, S 1153, S 1154, S 1108, and S 1117 have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled S 1112, S 1152, S 1153, S 1154, S 1108, and S 1117 and ordered them transmitted to the House for the signature of the Speaker.

Senator Brackett was recorded present at this order of business.

March 25, 2013

The STATE AFFAIRS Committee reports out H 176, H 202, H 215, H 222, H 257, H 258, and HCR 25 with the recommendation that they do pass.

MCKENZIE, Chairman

H 176, H 202, H 215, H 222, H 257, and H 258 were filed for second reading.

HCR 25 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 25, 2013

The FINANCE Committee reports out H 323 with the recommendation that it do pass.

CAMERON, Chairman

H 323 was filed for second reading.

March 25, 2013

The EDUCATION Committee reports out H 295, H 318, and H 319 with the recommendation that they do pass.

GOEDDE, Chairman

H 295, H 318, and H 319 were filed for second reading.

March 25, 2013

The RESOURCES AND ENVIRONMENT Committee reports out H 271 and H 278 with the recommendation that they do pass.

PEARCE, Chairman

H 271 and H 278 were filed for second reading.

March 25, 2013

The STATE AFFAIRS Committee reports out H 90, as amended, with the recommendation that it do pass.

MCKENZIE, Chairman

H 90, as amended, was filed for second reading.

March 25, 2013

The HEALTH AND WELFARE Committee reports out HCR 30 with the recommendation that it do pass.

HEIDER, Chairman

HCR 30 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Werk 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

March 25, 2013

Dear Mr. President:

I return herewith S 1072, as amended, as amended in the House, S 1116, as amended, as amended in the House, and S 1080, as amended in the House, which have passed the House.

ALEXANDER, Chief Clerk

On request by Senator Heider, granted by unanimous consent, S 1072, 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.

On request by Senator Heider, granted by unanimous consent, S 1116, 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.

On request by Senator Rice, granted by unanimous consent, S 1080, 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.

Senators Lakey, Hagedorn, and Vick were recorded present at this order of business.

March 25, 2013

Dear Mr. President:

I return herewith S 1021, S 1105, S 1018, as amended, as amended, S 1059, as amended, S 1122, S 1045, as amended, S 1068, as amended, S 1106, as amended, S 1160, S 1161, S 1162, S 1163, S 1164, S 1065, S 1138, as amended, S 1047, as amended, S 1167, S 1168, S 1169, S 1170, S 1171, SCR 105, SCR 106, SCR 108, and SCR 110 , which have passed the House.

ALEXANDER, Chief Clerk

S 1021, S 1105, S 1018, as amended, as amended, S 1059, as amended, S 1122, S 1045, as amended, S 1068, as amended, S 1106, as amended, S 1160, S 1161, S 1162, S 1163, S 1164, S 1065, S 1138, as amended, S 1047, as amended, S 1167, S 1168, S 1169, S 1170, S 1171, SCR 105, SCR 106, SCR 108, and SCR 110 were referred to the Judiciary and Rules Committee for enrolling.

March 25, 2013

Dear Mr. President:

I transmit herewith Enrolled H 248 for the signature of the President.

ALEXANDER, Chief Clerk

The President Pro Tempore signed Enrolled H 248 and ordered it returned to the House.

Senators Lodge and Nuxoll were recorded present at this order of business.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the House amendments to S 1072, 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 1072, as amended, as amended in the House?"

On request by Senator Heider, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to S 1072, as amended, as amended in the House.

S 1072, as amended, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The President Pro Tempore announced that the House amendments to S 1116, 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 1116, as amended, as amended in the House?"

On request by Senator Heider, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to S 1116, as amended, as amended in the House.

S 1116, as amended, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The President Pro Tempore announced that the House amendments to S 1080, 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 1080, as amended in the House?"

On request by Senator Rice, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to S 1080, as amended in the House.

S 1080, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

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

Third Reading of Bills

Senators Stennett and Bock were recorded present at this order of business.

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. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Nonini. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1174 passed, title was approved, and the bill ordered transmitted to the House.

President Pro Tempore Hill called Senator Lakey to the Chair.

S 1175 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 28.

NAYS–Goedde, Guthrie, Hagedorn, Nonini, Nuxoll, Pearce, Vick. Total - 7.

Total - 35.

Whereupon the Acting President declared S 1175 passed, title was approved, and the bill ordered transmitted to the House.

S 1176 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Schmidt, Siddoway, Stennett, Tippets, Vick, Werk, Winder. Total - 31.

NAYS–Durst, Nonini, Rice, Thayn. Total - 4.

Total - 35.

Whereupon the Acting President declared S 1176 passed, title was approved, and the bill ordered transmitted to the House.

S 1177 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Winder. Total - 33.

NAYS–Nonini, Werk. Total - 2.

Total - 35.

Whereupon the Acting President declared S 1177 passed, title was approved, and the bill ordered transmitted to the House.

Acting President Lakey called Senator Martin to the Chair.

S 1178 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Nonini. Total - 1.

Total - 35.

Whereupon the Acting President declared S 1178 passed, title was approved, and the bill ordered transmitted to the House.

S 1180 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 32.

NAYS–Hagedorn, Nonini, Rice. Total - 3.

Total - 35.

Whereupon the Acting President declared S 1180 passed, title was approved, and the bill ordered transmitted to the House.

S 1181 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the Acting President declared S 1181 passed, title was approved, and the bill ordered transmitted to the House.

S 1182 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 McKenzie disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Winder. Total - 33.

NAYS–Nonini, Werk. Total - 2.

Total - 35.

Whereupon the Acting President declared S 1182 passed, title was approved, and the bill ordered transmitted to the House.

S 1183 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Nonini. Total - 1.

Total - 35.

Whereupon the Acting President declared S 1183 passed, title was approved, and the bill ordered transmitted to the House.

S 1186 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Durst, Nonini. Total - 2.

Total - 35.

Whereupon the Acting President declared S 1186 passed, title was approved, and the bill ordered transmitted to the House.

President Pro Tempore Hill returned to the Chair.

H 147 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bock arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 147 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 148 passed, title was approved, and the bill ordered returned to the House.

H 149 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 149 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 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 Winder disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 121 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 183 passed, title was approved, and the bill ordered returned to the House.

H 193, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Fulcher arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 193, as amended, passed, title was approved, and the bill ordered returned to the House.

It was moved by Senator Winder, seconded by Senator McKenzie, that H 120, as amended, be referred to the Fourteenth Order of Business, General Calendar. The question being, "Shall the motion prevail?"

Whereupon the President Pro Tempore declared the motion passed by voice vote and **H 120** , as amended was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Goedde, granted by unanimous consent, H 206, as amended in the Senate, was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

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

Reports of Standing Committees

March 25, 2013

The JUDICIARY AND RULES Committee reports that S 1072, as amended, as amended in the House, S 1116, as amended, as amended in the House, and S 1080, as amended in the House, have been correctly engrossed.

LODGE, Chairman

S 1072, as amended, as amended in the House, S 1116, as amended, as amended in the House, and S 1080, 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 1072, as amended, as amended in the House, by Health and Welfare Committee, was read the first time at length and filed for second reading.

S 1116, as amended, as amended in the House, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

S 1080, as amended in the House, by State Affairs Committee, was read the first time at length and filed for second reading.

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

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 5:10 p.m. until the hour of 9:30 a.m., Tuesday, March 26, 2013.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

SEVENTY-NINTH LEGISLATIVE DAY
TUESDAY, MARCH 26, 2013

Senate Chamber

President Pro Tempore Hill called the Senate to order at 9:30 a.m.

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

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Megan Johnson, 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, 2013, 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 Werk 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 26, 2013

The JUDICIARY AND RULES Committee reports that S 1194, S 1195, S 1196, and S 1197 have been correctly printed.

LODGE, Chairman

S 1194, S 1195, S 1196, and S 1197 were referred to the Finance Committee.

March 26, 2013

The JUDICIARY AND RULES Committee reports that S 1021, S 1105, S 1018, as amended, as amended, S 1059, as amended, S 1122, S 1045, as amended, S 1068, as amended, S 1106, as amended, S 1160, S 1161, S 1162, S 1163, S 1164, S 1065, S 1138, as amended, S 1047, as amended, S 1167, S 1168, S 1169, S 1170, S 1171, SCR 105, SCR 106, SCR 108, and SCR 110 have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled S 1021, S 1105, S 1018, as amended, as amended, S 1059, as amended, S 1122, S 1045, as amended, S 1068, as amended, S 1106, as amended, S 1160, S 1161, S 1162, S 1163, S 1164, S 1065, S 1138, as amended, S 1047, as amended, S 1167, S 1168, S 1169, S 1170, S 1171, SCR 105, SCR 106, SCR 108, and SCR 110 and ordered them transmitted to the House for the signature of the Speaker.

March 25, 2013

The JUDICIARY AND RULES Committee reports out H 150, H 241, H 274, H 292, H 150, H 241, H 274, H 292, and HCR 26 with the recommendation that they do pass.

LODGE, Chairman

H 150, H 241, H 274, and H 292 were filed for second reading.

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.

March 26, 2013

The AGRICULTURAL AFFAIRS Committee reports out H 266 with the recommendation that it do pass.

BAIR, Chairman

H 266 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 25, 2013

Dear Mr. President:

I transmit herewith H 133 and H 290 , which have passed the House.

ALEXANDER, Chief Clerk

H 133 and H 290 were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, SCR 130 retained its place on the calendar.

The President Pro Tempore announced that SR 101 was before the Senate for final consideration.

Moved by Senator Davis, seconded by Senator Stennett, that SR 101 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared SR 101 adopted, title was approved, and the resolution ordered filed in the office of the Secretary of the Senate.

The President Pro Tempore announced that SCR 129 was before the Senate for final consideration.

Moved by Senator Davis, seconded by Senator Stennett, that SCR 129 be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared SCR 129 adopted, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that HCR 25 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Brackett, seconded by Senator Stennett, HCR 25 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that HCR 30 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Schmidt, seconded by Senator Johnson, HCR 30 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 1198
BY JUDICIARY AND RULES COMMITTEE
AN ACT

RELATING TO THE IDAHO UNIFORM BUSINESS ORGANIZATION CODE; AMENDING TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 20, TITLE 30, IDAHO CODE, RELATING TO THE UNIFORM BUSINESS ORGANIZATION CODE; TO PROVIDE SHORT TITLES, TO PROVIDE DEFINITIONS, TO PROVIDE FOR APPLICATION OF LAW, TO PROVIDE FOR DELIVERY OF RECORD, TO PROVIDE FOR RULES AND PROCEDURES, TO PROVIDE FOR EXCLUSIONS, 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 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, ADDRESS, TYPE OF ENTITY, OR JURISDICTION OF FORMATION 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 GLOBAL AND NATIONAL COMMERCE ACT, TO PROVIDE FOR SAVINGS CLAUSE, TO PROVIDE FOR SEVERABILITY, TO PROVIDE AN EFFECTIVE DATE, TO PROVIDE FOR PROFESSIONAL ENTITIES; AMENDING TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 21, TITLE 30, IDAHO CODE, 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 EXCLUDED ENTITIES AND TRANSACTIONS, 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, 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, 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, AND TO PROVIDE FOR EFFECT OF DOMESTICATION; AMENDING TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 22, TITLE 30, IDAHO CODE, 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 RECORDS, TO PROVIDE FOR APPLICATION TO EXISTING RELATIONSHIPS, 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, 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 LIMITED LIABILITY PARTNERSHIP BARRED, TO PROVIDE FOR STATEMENT OF QUALIFICATION, TO PROVIDE FOR ADMINISTRATIVE REVOCATION OF STATEMENT OF QUALIFICATION, TO PROVIDE FOR REINSTATEMENT AND TO PROVIDE FOR JUDICIAL REVIEW OF DENIAL OF REINSTATEMENT; AMENDING TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 23, TITLE 30, IDAHO CODE, 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 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 LIABILITY FOR INACCURATE INFORMATION IN FILED RECORD, 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 LIMITED PARTNER AS LIMITED PARTNER, TO PROVIDE FOR LIMITED PARTNERSHIP LIABLE FOR GENERAL PARTNER'S ACTIONABLE CONDUCT, TO PROVIDE FOR RIGHTS TO INFORMATION OF LIMITED 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 TO OTHER PERSONS OF PERSON DISSOCIATED AS GENERAL PARTNER, 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 LIMITED PARTNERSHIP, OTHER GENERAL PARTNERS 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, WHEN CONTRIBUTIONS REQUIRED, 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 24, TITLE 30, IDAHO CODE, TO PROVIDE FOR A 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 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 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 CONTRIBUTION, TO PROVIDE FOR SHARING OF AND RIGHT TO DISTRIBUTIONS BEFORE DISSOLUTION, TO PROVIDE FOR LIMITATIONS ON DISTRIBUTION, 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 OF MEMBER, MANAGER AND PERSON DISSOCIATED AS MEMBER TO INFORMATION, 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 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; 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; AND REPEALING CHAPTER 3, TITLE 53, IDAHO CODE, RELATING TO UNIFORM PARTNERSHIP LAW.

S 1198 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 133 , by Local Government Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 290 , by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1190 , by Finance Committee, was read the second time at length and filed for third reading.

H 311, H 312, and H 313 , by Appropriations Committee, were read the second time at length and filed for third reading.

H 176, H 202, H 215, H 222, H 257, and H 258 , by State Affairs Committee, were read the second time at length and filed for third reading.

H 323 , by Appropriations Committee, was read the second time at length and filed for third reading.

H 295, H 318, and H 319 , by Education Committee, were read the second time at length and filed for third reading.

H 271 , by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 278 , by State Affairs Committee, was read the second time at length and filed for third reading.

H 90, as amended, by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

S 1072, as amended, as amended in the House, by Health and Welfare Committee, was read the second time at length and filed for third reading.

S 1116, as amended, as amended in the House, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

S 1080, as amended in the House, by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1187 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Nonini. Total - 1.

Absent and excused–Goedde. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1187 passed, title was approved, and the bill ordered transmitted to the House.

S 1188 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Durst, Nonini. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared S 1188 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, H 221, as amended in the Senate, and H 260 were placed at the bottom of the Third Reading calendar.

H 239 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bock arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 239 passed, title was approved, and the bill ordered returned to the House.

President Little assumed the Chair.

H 30, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared H 30, as amended, 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared H 125 passed, title was approved, and the bill ordered returned to the House.

H 171, 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, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 30.

NAYS–Bock, Buckner-Webb, Durst. Total - 3.

Absent and excused–Hill, Siddoway. Total - 2.

Total - 35.

Whereupon the President declared H 171, as amended, passed, title was approved, and the bill ordered returned to the House.

H 261 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared H 261 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared H 138 passed, title was approved, and the bill ordered returned to the House.

H 242 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Mortimer and Lakey disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Pearce, Rice, Siddoway, Stennett, Thayn, Vick, Werk, Winder. Total - 30.

NAYS–Durst, Johnson, Mortimer, Schmidt, Tippets. Total - 5.

Total - 35.

Whereupon the President declared H 242 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Durst. Total - 1.

Total - 35.

Whereupon the President declared H 124 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 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 259, H 98, as amended, H 120, as amended, and H 206, as amended in the Senate, without recommendation, amended as follows:

SENATE AMENDMENT TO H 259

AMENDMENT TO SECTION 1

On page 3 of the printed bill, following line 45, insert:

"(i) During the period of involuntary leave of absence without pay, the salary of the employee will be maintained in a district managed account. Should the employee return to the district for active employment subsequent to the removal or dismissal of the court order, acquittal or adjudication of innocence, the district shall remit the salary funds, less the cost incurred by the district for the substitute hired to replace the employee. Further, should the employee return to the district under the provisions established in this subsection, the district shall arrange to have the employee credited with the public employee retirement system of Idaho (PERSI) for the employee's time away from work during the period of leave of absence.

(ii) During the period of involuntary leave of absence, the district shall continue to pay the district's portion of monthly costs associated with employee health insurance benefits. The assumption of this payment by the district shall not alter the employee's financial obligations, if any, under the policy.".

CORRECTION TO TITLE

On page 1, delete lines 6 through 11, and insert: "TO ESTABLISH PROVISIONS RELATING TO THE RATIFICATION OR NULLIFICATION OF CERTAIN ACTIONS, TO ESTABLISH PROVISIONS RELATING TO A CRIMINAL COURT ORDER, TO ESTABLISH PROVISIONS RELATING TO THE SALARY OF AN EMPLOYEE DURING THE PERIOD OF INVOLUNTARY LEAVE OF ABSENCE WITHOUT PAY, TO ESTABLISH PROVISIONS RELATING TO CERTAIN CREDIT WITH THE IDAHO PUBLIC EMPLOYEE RETIREMENT SYSTEM AND COSTS ASSOCIATED WITH EMPLOYEE HEALTH INSURANCE BENEFITS, TO ESTABLISH PROVISIONS RELATING TO DUAL COURT ORDERS, TO ESTABLISH PROVISIONS RELATING TO AN INVESTIGATION, TO ESTABLISH PROVISIONS RELATING TO A PERSONNEL RECOMMENDATION, TO ESTABLISH PROVISIONS RELATING TO THE MODIFICATION OF TIMELINES, TO MAKE A CODIFIER'S CORRECTION AND TO MAKE TECHNICAL CORRECTIONS.".

SENATE AMENDMENT TO H 98, As Amended

AMENDMENT TO SECTION 2

On page 2 of the engrossed bill, in line 24, delete "could claim" and insert: "~~could~~ claims".

SENATE AMENDMENT TO H 120, As Amended

AMENDMENT TO SECTION 1

On page 1 of the engrossed bill, delete lines 31 through 35, and insert: "munications systems and data processing systems. Customer operated machines,".

SENATE AMENDMENT TO the SENATE AMENDMENT TO H 206

AMENDMENT TO THE AMENDMENT TO SECTION 2

On page 1 of the printed amendment, delete lines 9 and 10, and insert: "fee share of all moneys appropriated to the public charter school commission, plus fifteen percent (15%)";.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Buckner-Webb, the report was adopted by voice vote.

H 259, as amended in the Senate, H 98, as amended, as amended in the Senate, H 120, as amended, as amended in the Senate, and H 206, as amended in the Senate, as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

Messages from the House

March 26, 2013

Dear Mr. President:

I transmit herewith H 321 and HCR 32 , which have passed the House.

ALEXANDER, Chief Clerk

H 321 and HCR 32 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 321 , by Ways and Means Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

HCR 32 , by Ways and Means Committee, was introduced, read at length, and referred to the Local Government and Taxation Committee.

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 Senators Bayer, Brackett, Buckner-Webb, Durst, Fulcher, Goedde, Johnson, McKenzie, Mortimer, Nonini, Patrick, Pearce, Siddoway, Stennett, Thayn, and Vick, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

SCR 131
BY JUDICIARY AND RULES COMMITTEE
A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND PROVIDING FOR THE ADDITION OF A NEW JOINT RULE 21 OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF IDAHO RELATING TO RECORDING OF PROCEEDINGS OF THE CHAMBERS.

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

WHEREAS, the Senate and the House of Representatives deem it necessary and desirable to add a new Joint Rule 21 to the Joint Rules of the Senate and the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Joint Rules of the Senate and the House of Representatives shall be amended by the addition thereto of a new Joint Rule 21 to read as follows:

JOINT RULE 21

RECORDING OF PROCEEDINGS OF THE CHAMBERS. – The proceedings of each house shall be recorded and live streamed by an authorized designee, provided that either house may suspend or end recording and/or live streaming of its proceedings upon a two-thirds vote of the chamber wherein the proceeding takes place. A statement made during floor or committee proceedings is indicative only of the individual speaker and is not an expression of legislative intent by the body as a whole. No recording shall substitute for the Journal of either house as required by Section 13, Article III of the Constitution of the State of Idaho. All recordings shall be maintained by the Director of Legislative Services or his designee for two years, and then transferred to the state archivist. No member of the Legislature, its employees, or designees shall be permitted to certify or authenticate any recording made under this rule.

SCR 131 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 26, 2013

The JUDICIARY AND RULES Committee reports that S 1198 has been correctly printed.

LODGE, Chairman

S 1198 was referred to the Judiciary and Rules Committee.

March 26, 2013

The FINANCE Committee reports out S 1194, S 1195, S 1196, and S 1197 with the recommendation that they do pass.

CAMERON, Chairman

S 1194, S 1195, S 1196, and S 1197 were filed for second reading.

March 26, 2013

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:

Ralph M. Powell as the Director of the Idaho State Police, term to continue at the pleasure of the Governor.

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 McKenzie was recorded present at this order of business.

March 26, 2013

The JUDICIARY AND RULES Committee reports out H 256 with the recommendation that it do pass.

LODGE, Chairman

H 256 was filed for second reading.

March 26, 2013

The COMMERCE AND HUMAN RESOURCES Committee reports out H 45, as amended, H 178, H 265, as amended, as amended, and H 273 with the recommendation that they do pass.

TIPPETS, Chairman

H 45, as amended, H 178, H 265, as amended, as amended, and H 273 were filed for second reading.

Senator Johnson was recorded present at this order of business.

March 26, 2013

The JUDICIARY AND RULES Committee reports that SCR 131 has been correctly printed.

LODGE, Chairman

SCR 131 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Siddoway 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

March 26, 2013

Dear Mr. President:

I transmit herewith H 327, H 328, H 329, H 317, H 324, HCR 31, and HCR 33 , which have passed the House.

ALEXANDER, Chief Clerk

H 327, H 328, H 329, H 317, H 324, HCR 31, and HCR 33 were filed for first reading.

March 26, 2013

Dear Mr. President:

I return herewith S 1146, S 1060, S 1079, S 1123, and S 1151 , which have passed the House.

ALEXANDER, Chief Clerk

S 1146, S 1060, S 1079, S 1123, and S 1151 were referred to the Judiciary and Rules Committee for enrolling.

March 26, 2013

Dear Mr. President:

I transmit herewith Enrolled H 73, as amended in the Senate, and H 217, as amended in the Senate, for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 73, as amended in the Senate, and H 217, as amended in the Senate, and ordered them returned to the House.

Senators Stennett, Vick, Thayn, Goedde, and Bayer were recorded present at this order of business.

March 26, 2013

Dear Mr. President:

I return herewith Enrolled S 1049, as amended in the House, S 1013, as amended in the House, S 1029, S 1107, as amended, S 1111, S 1078, S 1112, S 1152, S 1153, S 1154, S 1108, and S 1117 , which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled S 1049, as amended in the House, S 1013, as amended in the House, S 1029, S 1107, as amended, S 1111, S 1078, S 1112, S 1152, S 1153, S 1154, S 1108, and S 1117 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 Buckner-Webb was recorded present at this order of business.

H 259, as amended in the Senate, by Education Committee, was read the first time at length and filed for second reading.

H 98, as amended, as amended in the Senate, by Health and Welfare Committee, was read the first time at length and filed for second reading.

H 120, as amended, as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

H 206, as amended in the Senate, as amended in the Senate, by Education Committee, was read the first time at length and filed for second reading.

Senators Nonini and Patrick were recorded present at this order of business.

H 327 and H 328 , by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 329 , by Ways and Means Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 317 , 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 Education Committee.

HCR 31 , by State Affairs Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

HCR 33 , by Education Committee, was introduced, read at length, and referred to the Education Committee.

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

Third Reading of Bills

Senators Mortimer, Fulcher, Durst, and Pearce were recorded present at this order of business.

H 243 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, Bock, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Brackett. Total - 1.

Total - 35.

Whereupon the President declared H 243 passed, title was approved, and the bill ordered returned to the House.

H 226 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Durst arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Buckner-Webb, Cameron, Durst, Fulcher, Guthrie, Hagedorn, Heider, Johnson, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 30.

NAYS–Keough. Total - 1.

Absent and excused–Brackett, Davis, Goedde, Hill. Total - 4.

Total - 35.

Whereupon the President declared H 226 passed, title was approved, and the bill ordered returned to the House.

H 283 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, Bock, Buckner-Webb, Cameron, Durst, Fulcher, Guthrie, Hagedorn, Heider, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 30.

NAYS–Nonini. Total - 1.

Absent and excused–Brackett, Davis, Goedde, and Hill. Total - 4.

Total - 35.

Whereupon the President declared H 283 passed, title was approved, and the bill ordered returned to the House.

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, Bock, Brackett, Buckner-Webb, Cameron, Fulcher, Guthrie, Hagedorn, Heider, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 30.

NAYS–Durst, Nonini. Total - 2.

Absent and excused–Davis, Goedde, Hill. Total - 3.

Total - 35.

Whereupon the President declared H 284 passed, title was approved, and the bill ordered returned to the House.

H 285 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, Bock, Brackett, Buckner-Webb, Cameron, Durst, Fulcher, Guthrie, Hagedorn, Heider, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 30.

NAYS–Nonini. Total - 1.

Absent and excused–Davis, Goedde, Hill, Siddoway. Total - 4.

Total - 35.

Whereupon the President declared H 285 passed, title was approved, and the bill ordered returned to the House.

H 293 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?"

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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Nonini. Total - 1.

Absent and excused–Hill. Total - 1.

Total - 35.

Whereupon the President declared H 293 passed, title was approved, and the bill ordered returned to the House.

H 296 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?"

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

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Thayn, Tippets, Vick, Winder. Total - 31.

NAYS–Durst, Nonini, Stennett, Werk. Total - 4.

Total - 35.

Whereupon the President declared H 296 passed, title was approved, and the bill ordered returned to the House.

H 297 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Nonini. Total - 1.

Total - 35.

Whereupon the President declared H 297 passed, title was approved, and the bill ordered returned to the House.

H 298 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Nonini. Total - 1.

Total - 35.

Whereupon the President declared **H 298** passed, title was approved, and the bill ordered returned to the House.

H 299 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Nonini. Total - 1.

Total - 35.

Whereupon the President declared **H 299** passed, title was approved, and the bill ordered returned to the House.

H 300 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 32.

NAYS–Nonini. Total - 1.

Absent and excused–Goedde, McKenzie. Total - 2.

Total - 35.

Whereupon the President declared **H 300** passed, title was approved, and the bill ordered returned to the House.

H 301 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Nonini. Total - 1.

Total - 35.

Whereupon the President declared **H 301** passed, title was approved, and the bill ordered returned to the House.

H 302 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Nonini. Total - 1.

Total - 35.

Whereupon the President declared **H 302** passed, title was approved, and the bill ordered returned to the House.

H 303 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Nonini. Total - 1.

Total - 35.

Whereupon the President declared **H 303** passed, title was approved, and the bill ordered returned to the House.

H 304 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Nonini. Total - 1.

Total - 35.

Whereupon the President declared **H 304** passed, title was approved, and the bill ordered returned to the House.

H 305 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Nonini. Total - 1.

Total - 35.

Whereupon the President declared **H 305** passed, title was approved, and the bill ordered returned to the House.

H 306 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Nonini. Total - 1.

Total - 35.

Whereupon the President declared **H 306** passed, title was approved, and the bill ordered returned to the House.

H 310 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Goedde, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Patrick, Schmidt, Siddoway, Stennett, Tippets, Werk. Total - 24.

NAYS–Bayer, Fulcher, Hagedorn, Mortimer, Nonini, Nuxoll, Pearce, Rice, Thayn, Vick, Winder. Total - 11.

Total - 35.

Whereupon the President declared **H 310** 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 Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared **H 205** passed, title was approved, and the bill ordered returned to the House.

H 91, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Durst. Total - 1.

Total - 35.

Whereupon the President declared **H 91**, as amended, passed, title was approved, and the bill ordered returned to the House.

H 196 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared **H 196** passed, title was approved, and the bill ordered returned to the House.

H 197 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 28.

NAYS–Bayer, Fulcher, Mortimer, Nonini, Nuxoll, Pearce, Vick. Total - 7.

Total - 35.

Whereupon the President declared **H 197** 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 Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared **H 232** passed, title was approved, and the bill ordered returned to the House.

H 80 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 30.

NAYS–Hagedorn, Johnson, Nonini, Pearce, Vick. Total - 5.

Total - 35.

Whereupon the President declared **H 80** passed, title was approved, and the bill ordered returned to the House.

H 315 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared **H 315** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, **H 323** was placed at the head of the Third Reading Calendar, followed by **S 1190** , followed by all remaining bills.

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

Reports of Standing Committees

March 26, 2013

The TRANSPORTATION Committee reports out **H 290**, **H 321**, and **H 322** with the recommendation that they do pass.

BRACKETT, Chairman

H 290, **H 321**, and **H 322** were filed for second reading.

March 26, 2013

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 133** and **HCR 32** with the recommendation that they do pass.

SIDDOWAY, Chairman

H 133 was filed for second reading.

HCR 32 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 26, 2013

The EDUCATION Committee reports out **S 1040** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

GOEDDE, Chairman

There being no objection, **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 Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, **SCR 130** was recommitted to the Judiciary and Rules Committee.

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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Durst. 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 Davis, seconded by Senator Stennett, that **SCR 131** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. 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 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 6:25 p.m. until the hour of 9:30 a.m., Wednesday, March 27, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

EIGHTIETH LEGISLATIVE DAY
WEDNESDAY, MARCH 27, 2013

Senate Chamber

President Pro Tempore Hill called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Durst, Stennett, and Werk, absent and excused.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Kyra Perron, 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, 2013, 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 Durst, Werk, and Stennett 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 27, 2013

The JUDICIARY AND RULES Committee reports that **S 1146**, **S 1060**, **S 1079**, **S 1123**, and **S 1151** have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled **S 1146**, **S 1060**, **S 1079**, **S 1123**, and **S 1151** and ordered them transmitted to the House for the signature of the Speaker.

March 27, 2013

The JUDICIARY AND RULES Committee reports that Enrolled **S 1049**, as amended in the House, **S 1013**, as amended in the House, **S 1029**, **S 1107**, as amended, **S 1111**, **S 1078**, **S 1112**, **S 1152**, **S 1153**, **S 1154**, **S 1108**, and **S 1117** were delivered to the Office of the Governor at 7:45 a.m., March 27, 2013.

LODGE, Chairman

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

March 27, 2013

The FINANCE Committee reports out **H 327** and **H 328** with the recommendation that they do pass.

CAMERON, Chairman

H 327 and **H 328** were filed for second reading.

March 27, 2013

The STATE AFFAIRS Committee reports out **S 1192** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, **S 1192** was referred to the Fourteenth Order of Business, General Calendar.

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

Motions and Resolutions

The President Pro Tempore announced that **HCR 26** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Bock, seconded by Senator Lodge, **HCR 26** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that **HCR 32** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Siddoway, seconded by Senator Lacey, **HCR 32** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Ralph M. Powell was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Lakey, the Gubernatorial appointment of Ralph M. Powell as the Director of the Idaho State Police 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 Bock requested unanimous consent that the vote by which **HCR 26** passed the Senate be now reconsidered.

Senator Bock's request was granted by unanimous consent, and **HCR 26** was placed before the Senate for consideration.

The President Pro Tempore announced that **HCR 26** was before the Senate for final consideration. Moved by Senator Bock, seconded by Senator Fulcher, that **HCR 26** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore 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 advanced to the Twelfth Order of Business.

Second Reading of Bills

On request by Senator Schmidt, granted by unanimous consent, S 1194 was recommitted to the Finance Committee.

H 150 , by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

H 241 , by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 274 , by State Affairs Committee, was read the second time at length and filed for third reading.

H 292 , by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 266 , by State Affairs Committee, was read the second time at length and filed for third reading.

S 1195, S 1196, and S 1197 , by Finance Committee, were read the second time at length and filed for third reading.

H 256 , by State Affairs Committee, was read the second time at length and filed for third reading.

H 45, as amended, by Business Committee, was 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 265, as amended, as amended, and H 273 , by State Affairs Committee, were read the second time at length and filed for third reading.

H 259, as amended in the Senate, by Education Committee, was read the second time at length and filed for third reading.

H 98, as amended, as amended in the Senate, by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 120, as amended, as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

H 206, as amended in the Senate, as amended in the Senate, by Education Committee, was read the second time at length and filed for third reading.

H 290 , by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 321 and H 322 , by Ways and Means Committee, were read the second time at length and filed for third reading.

H 133 , by Local Government Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

H 323 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), Senator Cameron disclosed a possible conflict of interest under applicable law.

President Little assumed the Chair.

Pursuant to Senate Rule 39(A), Senator Durst disclosed a possible conflict of interest under applicable law and requested unanimous consent that he be excused from voting. An objection was noted and Senator Durst was not excused from voting.

Roll call resulted as follows:

AYES–Bock, Buckner-Webb, Cameron, Davis, Durst, Hill, Johnson, Keough, Lacey, Lakey, Lodge, McKenzie, Rice, Schmidt, Stennett, Tippets, Werk. Total - 17.

NAYS–Bair, Bayer, Brackett, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Martin, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Siddoway, Thayn, Vick, Winder. Total - 18.

Total - 35.

Whereupon the President declared that H 323 had failed to pass the Senate and ordered the bill 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 12:15 p.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 Davis and McKenzie, 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 27, 2013

The STATE AFFAIRS Committee reports out H 231, as amended, H 245, HCR 18, and HCR 20 with the recommendation that they do pass.

MCKENZIE, Chairman

H 231, as amended, and H 245 were filed for second reading.

HCR 18 and HCR 20 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

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

Messages from the House

March 27, 2013

Dear Mr. President:

I transmit herewith H 332, H 333, H 334, and H 335 , which have passed the House.

ALEXANDER, Chief Clerk

H 332, H 333, H 334, and H 335 were filed for first reading.

March 27, 2013

Dear Mr. President:

I transmit herewith Enrolled HCR 23, HCR 17, HCR 27, HCR 29, H 192, H 223, H 147, H 148, H 149, H 121, H 183, and H 193, as amended, for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled HCR 23, HCR 17, HCR 27, HCR 29, H 192, H 223, H 147, H 148, H 149, H 121, H 183, and H 193, as amended, and ordered them returned to the House.

March 27, 2013

Dear Mr. President:

I return herewith SCR 124, S 1126, S 1127, S 1135, S 1145, S 1109, as amended, S 1119, S 1136, S 1165, and S 1155 , which have passed the House.

ALEXANDER, Chief Clerk

SCR 124, S 1126, S 1127, S 1135, S 1145, S 1109, as amended, S 1119, S 1136, S 1165, and S 1155 were referred to the Judiciary and Rules Committee for enrolling.

Senator McKenzie was recorded present at this order of business.

March 27, 2013

Dear Mr. President:

I return herewith Enrolled S 1021, S 1105, S 1018, as amended, as amended, S 1059, as amended, S 1122, S 1045, as amended, S 1068, as amended, S 1106, as amended, S 1160, S 1161, S 1162, S 1163, S 1164, S 1065, S 1138, as amended, S 1047, as amended, S 1167, S 1168, S 1169, S 1170, and S 1171 , which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled S 1021, S 1105, S 1018, as amended, as amended, S 1059, as amended, S 1122, S 1045, as amended, S 1068, as amended, S 1106, as amended, S 1160, S 1161, S 1162, S 1163, S 1164, S 1065, S 1138, as amended, S 1047, as amended, S 1167, S 1168, S 1169, S 1170, and S 1171 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 27, 2013

Dear Mr. President:

I return herewith Enrolled SCR 105, SCR 106, SCR 108, and SCR 110 , which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled SCR 105, SCR 106, SCR 108, and SCR 110 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

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 332, H 333, H 334, and H 335 , by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

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

Third Reading of Bills

S 1190 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, Bock, Brackett, Buckner-Webb, Cameron, Durst, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Patrick, Schmidt, Siddoway, Stennett, Tippets, Werk. Total - 24.

NAYS–Bayer, Fulcher, Mortimer, Nonini, Nuxoll, Pearce, Rice, Thayn, Vick, Winder. Total - 10.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the President declared S 1190 passed, title was approved, and the bill ordered transmitted to the House.

H 275 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, Bock, Brackett, Buckner-Webb, Cameron, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 32.

NAYS–Durst. Total - 1.

Absent and excused–Davis, Fulcher. Total - 2.

Total - 35.

Whereupon the President declared H 275 passed, title was approved, and the bill ordered returned to the House.

Senator Davis was recorded present at this order of business.

H 291 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 31.

NAYS–Nonini, Pearce, Vick. Total - 3.

Absent and excused–Fulcher. Total - 1.

Total - 35.

Whereupon the President declared H 291 passed, title was approved, and the bill ordered returned to the House.

H 311 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Nonini. Total - 1.

Absent and excused–Siddoway. Total - 1.

Total - 35.

Whereupon the President declared H 311 passed, title was approved, and the bill ordered returned to the House.

H 312 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared H 312 passed, title was approved, and the bill ordered returned to the House.

H 313 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared H 313 passed, title was approved, and the bill ordered returned to the House.

H 176 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, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Martin, Mortimer, Nonini, Nuxoll, Pearce, Siddoway, Thayn, Vick, Winder. Total - 17.

NAYS–Bair, Bock, Brackett, Buckner-Webb, Cameron, Durst, Johnson, Keough, Lacey, Lakey, Lodge, McKenzie, Patrick, Rice, Schmidt, Stennett, Tippets, Werk. Total - 18.

Total - 35.

Whereupon the President declared that H 176 had failed to pass the Senate and ordered the bill returned to the House.

H 202 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared H 202 passed, title was approved, and the bill ordered returned to the House.

President Little called President Pro Tempore Hill to the Chair.

H 215 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 215 passed, title was approved, and the bill ordered returned to the House.

H 222 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 222 passed, title was approved, and the bill ordered returned to the House.

President Little returned to the Chair.

H 257 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared H 257 passed, title was approved, and the bill ordered returned to the House.

H 258 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared H 258 passed, title was approved, and the bill ordered returned to the House.

H 295 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared H 295 passed, title was approved, and the bill ordered returned to the House.

H 318 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared H 318 passed, title was approved, and the bill ordered returned to the House.

On request by Senator Goedde, granted by unanimous consent, H 319 retained its place on the Third Reading Calendar for Friday, March 29, 2013.

H 271 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared H 271 passed, title was approved, and the bill ordered returned to the House.

H 278 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Pearce 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, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Keough, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Siddoway, Thayn, Tippets, Vick, Winder. Total - 26.

NAYS–Bock, Buckner-Webb, Durst, Johnson, Lacey, Schmidt, Stennett, Werk. Total - 8.

Absent and excused–Lakey. Total - 1.

Total - 35.

Whereupon the President declared H 278 passed, title was approved, and the bill ordered returned to the House.

H 90, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared **H 90**, as amended, passed, title was approved, and the bill ordered returned to the House.

S 1072, as amended, as amended in the House, 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared **S 1072**, as amended, as amended in the House, passed, title was approved, and the bill referred to Judiciary and Rules Committee for enrolling.

S 1116, as amended, as amended in the House, 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President declared **S 1116**, as amended, as amended in the House, passed, title was approved, and the bill referred to Judiciary and Rules Committee for enrolling.

On request by Senator Davis, granted by unanimous consent, **S 1080, as amended in the House, was placed at the head of the Third Reading Calendar, followed by S 1195** , followed by **S 1196** , followed by **S 1197** , followed by **H 206** , as amended in the Senate, followed by **H 221** , as amended in the Senate, followed by all remaining House bills with **H 260** being placed at the bottom of the Third Reading Calendar.

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

President Little called Senator McKenzie to the Chair.

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 1192** and **S 1040** , without recommendation, amended as follows:

SENATE AMENDMENT TO S 1192

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete line 20, and insert: "visory council, may exempt the parking facility at 6th Street and Washington Street occupying block 96 as shown on the Boise City original townsite plat from local".

AMENDMENT TO SECTION 2

On page 1, in line 28, following "approval" insert: "and shall be null, void and of no force and effect on and after June 30, 2014".

CORRECTION TO TITLE

On page 1, in line 5, following "EXEMPTING" delete the remainder of the line and insert: "A CERTAIN CAPITOL MALL PARKING FACILITY"; in line 6, delete "FACILITIES"; also in line 6, delete the second "AND"; and in line 7, following "EMERGENCY" insert: "AND PROVIDING A SUNSET DATE".

SENATE AMENDMENT TO S 1040

AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 19 through 42; delete pages 2 and 3; on page 4, delete lines 1 through 6; in line 7, delete "SECTION 2" and insert: "SECTION 1"; on page 5, in line 18, delete "SECTION 3" and insert: "SECTION 2".

AMENDMENT TO SECTION 3

On page 5, delete lines 25 through 27, and insert: "been offered a contract for the next ensuing year, ~~having given notice of acceptance of renewal~~ and upon signing and timely returning a contract for a fourth full year, be placed on a renewable contract status with said school district entitling such individual to the right to automatic renewal of contract, subject to"; in line 29, delete "After the third full year of employment and at" and insert: "~~After the third full year of employment and a~~ At; in line 30, following "each" delete "such" and insert: "~~such~~ renewable contract"; delete lines 33 through 47, and insert: "approved by the state board of education. ~~Except as otherwise provided, that person shall have the right to automatic renewal of contract by giving notice, in writing, of acceptance of renewal. Such notice shall be given to the board of trustees of the school district then employing such person not later than the first day of June preceding the expiration of the term of the current contract. Except as otherwise provided by this paragraph, the board of trustees shall notify each person entitled to be employed on a renewable contract of the requirement that such person must give the notice hereinabove and that failure to do so may be interpreted by the board as a declination of the right to automatic renewal or the offer of another contract. Such notification shall be made, in writing, not later than the fifteenth day of May, in each year, except to those persons to whom the board, prior to said date, has sent proposed contracts for the next ensuing year, or to whom the board has given the notice required by this section.~~".

On page 6, in line 7, following "contract." insert: "Absent the board's application of a formal reduction in force, renewals of standard teacher contacts may be for a shorter term, longer term or the same length of term as stated in the current standard teacher contract and at a greater, lesser or equal salary, and shall be uniformly applied to all employees based upon the

district's adopted salary schedule to the extent allowable in section 33-1004E, Idaho Code.

(a) Contracts issued pursuant to this section shall be issued on or before the first day of July each year.

(b) At the discretion of the board, the district may issue letters of intent for employment for the next ensuing school year, to renewable contract status employees during May of each school year. Such letter of intent shall not state a specific duration of the contract or salary/benefits term for the next ensuing school year.

(c) Unless otherwise negotiated and ratified by both parties pursuant to sections 33-1271, et seq., Idaho Code, for the 2013-2014 school year, standard teacher renewals for terms shorter in length than that stated in the current standard contract of renewable certificated employees, should be considered and implemented only after the district has determined that the salary-based apportionment reimbursement that it estimates it will receive for the 2013-2014 school year is less than the sum the district would otherwise be paying for salaries for certificated professional employees.".

AMENDMENT TO THE BILL

On page 8, following line 11, insert:

"SECTION 3. That Sections 33-514 and 33-515, Idaho Code, be, and the same are hereby repealed.

SECTION 4. That Chapter 5, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-514, Idaho Code, and to read as follows:

33-514. ISSUANCE OF ANNUAL CONTRACTS – SUPPORT PROGRAMS – CATEGORIES OF CONTRACTS – OPTIONAL PLACEMENT. (1) The board of trustees shall establish criteria and procedures for the supervision and evaluation of certificated employees who are not employed on a renewable contract, as provided for in section 33-515, Idaho Code.

(2) There shall be three (3) categories of annual contracts available to local school districts under which to employ certificated personnel:

(a) A category 1 contract is a limited one-year contract as provided in section 33-514A, Idaho Code.

(b) A category 2 contract is for certificated personnel in the first and second years of continuous employment with the same school district. Upon the decision by a local school board not to reemploy the person for the following year, the certificated employee shall be provided a written statement of reasons for non-reemployment by no later than May 25. No property rights shall attach to a category 2 contract and therefore the employee shall not be entitled to a review by the local board of the reasons or decision not to reemploy.

(c) A category 3 contract is for certificated personnel during the third year of continuous employment by the same school district. District procedures shall require at least one (1) evaluation prior to the beginning of the second semester of the school year and the results of any such evaluation shall be made a matter of record in the employee's personnel file. When any such employee's work is found to be unsatisfactory a defined period of probation shall be established by the board, but in no case shall a probationary period be less than eight (8) weeks. After the probationary period, action shall be taken by the board as to whether the employee is to be retained, immediately discharged, discharged upon termination of the current contract or reemployed at the end of the contract term under a continued probationary status. Notwithstanding the provisions of sections 67-2344 and 67-2345, Idaho Code, a decision to place certificated personnel on probationary status may be made in executive session and the employee shall not be named in the minutes of the meeting. A record of the decision shall be placed in the employee's personnel file. This procedure shall not preclude recognition of unsatisfactory work at a subsequent evaluation and the establishment of a reasonable period of probation. In all instances, the employee shall be duly notified in writing of the areas of work which are deficient, including the conditions of probation. Each such certificated employee on a category 3 contract shall be given notice, in writing, whether he or she will be reemployed for the next ensuing year. Such notice shall be given by the board of trustees no later than the twenty-fifth day of May of each such year. If the board of trustees has decided not to reemploy the certificated employee, then the notice must contain a statement of reasons for such decision and the employee shall, upon request, be given the opportunity for an informal review of such decision by the board of trustees. The parameters of an informal review shall be determined by the local board.

(3) School districts hiring an employee who has been on renewable contract status with another Idaho district or has out-of-state experience which would otherwise qualify the certificated employee for renewable contract status in Idaho, shall have the option to immediately grant renewable contract status, or to place the employee on a category 3 annual contract. Such employment on a category 3 contract under the provisions of this subsection may be for one (1), two (2) or three (3) years.

(4) There shall be a minimum of two (2) written evaluations in each of the annual contract years of employment, and at least one (1) evaluation shall be completed before January 1 of each year. The provisions of this subsection (4) shall not apply to employees on a category 1 contract.

SECTION 5. That Chapter 5, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-515, Idaho Code, and to read as follows:

33-515. ISSUANCE OF RENEWABLE CONTRACTS. (1) During the third full year of continuous employment by the same school district, including any specially chartered district, each certificated employee named in subsection (16) of section 33-1001, Idaho Code, and each school nurse and school librarian shall be evaluated for a renewable contract and shall, upon having been offered a contract for the next ensuing year, having given notice of acceptance of renewal and upon signing a contract for a fourth full year, be placed on a renewable contract status with said school district subject to the provisions included in this chapter.

(2) After the third full year of employment and at least once annually, the performance of each such certificated employee, school nurse, or school librarian shall be evaluated according to criteria and procedures established by the board of trustees in accordance with general guidelines approved by the state board of education. Except as otherwise provided, that person shall have the right to automatic renewal of contract by giving notice, in writing, of acceptance of renewal. Such notice shall be given to the board of trustees of the school district then employing such person not later than the first day of June preceding the expiration of the term of the current contract. Except as otherwise provided by this paragraph, the board of trustees shall notify each person entitled to be employed on a

renewable contract of the requirement that such person must give the notice hereinabove and that failure to do so may be interpreted by the board as a declination of the right to automatic renewal or the offer of another contract. Such notification shall be made, in writing, not later than the fifteenth day of May, in each year, except to those persons to whom the board, prior to said date, has sent proposed contracts for the next ensuing year, or to whom the board has given the notice required by this section.

(3) Any contract automatically renewed under the provisions of this section shall be for the same length as the term stated in the current contract and at a salary no lower than that specified therein, to which shall be added such increments as may be determined by the statutory or regulatory rights of such employee by reason of training, service, or performance, except where a board of trustees has declared a financial emergency pursuant to section 33-522, Idaho Code.

(4) Nothing in this section shall prevent the board of trustees from offering a renewed contract increasing the salary of any certificated person, or from reassigning an administrative employee to a nonadministrative position with appropriate reduction of salary from the preexisting salary level. In the event the board of trustees reassigns an administrative employee to a nonadministrative position, the board shall give written notice to the employee which contains a statement of the reasons for the reassignment. The employee, upon written request to the board, shall be entitled to an informal review of that decision. The process and procedure for the informal review shall be determined by the local board of trustees.

(5) Before a board of trustees can determine not to renew for reasons of an unsatisfactory report of the performance of any certificated person whose contract would otherwise be automatically renewed, or to renew the contract of any such person at a reduced salary, such person shall be entitled to a reasonable period of probation. This period of probation shall be preceded by a written notice from the board of trustees with reasons for such probationary period and with provisions for adequate supervision and evaluation of the person's performance during the probationary period. Such period of probation shall not affect the person's renewable contract status. Consideration of probationary status for certificated personnel is consideration of the status of an employee within the meaning of section 67-2345, Idaho Code, and may be held in executive session. If the consideration results in probationary status, the individual on probation shall not be named in the minutes of the meeting. A record of the decision shall be placed in the teacher's personnel file.

(6) If the board of trustees takes action to immediately discharge or discharge upon termination of the current contract a certificated person whose contract would otherwise be automatically renewed, or to renew the contract of any such person at a reduced salary, the action of the board shall be consistent with the procedures specified in section 33-513 5., Idaho Code, and furthermore, the board shall notify the employee in writing whether there is just and reasonable cause not to renew the contract or to reduce the salary of the affected employee, and if so, what reasons it relied upon in that determination.

(7) If the board of trustees takes action after the declaration of a financial emergency pursuant to section 33-522, Idaho Code, and such action is directed at more than one (1) certificated employee and, if mutually agreed to by both parties, a single informal review shall be conducted. Without mutual consent of both parties, the board of trustees shall use the following procedure to conduct a single due process hearing within sixty-seven (67) days of the declaration of financial emergency pursuant to section 33-522(2), Idaho Code, or on or before June 22, whichever shall occur first:

(a) The superintendent or any other duly authorized administrative officer of the school district may recommend the change in the length of the term stated in the current contract or reduce the salary of any certificated employee by filing with the board of trustees written notice specifying the purported reasons for such changes.

(b) Upon receipt of such notice, the board of trustees, acting through its duly authorized administrative official, shall give the affected employees written notice of the reductions and the recommendation of the change in the length of the term stated in the current contract or the reduction of salary, along with written notice of a hearing before the board of trustees prior to any determination by the board of trustees.

(c) The hearing shall be scheduled to take place not less than six (6) days nor more than fourteen (14) days after receipt of the notice by the employees. The date provided for the hearing may be changed by mutual consent.

(d) The hearing shall be open to the public.

(e) All testimony at the hearing shall be given under oath or affirmation. Any member of the board, or the clerk of the board of trustees, may administer oaths to witnesses or affirmations by witnesses.

(f) The employees may be represented by legal counsel and/or by a representative of a local or state education association.

(g) The chairman of the board of trustees or the designee of the chairman shall conduct the hearing.

(h) The board of trustees shall cause an electronic record of the hearing to be made or shall employ a competent reporter to take stenographic or stenotype notes of all the testimony at the hearing. A transcript of the hearing shall be provided at cost by the board of trustees upon request of the employee.

(i) At the hearing the superintendent or other duly authorized administrative officer shall present evidence to substantiate the reduction contained in such notice.

(j) The employees may produce evidence to refute the reduction. Any witness presented by the superintendent or by the employees shall be subject to cross-examination. The board of trustees may also examine witnesses and be represented by counsel.

(k) The affected employees may file written briefs and arguments with the board of trustees within three (3) days after the close of the hearing or such other time as may be agreed upon by the affected employees and the board of trustees.

(l) Within seven (7) days following the close of the hearing, the board of trustees shall determine and, acting through its duly authorized administrative official, shall notify the employees in writing whether the evidence presented at the hearing established the need for the action taken.

The due process hearing pursuant to this subsection (7) shall not be required if the board of trustees and the local education association reach an agreement on issues agreed upon pursuant to section 33-522(3), Idaho Code.

(8) If the board of trustees, for reasons other than unsatisfactory service, for the ensuing contract year, determines to change the length of the term stated in the current contract, reduce the salary or not renew the contract of a certificated person whose contract would otherwise be automatically renewed, nothing herein shall require a probationary period.".

AMENDMENT TO SECTION 4

On page 8, in line 12, delete "SECTION 4" and insert: "SECTION 6".

AMENDMENT TO SECTION 5

On page 8, delete lines 17 through 19, and insert:

"SECTION 7. An emergency existing therefor, which emergency is hereby declared to exist, Sections 1, 2 and 6 of this act shall be in full force and effect on and after passage and approval. Sections 3, 4 and 5 of this act shall be in full force and effect on and after July 1, 2014.".

CORRECTION TO TITLE

On page 1, delete lines 2 through 17, and insert:

"RELATING TO EDUCATION; AMENDING SECTION 33-514, TO REVISE A DATE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-515, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE ISSUANCE OF RENEWABLE CONTRACTS, TO REMOVE LANGUAGE RELATING TO NOTICE, TO REVISE PROVISIONS RELATING TO THE LENGTH OF A CERTAIN CONTRACT, TO ESTABLISH PROVISIONS RELATING TO RENEWALS FOR VARIOUS TERMS AND SALARIES OF CERTAIN CONTRACTS, TO PROVIDE THAT CERTAIN CONTRACTS SHALL BE ISSUED ON OR BEFORE A CERTAIN DATE, TO PROVIDE FOR LETTERS OF INTENT FOR EMPLOYMENT, TO ESTABLISH PROVISIONS RELATING TO CERTAIN CONTRACTS RENEWED FOR A TERM SHORTER IN LENGTH THAN STATED IN THE CURRENT STANDARD CONTRACT AND TO REMOVE LANGUAGE RELATING TO RENEWAL OF A CONTRACT AT A REDUCED SALARY; REPEALING SECTION 33-514, IDAHO CODE, RELATING TO ISSUANCE OF ANNUAL CONTRACTS, CATEGORIES OF CONTRACTS, OPTIONAL PLACEMENT AND WRITTEN EVALUATIONS; REPEALING SECTION 33-515, IDAHO CODE, RELATING TO ISSUANCE OF RENEWABLE CONTRACTS; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-514, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO THE ISSUANCE OF ANNUAL CONTRACTS, CATEGORIES OF CONTRACTS, OPTIONAL PLACEMENT AND WRITTEN EVALUATIONS; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-515, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO THE ISSUANCE OF RENEWABLE CONTRACTS; PROVIDING SEVERABILITY; DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.".

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Werk, the report was adopted by voice vote.

On request by Senator Winder, granted by unanimous consent, a correction was made to the Statement of Purpose for **S 1192**, as amended.

S 1192, as amended, and **S 1040**, as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

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

Reports of Standing Committees

March 27, 2013

The FINANCE Committee reports out **H 332**, **H 333**, **H 334**, and **H 335** with the recommendation that they do pass.

CAMERON, Chairman

H 332, **H 333**, **H 334**, and **H 335** 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 4:50 p.m. until the hour of 9:30 a.m., Thursday, March 28, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

EIGHTY-FIRST LEGISLATIVE DAY
THURSDAY, MARCH 28, 2013

Senate Chamber

President Pro Tempore Hill called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Goedde, and Tippets, absent and excused.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Cameron Sears, 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, 2013, 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 Tippets 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 28, 2013

The JUDICIARY AND RULES Committee reports that Senate amendments to **S 1192** and **S 1040** have been correctly printed.

LODGE, Chairman

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

March 28, 2013

The JUDICIARY AND RULES Committee reports that **S 1192**, as amended, and **S 1040**, as amended, have been correctly engrossed.

LODGE, Chairman

S 1192, as amended, and **S 1040**, as amended, were filed for first reading.

March 28, 2013

The JUDICIARY AND RULES Committee reports that **SCR 124**, **S 1126**, **S 1127**, **S 1135**, **S 1145**, **S 1109**, as amended, **S 1119**, **S 1136**, **S 1165**, **S 1155**, **S 1072**, as amended, as amended in the House, and **S 1116**, as amended, as amended in the House, have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled **SCR 124**, **S 1126**, **S 1127**, **S 1135**, **S 1145**, **S 1109**, as amended, **S 1119**, **S 1136**, **S 1165**, **S 1155**, **S 1072**, as amended, as amended in the House, and **S 1116**, as amended, as amended in the House, and ordered them transmitted to the House for the signature of the Speaker.

March 27, 2013

The JUDICIARY AND RULES Committee reports that Enrolled **S 1021**, **S 1105**, **S 1018**, as amended, as amended, **S 1059**, as amended, **S 1122**, **S 1045**, as amended, **S 1068**, as amended, **S 1106**, as amended, **S 1160**, **S 1161**, **S 1162**, **S 1163**, **S 1164**, **S 1065**, **S 1138**, as amended, **S 1047**, as amended, **S 1167**, **S 1168**, **S 1169**, **S 1170**, and **S 1171** were delivered to the Office of the Governor at 2:45 p.m., March 27, 2013.

LODGE, Chairman

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

March 27, 2013

The JUDICIARY AND RULES Committee reports that Enrolled **SCR 105**, **SCR 106**, **SCR 108**, and **SCR 110** were delivered to the Office of the Secretary of State at 2:23 p.m., March 27, 2013.

LODGE, Chairman

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

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

Messages from the House

March 27, 2013

Dear Mr. President:

I return herewith **SCR 120**, **SCR 114**, **SCR 115**, **S 1179**, **SCR 112**, **SCR 117**, **SCR 118**, **SCR 119**, **SCR 125**, **SCR 126**, **SCR 121**, **SCR 122**, and **SCR 127** , which have passed the House.

ALEXANDER, Chief Clerk

SCR 120, **SCR 114**, **SCR 115**, **S 1179**, **SCR 112**, **SCR 117**, **SCR 118**, **SCR 119**, **SCR 125**, **SCR 126**, **SCR 121**, **SCR 122**, and **SCR 127** were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced that HCR 18 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator McKenzie, seconded by Senator Buckner-Webb, HCR 18 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that HCR 20 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator McKenzie, seconded by Senator Werk, HCR 20 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

Senator Goedde was recorded present at this order of business.

S 1192, as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

S 1040, as amended, by Education Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 327 and H 328 , by Appropriations Committee, were read the second time at length and filed for third reading.

H 231, as amended, and H 245 , by State Affairs Committee, were read the second time at length and filed for third reading.

H 332, H 333, H 334, and H 335 , by Appropriations 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 1080, as amended in the House, 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared S 1080, as amended in the House, passed, title was approved, and the bill referred to Judiciary and Rules Committee for enrolling.

S 1195 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Nonini. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1195 passed, title was approved, and the bill ordered transmitted to the House.

S 1196 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–Nonini. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1196 passed, title was approved, and the bill ordered transmitted to the House.

S 1197 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 33.

NAYS–Nonini. Total - 1.

Absent and excused–Vick. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1197 passed, title was approved, and the bill ordered transmitted to the House.

H 206, 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 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, Fulcher, Goedde, Guthrie, Hagedorn, Lakey, Lodge, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Siddoway, Thayn, Vick, Winder. Total - 20.

NAYS–Bock, Buckner-Webb, Cameron, Davis, Durst, Heider, Hill, Johnson, Keough, Lacey, Martin, Schmidt, Stennett, Tippets, Werk. Total - 15.

Paired and voting included in roll call:

AYE - Fulcher	NAY - Buckner-Webb
AYE - Brackett	NAY - Lacey

Total - 35.

Whereupon the President Pro Tempore declared H 206, as amended in the Senate, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

H 221, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde 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, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Thayn, Tippets, Vick, Winder. Total - 28.

NAYS–Bock, Buckner-Webb, Durst, Keough, Lacey, Stennett, Werk. Total - 7.

Paired and voting included in roll call:

AYE - Brackett	NAY - Lacey
AYE - Fulcher	NAY - Buckner-Webb

Total - 35.

Whereupon the President Pro Tempore declared H 221, as amended in the Senate, 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 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, Bock, Brackett, Buckner-Webb, Cameron, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 31.

NAYS–Durst, Johnson, Nonini. Total - 3.

Absent and excused–Davis. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared H 150 passed, title was approved, and the bill ordered returned to the House.

H 241 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?"

On request by Senator Vick, granted by unanimous consent, a correction was made to the fiscal note for H 241 .

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Davis, Durst, Goedde, Guthrie, Hagedorn, Heider, Hill, Lacey, Lakey, Lodge, Martin, Mortimer, Nonini, Patrick, Siddoway, Tippets, Vick, Werk. Total - 23.

NAYS–Cameron, Fulcher, Johnson, Keough, McKenzie, Nuxoll, Pearce, Rice, Schmidt, Stennett, Thayn, Winder. Total - 12.

Total - 35.

Whereupon the President Pro Tempore declared H 241 passed, title was approved, and the bill ordered returned to the House.

H 274 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 274 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 11:55 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 Vick, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 28, 2013

The JUDICIARY AND RULES Committee reports that **SCR 120**, **SCR 114**, **SCR 115**, **S 1179**, **SCR 112**, **SCR 117**, **SCR 118**, **SCR 119**, **SCR 125**, **SCR 126**, **SCR 121**, **SCR 122**, **SCR 127**, and **S 1080**, as amended in the House, have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled **SCR 120**, **SCR 114**, **SCR 115**, **S 1179**, **SCR 112**, **SCR 117**, **SCR 118**, **SCR 119**, **SCR 125**, **SCR 126**, **SCR 121**, **SCR 122**, **SCR 127**, and **S 1080**, as amended in the House, and ordered them transmitted to the House for the signature of the Speaker.

March 28, 2013

The EDUCATION Committee reports out **H 65**, **H 317**, **H 324**, and **HCR 33** with the recommendation that they do pass.

GOEDDE, Chairman

H 65, **H 317**, and **H 324** were filed for second reading.

HCR 33 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 28, 2013

The RESOURCES AND ENVIRONMENT Committee reports out **HCR 31** with the recommendation that it do pass.

PEARCE, Chairman

HCR 31 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

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 Lakey, granted by unanimous consent, a correction was made to the fiscal note for **H 292** .

H 292 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–Bock, Buckner-Webb, Cameron, Davis, Durst, Goedde, Guthrie, Hagedorn, Heider, Johnson, Lacey, Lakey, Lodge, Martin, Patrick, Schmidt, Werk. Total - 17.

NAYS–Bair, Bayer, Brackett, Fulcher, Hill, Keough, McKenzie, Mortimer, Nonini, Nuxoll, Pearce, Rice, Siddoway, Stennett, Thayn, Tippets, Winder. Total - 17.

Absent and excused–Vick. Total - 1.

Total - 35.

A tie vote having resulted in the roll call, the President voted NAY and declared that **H 292** had failed to pass the Senate and ordered the bill returned to the House.

H 266 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Vick. Total - 1.

Total - 35.

Whereupon the President declared **H 266** passed, title was approved, and the bill ordered returned to the House.

Senator Vick was recorded present at this order of business.

H 256 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Hagedorn, Johnson. Total - 2.

Total - 35.

Whereupon the President declared **H 256** passed, title was approved, and the bill ordered returned to the House.

H 45, 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Hagedorn, Johnson. Total - 2.

Total - 35.

Whereupon the President declared **H 45**, as amended, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, **H 178** retained its place on the Third Reading Calendar.

H 265, as amended, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Hagedorn, Johnson. Total - 2.

Total - 35.

Whereupon the President declared **H 265**, as amended, as amended, 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 Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Hagedorn, Johnson. Total - 2.

Total - 35.

Whereupon the President declared **H 273** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, **H 178** was placed before the Senate for consideration at this time.

H 178 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Goedde, Guthrie, Heider, Hill, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 28.

NAYS–Fulcher, Nonini, Nuxoll, Pearce, Vick. Total - 5.

Absent and excused–Hagedorn, Johnson. Total - 2.

Total - 35.

Whereupon the President declared **H 178** passed, title was approved, and the bill ordered returned to the House.

H 259, as amended in the Senate, 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Hagedorn, Johnson. Total - 2.

Total - 35.

Whereupon the President declared **H 259**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

H 98, 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Hagedorn, Johnson. Total - 2.

Total - 35.

Whereupon the President declared **H 98**, as amended, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

H 120, 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 Werk 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, Goedde, Heider, Hill, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Nuxoll, Patrick, Rice, Schmidt, Stennett, Thayn, Tippets, Werk, Winder. Total - 22.

NAYS–Bair, Bock, Buckner-Webb, Durst, Fulcher, Guthrie, Mortimer, Nonini, Pearce, Siddoway, Vick. Total - 11.

Absent and excused–Hagedorn, Johnson. Total - 2.

Total - 35.

Whereupon the President declared **H 120**, as amended, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

H 290 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Hagedorn, Johnson. Total - 2.

Total - 35.

Whereupon the President declared **H 290** passed, title was approved, and the bill ordered returned to the House.

H 321 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Brackett and Davis disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Hagedorn, Johnson. Total - 2.

Total - 35.

Whereupon the President declared **H 321** 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 28, 2013

The STATE AFFAIRS Committee reports out **HCR 21** and **HCR 22** with the recommendation that they do pass.

MCKENZIE, Chairman

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.

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

Messages from the Governor

March 28, 2013

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 1093 and **S 1097**, as amended

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

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

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 28, 2013

Dear Mr. President:

I transmit herewith Enrolled **HCR 25**, **HCR 30**, **H 239**, **H 30**, as amended, **H 125**, **H 171**, as amended, **H 261**, **H 138**, **H 242**, **H 124**, **H 243**, **H 226**, **H 283**, **H 284**, **H 285**, **H 293**, **H 296**, **H 297**, **H 298**, **H 299**, **H 300**, **H 301**, **H 302**, **H 303**, **H 304**, **H 305**, **H 306**, **H 310**, **H 205**, **H 91**, as amended, **H 196**, **H 197**, **H 232**, **H 80**, and **H 315** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **HCR 25**, **HCR 30**, **H 239**, **H 30**, as amended, **H 125**, **H 171**, as amended, **H 261**, **H 138**, **H 242**, **H 124**, **H 243**, **H 226**, **H 283**, **H 284**, **H 285**, **H 293**, **H 296**, **H 297**, **H 298**, **H 299**, **H 300**, **H 301**, **H 302**, **H 303**, **H 304**, **H 305**, **H 306**, **H 310**, **H 205**, **H 91**, as amended, **H 196**, **H 197**, **H 232**, **H 80**, and **H 315** and ordered them returned to the House.

March 28, 2013

Dear Mr. President:

I return herewith Enrolled **S 1146**, **S 1060**, **S 1079**, **S 1123**, and **S 1151** , which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1146**, **S 1060**, **S 1079**, **S 1123**, and **S 1151** 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 Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Stennett, seconded by Senator Davis, by voice vote, the Senate adjourned in remembrance of Sergeant Bowe Bergdahl on his twenty-seventh birthday at 5:05 p.m. until the hour of 9:30 a.m., Friday, March 29, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

EIGHTY-SECOND LEGISLATIVE DAY
FRIDAY, MARCH 29, 2013

Senate Chamber

President Little called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senator Bock, absent and formally excused by the Chair; and Senators Bayer, Durst, and Lodge, absent and excused.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Abigail Sweet, 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 28, 2013, 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 Twelfth Order of Business.

Second Reading of Bills

Senator Lodge was recorded present at this order of business.

S 1192, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1040, as amended, by Education Committee, was read the second time at length and filed for third reading.

H 65 and H 317 , by Education Committee, were read the second time at length and filed for third reading.

H 324 , by Ways and Means Committee, was read the second time at length and filed for third reading.

Senator Bayer was recorded present at this order of business.

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 S 1192, as amended, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Bock, Durst. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1192, as amended, was before the Senate for final consideration.

Senator Durst was recorded present at this order of business.

S 1192, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Keough, Lodge, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Siddoway, Thayn, Tippets, Vick, Winder. Total - 24.

NAYS–Bock, Buckner-Webb, Durst, Johnson, Lacey, Lakey, Martin, McKenzie, Schmidt, Stennett, Werk. Total - 11.

Paired and voting included in roll call:
AYE - Fulcher NAY - Bock

Total - 35.

Whereupon the President declared S 1192, as amended, passed, title was approved, and the bill ordered transmitted to the House.

Moved by Senator Davis, seconded by Senator Winder, that all rules of the Senate interfering with the immediate consideration of H 65 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Durst. Total - 1.

Absent and excused–Bock. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 65 was before the Senate for final consideration.

H 65 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of 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, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Bock. Total - 1.

Total - 35.

Whereupon the President declared **H 65** passed, title was approved, and the bill ordered returned to the House.

Moved by Senator Davis, seconded by Senator Winder, that all rules of the Senate interfering with the immediate consideration of **S 1040**, as amended, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 32.

NAYS–Durst. Total - 1.

Absent and excused–Bock, Fulcher. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **S 1040**, as amended, was before the Senate for final consideration.

S 1040, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

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

Roll call resulted as follows:

AYES–Bair, Brackett, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Lakey, Lodge, McKenzie, Mortimer, Nuxoll, Patrick, Pearce, Rice, Siddoway, Thayn, Winder. Total - 21.

NAYS–Bayer, Bock, Buckner-Webb, Durst, Johnson, Keough, Lacey, Martin, Nonini, Schmidt, Stennett, Tippets, Vick, Werk. Total - 14.

Paired and voting included in roll call:

AYE - McKenzie	NAY - Bock
AYE - Brackett	NAY - Nonini

Total - 35.

Whereupon the President declared **S 1040**, as amended, passed, title was approved as corrected, and the bill ordered transmitted to the House.

On request by Senator Goedde, granted by unanimous consent, **H 260** was recommitted to the Education Committee.

On request by Senator Davis, granted by unanimous consent, **H 319** was placed at the bottom of the Third Reading Calendar.

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

Reports of Standing Committees

March 29, 2013

The JUDICIARY AND RULES Committee reports that Enrolled **S 1146**, **S 1060**, **S 1079**, **S 1123**, and **S 1151** were delivered to the Office of the Governor at 9 a.m., March 29, 2013.

LODGE, Chairman

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

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

Messages from the House

March 29, 2013

Dear Mr. President:

I transmit herewith **HCR 34** and **HP 1** , which have passed the House.

ALEXANDER, Chief Clerk

HCR 34 and **HP 1** were filed for first reading.

March 29, 2013

Dear Mr. President:

I return herewith **S 1156**, **S 1147**, as amended, **S 1149**, **S 1172**, **S 1173**, **S 1174**, **S 1175**, **S 1176**, **S 1177**, **S 1178**, **S 1180**, **S 1181**, **S 1182**, **S 1186**, **S 1157**, **S 1187**, **S 1188**, **S 1150**, **S 1191**, **S 1158**, and **S 1183** , which have passed the House.

ALEXANDER, Chief Clerk

S 1156, **S 1147**, as amended, **S 1149**, **S 1172**, **S 1173**, **S 1174**, **S 1175**, **S 1176**, **S 1177**, **S 1178**, **S 1180**, **S 1181**, **S 1182**, **S 1186**, **S 1157**, **S 1187**, **S 1188**, **S 1150**, **S 1191**, **S 1158**, and **S 1183** were referred to the Judiciary and Rules Committee for enrolling.

March 29, 2013

Dear Mr. President:

I return herewith Enrolled **S 1126**, **S 1127**, **S 1135**, **S 1145**, **S 1109**, as amended, **S 1119**, **S 1136**, **S 1165**, **S 1155**, **S 1072**, as amended, as amended in the House, **S 1116**, as amended, as amended in the House, **S 1179**, and **S 1080**, as amended in the House, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1126**, **S 1127**, **S 1135**, **S 1145**, **S 1109**, as amended, **S 1119**, **S 1136**, **S 1165**, **S 1155**, **S 1072**, as amended, as amended in the House, **S 1116**, as amended, as amended in the House, **S 1179**, and **S 1080**, as amended in the House, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 29, 2013

Dear Mr. President:

I return herewith Enrolled **SCR 124**, **SCR 120**, **SCR 114**, **SCR 115**, **SCR 112**, **SCR 117**, **SCR 118**, **SCR 119**, **SCR 125**, **SCR 126**, **SCR 121**, **SCR 122**, and **SCR 127** , which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **SCR 124**, **SCR 120**, **SCR 114**, **SCR 115**, **SCR 112**, **SCR 117**, **SCR 118**, **SCR 119**, **SCR 125**, **SCR 126**, **SCR 121**, **SCR 122**, and **SCR 127** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

March 29, 2013

Dear Mr. President:

I transmit herewith Enrolled **HCR 32**, **HCR 26**, **H 275**, **H 291**, **H 311**, **H 312**, **H 313**, **H 202**, **H 215**, **H 222**, **H 257**, **H 258**, **H 295**, **H 318**, **H 271**, **H 278**, and **H 90**, as amended, for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **HCR 32**, **HCR 26**, **H 275**, **H 291**, **H 311**, **H 312**, **H 313**, **H 202**, **H 215**, **H 222**, **H 257**, **H 258**, **H 295**, **H 318**, **H 271**, **H 278**, and **H 90**, as amended, 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

HCR 34 , by Ways and Means Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

HP 1 , by Ways and Means Committee, was introduced, read at length, and referred to the Commerce and Human Resources 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 10:55 a.m. until the hour of 1:30 p.m., Monday, April 1, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

EIGHTY-FIFTH LEGISLATIVE DAY
MONDAY, APRIL 1, 2013

Senate Chamber

President Little called the Senate to order at 1:30 p.m.

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

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Madeline Breen, 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 29, 2013, 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 Fulcher 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, 2013

The JUDICIARY AND RULES Committee reports that **S 1156**, **S 1147**, as amended, **S 1149**, **S 1172**, **S 1173**, **S 1174**, **S 1175**, **S 1176**, **S 1177**, **S 1178**, **S 1180**, **S 1181**, **S 1182**, **S 1186**, **S 1157**, **S 1187**, **S 1188**, **S 1150**, **S 1191**, **S 1158**, and **S 1183** have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled **S 1156**, **S 1147**, as amended, **S 1149**, **S 1172**, **S 1173**, **S 1174**, **S 1175**, **S 1176**, **S 1177**, **S 1178**, **S 1180**, **S 1181**, **S 1182**, **S 1186**, **S 1157**, **S 1187**, **S 1188**, **S 1150**, **S 1191**, **S 1158**, and **S 1183** and ordered them transmitted to the House for the signature of the Speaker.

April 1, 2013

The COMMERCE AND HUMAN RESOURCES Committee reports out **HP 1** with the recommendation that it do pass.

TIPPETS, Chairman

HP 1 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

April 1, 2013

The HEALTH AND WELFARE Committee reports out **HCR 34** with the recommendation that it do pass.

HEIDER, Chairman

HCR 34 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

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

Messages from the Governor

March 29, 2013

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 1013, as amended in the House, **S 1029**, **S 1045**, as amended, **S 1049**, as amended in the House, **S 1078**, **S 1107**, as amended, **S 1111**, **S 1112**, **S 1152**, **S 1153**, **S 1154**, **S 1160**, **S 1161**, **S 1162**, **S 1163**, **S 1164**, **S 1167**, **S 1168**, **S 1170**, and **S 1171**

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 33** was before the Senate for final consideration.

Moved by Senator Goedde, seconded by Senator Buckner-Webb, that **HCR 33** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Schmidt. Total - 1.

Absent and excused–Pearce. Total - 1.

Total - 35.

Whereupon the President declared **HCR 33** adopted, title was approved, and the resolution ordered returned to the House.

The President announced that **HCR 31** was before the Senate for final consideration.

Moved by Senator Bair, seconded by Senator Buckner-Webb, that **HCR 31** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Pearce. Total - 1.

Total - 35.

Whereupon the President declared **HCR 31** 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 Thirteenth Order of Business.

Third Reading of Bills

H 322 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Pearce. Total - 1.

Total - 35.

Whereupon the President declared **H 322** 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. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Tippets and Rice disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES–Bair, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 29.

NAYS–Bayer, Hagedorn, Nonini, Nuxoll, Pearce, Vick. Total - 6.

Paired and voting included in roll call:
AYE - Bock NAY - Pearce

Total - 35.

Whereupon the President declared **H 133** passed, title was approved, and the bill ordered returned to the House.

H 327 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Patrick, Schmidt, Siddoway, Stennett, Tippets, Werk, Winder. Total - 27.

NAYS–Bayer, Fulcher, Nonini, Nuxoll, Rice, Thayn, Vick. Total - 7.

Absent and excused–Pearce. Total - 1.

Total - 35.

Whereupon the President declared **H 327** passed, title was approved, and the bill ordered returned to the House.

H 328 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 32.

NAYS–Nonini, Nuxoll. Total - 2.

Absent and excused–Pearce. Total - 1.

Total - 35.

Whereupon the President declared H 328 passed, title was approved, and the bill ordered returned to the House.

H 231, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 32.

NAYS–Durst, Hagedorn. Total - 2.

Absent and excused–Pearce. Total - 1.

Total - 35.

Whereupon the President declared H 231, 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 29.

NAYS–Bayer, Guthrie, Nonini, Nuxoll, Pearce, Vick. Total - 6.

Paired and voting included in roll call:
AYE - Werk NAY - Pearce

Total - 35.

Whereupon the President declared H 245 passed, title was approved, and the bill ordered returned to the House.

H 332 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Pearce. Total - 1.

Total - 35.

Whereupon the President declared H 332 passed, title was approved, and the bill ordered returned to the House.

H 333 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Pearce. Total - 1.

Total - 35.

Whereupon the President declared H 333 passed, title was approved, and the bill ordered returned to the House.

H 334 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 31.

NAYS–Nonini, Nuxoll, Vick. Total - 3.

Absent and excused–Pearce. Total - 1.

Total - 35.

Whereupon the President declared H 334 passed, title was approved, and the bill ordered returned to the House.

H 335 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Pearce. Total - 1.

Total - 35.

Whereupon the President declared H 335 passed, title was approved, and the bill ordered returned to the House.

President Little called President Pro Tempore Hill to the Chair.

H 317 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Pearce. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **H 317** passed, title was approved, and the bill ordered returned to the House.

H 324 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Pearce. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **H 324** 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 3:10 p.m. until the hour of 9:30 a.m., Tuesday, April 2, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

EIGHTY-SIXTH LEGISLATIVE DAY
TUESDAY, APRIL 2, 2013

Senate Chamber

President Little called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Buckner-Webb and Pearce, absent and formally excused by the Chair; and Senators Bock, Cameron, Durst, Lodge, and McKenzie, absent and excused.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Robin Crotteau, 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, 2013, 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 Cameron and McKenzie were recorded present at this order of business.

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

Messages from the Governor

Senator Lodge was recorded present at this order of business.

April 1, 2013

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**, as amended, as amended, **S 1021**, **S 1059**, as amended, **S 1065**, **S 1068**, as amended, **S 1105**, **S 1106**, as amended, **S 1108**, **S 1122**, **S 1138**, as amended, and **S 1117**

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 1, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature
Statehouse Mail
Boise, ID 83720

Dear Mr. President,

I hereby advise you that I have transmitted to the Office of the Secretary of State, with my approval, the following Senate Bill, to wit:

S 1117

within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 7:45 a.m. on March 27, 2013.

I carefully followed the progress and deliberations on this bill and its companion, House Bill 322, and I have discussed them at length with both supporters and opponents. I also have outlined my expectations for a cautious, deliberate and transparent public process for implementation with Idaho Transportation Board Chairman Jerry Whitehead and with Colonel Ralph Powell, director of the Idaho State Police (ISP).

As you know, the Idaho Transportation Board, in collaboration with ISP, must draft rules both for criteria that will be used in assessing the suitability of any nominated stretch of road and for the public participation process in considering any proposed designation.

Safety must be the highest priority, addressing necessary and prudent restrictions on use of designated routes, enforcement processes from jurisdiction to jurisdiction, mechanical requirements for trucks and trailers, driver certification requirements, pavement and roadbed conditions, geographic conditions, weather conditions, traffic conditions and other factors unique to each area in question. The process of considering nominated routes also must include timely, well-noticed public hearings and notification of adjacent property owners.

The Idaho Transportation Department (ITD) devoted significant time and effort to studying the impacts of trucks carrying loads up to 129,000 pounds on dozens of routes throughout southern Idaho.

Similarly, the process of identifying, nominating, assessing and designating routes elsewhere in the state must not be rushed toward any predetermined end. Producers, processors, truckers, the motoring public, our communities and Idaho's economy require the public's confidence for this process to succeed.

Simply put, I must be satisfied with the process before any rules are approved.

In an increasing integrated and competitive world, safe and efficient transportation of goods and raw materials along our corridors of commerce is critical to our economic growth and prosperity. I am convinced that Idaho has the will and the

wherewithal to put a framework in place that adopts the best available practices, technology and oversight to advancing those goals.

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 1, 2013

Dear Mr. President:

I transmit herewith **H 111**, as amended, which has passed the House.

ALEXANDER, Chief Clerk

H 111, as amended, was filed for first reading.

April 1, 2013

Dear Mr. President:

I return herewith **S 1189**, **S 1190**, **SCR 128**, **SCR 129**, and **SCR 131** , which have passed the House.

ALEXANDER, Chief Clerk

S 1189, **S 1190**, **SCR 128**, **SCR 129**, and **SCR 131** were referred to the Judiciary and Rules Committee for enrolling.

April 1, 2013

Dear Mr. President:

I transmit herewith Enrolled **HCR 18**, **HCR 20**, **H 150**, **H 241**, **H 274**, **H 266**, **H 256**, **H 45**, as amended, **H 265**, as amended, as amended, **H 273**, **H 178**, **H 290**, **H 321**, and **H 142**, as amended in the Senate, as amended in the Senate, for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **HCR 18**, **HCR 20**, **H 150**, **H 241**, **H 274**, **H 266**, **H 256**, **H 45**, as amended, **H 265**, as amended, as amended, **H 273**, **H 178**, **H 290**, **H 321**, and **H 142**, as amended in the Senate, as amended in the Senate, and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senator Durst was recorded present at this order of business.

The President announced that **HCR 21** was before the Senate for final consideration.

Moved by Senator Siddoway, seconded by Senator McKenzie, that **HCR 21** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Cameron, Davis, Fulcher, Guthrie, Hagedorn, Heider, Hill, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Thayn, Tippets, Vick, Winder. Total - 26.

NAYS–Buckner-Webb, Durst, Johnson, Schmidt, Stennett, Werk. Total - 6.

Absent and excused–Bock, Goedde, Pearce. Total - 3.

Paired and voting included in roll call:

AYE - Winder	NAY - Buckner-Webb

Total - 35.

Whereupon the President declared **HCR 21** adopted, title was approved, and the resolution ordered returned to the House.

Senator Bock was recorded present at this order of business.

The President announced that **HCR 22** was before the Senate for final consideration.

Moved by Senator Siddoway, seconded by Senator Fulcher, that **HCR 22** be adopted. The question being, "Shall the resolution be adopted?"

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

Roll call vote was requested by Senator Stennett. Senators Werk, Bock, Schmidt and Lacey stood in support of the request.

Roll call resulted as follows:

AYES–Bair, Bayer, Brackett, Cameron, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Lakey, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Siddoway, Thayn, Vick, Winder. Total - 21.

NAYS–Bock, Buckner-Webb, Davis, Durst, Johnson, Keough, Lacey, Martin, McKenzie, Schmidt, Stennett, Tippets, Werk. Total - 13.

Absent and excused–Lodge. Total - 1.

Paired and voting included in roll call:

AYE - Bayer	NAY - Buckner-Webb
AYE - Pearce	NAY - Bock

Total - 35.

Whereupon the President declared **HCR 22** adopted, title was approved, and the resolution ordered returned to the House.

The President announced that **HP 1** was before the Senate for final consideration, the question being, "Shall the proclamation be adopted?"

On motion by President Pro Tempore Hill, seconded by Senator Stennett, **HP 1** was adopted by voice vote, title was approved, and the proclamation ordered returned to the House.

The President announced that **HCR 34** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Heider, seconded by Senator Schmidt, **HCR 34** 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 1199
BY STATE AFFAIRS COMMITTEE
AN ACT
RELATING TO EDUCATION; AMENDING SECTION 33-1002, IDAHO CODE, TO PROVIDE FOR DIFFERENTIAL PAY AND TO PROVIDE FOR TECHNOLOGY PILOT PROJECTS; AMENDING SECTION 33-1002, IDAHO CODE, AS AMENDED BY SECTION 1 OF THIS ACT, TO REMOVE LANGUAGE RELATING TO DIFFERENTIAL PAY AND TECHNOLOGY PILOT PROJECTS; AMENDING SECTION 33-1004F, IDAHO CODE, TO REVISE PROVISIONS RELATING TO OBLIGATIONS TO RETIREMENT AND SOCIAL SECURITY BENEFITS; AMENDING SECTION 33-1004F, IDAHO CODE, AS AMENDED BY SECTION 3 OF THIS ACT, TO REVISE PROVISIONS RELATING TO OBLIGATIONS TO RETIREMENT AND SOCIAL SECURITY BENEFITS; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1004J, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO DIFFERENTIAL PAY AND EXCELLENCE IN ACHIEVEMENT AWARDS, TO ESTABLISH PROVISIONS RELATING TO THE DISTRIBUTION OF CERTAIN MONEYS AND TO DEFINE TERMS; AMENDING CHAPTER 48, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-4811, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO TECHNOLOGY PILOT PROJECTS; REPEALING SECTION 33-1004J, IDAHO CODE, RELATING TO DIFFERENTIAL PAY AND EXCELLENCE IN ACHIEVEMENT AWARDS; REPEALING SECTION 33-4811, IDAHO CODE, RELATING TO TECHNOLOGY PILOT PROJECTS; ESTABLISHING PROVISIONS RELATING TO DISCRETIONARY FUNDS; AND PROVIDING EFFECTIVE DATES.

S 1199 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 111, as amended, by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

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

Reports of Standing Committees

April 2, 2013

The JUDICIARY AND RULES Committee reports that **S 1199** has been correctly printed.

LODGE, Chairman

S 1199 was referred to the Education Committee.

April 2, 2013

The JUDICIARY AND RULES Committee reports that **S 1189**, **S 1190**, **SCR 128**, **SCR 129**, and **SCR 131** have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled **S 1189**, **S 1190**, **SCR 128**, **SCR 129**, and **SCR 131** 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 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 10 a.m., Wednesday, April 3, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

EIGHTY-SEVENTH LEGISLATIVE DAY
WEDNESDAY, APRIL 3, 2013

Senate Chamber

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

Roll call showed all members present except Senators Cameron, Martin, and Pearce, absent and excused.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Megan Johnson, 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, 2013, 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.

President Little assumed the Chair.

Senator Martin 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 3, 2013

The EDUCATION Committee reports out **S 1199** with the recommendation that it do pass.

GOEDDE, Chairman

S 1199 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

April 2, 2013

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 1169

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

April 2, 2013

Dear Mr. President:

I return herewith **S 1196** , which has passed the House.

ALEXANDER, Chief Clerk

S 1196 was referred to the Judiciary and Rules Committee for enrolling.

April 2, 2013

Dear Mr. President:

I transmit herewith Enrolled **H 65** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 65** and ordered it returned to the House.

April 2, 2013

Dear Mr. President:

I return herewith Enrolled **S 1156**, **S 1147**, as amended, **S 1149**, **S 1172**, **S 1173**, **S 1174**, **S 1175**, **S 1176**, **S 1177**, **S 1178**, **S 1180**, **S 1181**, **S 1182**, **S 1186**, **S 1157**, **S 1187**, **S 1188**, **S 1150**, **S 1191**, **S 1158**, and **S 1183** , which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1156**, **S 1147**, as amended, **S 1149**, **S 1172**, **S 1173**, **S 1174**, **S 1175**, **S 1176**, **S 1177**, **S 1178**, **S 1180**, **S 1181**, **S 1182**, **S 1186**, **S 1157**, **S 1187**, **S 1188**, **S 1150**, **S 1191**, **S 1158**, and **S 1183** 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 Twelfth Order of Business.

Second Reading of Bills

S 1199 , 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

Moved by Senator Davis, seconded by Senator Werk, that all rules of the Senate interfering with the immediate consideration of S 1199 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Pearce. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1199 was before the Senate for final consideration.

S 1199 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 31.

NAYS–Durst, Nonini, Vick. Total - 3.

Absent and excused–Pearce. Total - 1.

Total - 35.

Whereupon the President declared S 1199 passed, title was approved, and the bill ordered transmitted to the House.

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

Messages from the House

April 3, 2013

Dear Mr. President:

I transmit herewith HCR 36 and H 343 , which have passed the House.

ALEXANDER, Chief Clerk

HCR 36 and H 343 were filed for first reading.

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

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

HCR 36 , by Ways and Means Committee, was introduced, read at length, and referred to the State Affairs Committee.

H 343 , 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 Sixth Order of Business.

Reports of Standing Committees

April 3, 2013

The STATE AFFAIRS Committee reports out HCR 36 and H 343 with the recommendation that they do pass.

MCKENZIE, Chairman

HCR 36 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

H 343 was filed for second reading.

April 3, 2013

The JUDICIARY AND RULES Committee reports that S 1196 has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled S 1196 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 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 343 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Durst, Pearce. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 343 was before the Senate for final consideration.

H 343 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Durst, Pearce. Total - 2.

Total - 35.

Whereupon the President declared **H 343** passed, title was approved, and the bill ordered returned to the House.

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

Motions and Resolutions

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **HCR 36** be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Durst, Pearce. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **HCR 36** was before the Senate for final consideration.

On motion by Senator McKenzie, seconded by Senator Davis, **HCR 36** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

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

Messages from the House

April 3, 2013

Dear Mr. President:

I return herewith **S 1134**, as amended, as amended in the House, as amended in the House, which has passed the House.

ALEXANDER, Chief Clerk

On request by Senator Winder, granted by unanimous consent, **S 1134**, as amended, as amended in the House, 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 3, 2013

Dear Mr. President:

I return herewith **S 1192**, as amended, which has passed the House.

ALEXANDER, Chief Clerk

S 1192, 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 the House amendments to **S 1134**, as amended, as amended in the House, 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 1134**, as amended, as amended in the House, as amended in the House?"

On request by Senator Winder, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to **S 1134**, as amended, as amended in the House, as amended in the House.

S 1134, as amended, as amended in the House, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

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

Reports of Standing Committees

April 3, 2013

The JUDICIARY AND RULES Committee reports that **S 1134**, as amended, as amended in the House, as amended in the House, has been correctly engrossed.

LODGE, Chairman

S 1134, as amended, as amended in the House, 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 1134, as amended, as amended in the House, as amended in the House, by State Affairs Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of **S 1134**, as amended, as amended in the House, as amended in the House, be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Durst, Pearce. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that **S 1134**, as amended, as amended in the House, as amended in the House, was before the Senate for final consideration.

President Little called President Pro Tempore Hill to the Chair.

S 1134, as amended, as amended in the House, 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 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lodge, Martin, Mortimer, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 30.

NAYS–Durst, Lakey, McKenzie, Nonini. Total - 4.

Absent and excused–Pearce. Total - 1.

Paired and voting included in roll call:

AYE - Heider NAY - Durst

Total - 35.

Whereupon the President Pro Tempore declared **S 1134**, as amended, as amended in the House, as amended in the House, passed, title was approved as corrected, and the bill was referred to the Judiciary and Rules Committee for enrolling.

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 12:50 p.m. until the hour of 9 a.m., Thursday, April 4, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-SECOND LEGISLATURE

EIGHTY-EIGHTH LEGISLATIVE DAY
THURSDAY, APRIL 4, 2013

Senate Chamber

President Little called the Senate to order at 9 a.m.

Roll call showed all members present except Senators Fulcher and Pearce, absent and excused.

Prayer was offered by Chaplain James R. Wibberding.

The Pledge of Allegiance was led by Kyra Perron, 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 3, 2013, 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 Fulcher 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 1200
BY FINANCE COMMITTEE
AN ACT
RELATING TO PUBLIC SCHOOLS; STATING FUND SOURCES FOR THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM FOR FISCAL YEAR 2014; APPROPRIATING MONEYS FOR THE TRANSFER TO THE PUBLIC SCHOOL INCOME FUND FOR FISCAL YEAR 2014; APPROPRIATING MONEYS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF ADMINISTRATORS FOR FISCAL YEAR 2014; APPROPRIATING MONEYS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF TEACHERS FOR FISCAL YEAR 2014; APPROPRIATING MONEYS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF OPERATIONS FOR FISCAL YEAR 2014; APPROPRIATING MONEYS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2014; APPROPRIATING MONEYS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF FACILITIES FOR FISCAL YEAR 2014; PROVIDING THE NECESSARY FUNDS FOR THE BOND LEVY EQUALIZATION PROGRAM; LIMITING THE AMOUNT OF REVENUE DISTRIBUTED TO THE GENERAL FUND; APPROPRIATING MONEYS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND FOR FISCAL YEAR 2014; AMENDING SECTION 33-1004A, IDAHO CODE, TO RESTORE TWO YEARS OF EXPERIENCE ON THE MULTIPLIER TABLE; AMENDING SECTION 33-1004E, IDAHO CODE, TO ADJUST THE MINIMUM INSTRUCTIONAL STAFF SALARY; PROVIDING GUIDANCE FOR THE IDAHO DIGITAL LEARNING ACADEMY; PROVIDING THAT $4,331,400 OF TOBACCO, CIGARETTE AND LOTTERY INCOME TAX MONEYS BE USED AS DISCRETIONARY FUNDS; DIRECTING THE USE OF $368,600 OF TOBACCO, CIGARETTE AND LOTTERY INCOME TAX MONEYS; PROVIDING THAT TWO-THIRDS OF THE FUNDS FROM THE SCHOOL DISTRICT BUILDING ACCOUNT BE USED AS DISCRETIONARY FUNDS; RELIEVING THE STATE FROM TWO-THIRDS OF THE REQUIREMENT TO PROVIDE SCHOOL MAINTENANCE MATCHING FUNDS; PROVIDING AN ESTIMATE OF DISCRETIONARY FUNDS PER SUPPORT UNIT AT $20,000; DIRECTING THE USE OF $10,500,000 FOR READING AND MATH INITIATIVES, AND REMEDIATION; DIRECTING THE USE OF $4,000,000 FOR LIMITED ENGLISH PROFICIENCY PROGRAMS; DIRECTING THE USE OF $1,703,500 FOR THE DEVELOPMENT OR ADMINISTRATION OF ASSESSMENTS AND EXAMS; DIRECTING THE USE OF $2,500,000 FOR INFORMATION TECHNOLOGY STAFFING COSTS; DIRECTING THE USE OF $300,000 FOR PROFESSIONAL DEVELOPMENT AND TRAINING FOR TEACHER AND ADMINISTRATOR EVALUATIONS; DIRECTING THE USE OF $100,000 FOR A SAFE SCHOOLS TASK FORCE AND ASSESSMENT TOOLS; DIRECTING THE USE OF $10,400,000 FOR TECHNOLOGY, WIRELESS TECHNOLOGY INFRASTRUCTURE, AND AN INTERNET-BASED PORTAL; DIRECTING THE USE OF $4,500,000 FOR MAINTENANCE, OPERATION, AND LICENSING OF AN INSTRUCTIONAL MANAGEMENT SYSTEM; DIRECTING THE USE OF $3,755,000 FOR PROFESSIONAL DEVELOPMENT AND TRAINING REGARDING IDAHO CORE STANDARDS; DIRECTING THE USE OF $150,000 FOR TECHNOLOGY PROFESSIONAL DEVELOPMENT; DIRECTING THAT CERTAIN INFORMATION BE COMPILED BY THE STATE DEPARTMENT OF EDUCATION ON THE DUAL ENROLLMENT PROGRAM; DIRECTING THAT CERTAIN INFORMATION BE COMPILED BY THE STATE DEPARTMENT OF EDUCATION ON SAFE SCHOOL ENVIRONMENTS; PROVIDING DEDICATED FUND REAPPROPRIATION FOR FISCAL YEAR 2014; AND GRANTING THE AUTHORITY TO TRANSFER APPROPRIATIONS AMONG FIVE DIVISIONS OF THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM.

S 1200 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 returned to the Sixth Order of Business.

Reports of Standing Committees

April 4, 2013

The JUDICIARY AND RULES Committee reports that S 1200 has been correctly printed.

LODGE, Chairman

S 1200 was referred to the Finance Committee.

April 4, 2013

The JUDICIARY AND RULES Committee reports that S 1192, as amended, and S 1134, as amended, as amended in the House, as amended in the House, have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled S 1192, as amended, and S 1134, as amended, as amended in the House, as amended in the House, and ordered them transmitted to the House for the signature of the Speaker.

April 3, 2013

The JUDICIARY AND RULES Committee reports that Enrolled SCR 124, SCR 120, SCR 114, SCR 115, SCR 112, SCR 117, SCR 118, SCR 119, SCR 125, SCR 126, SCR 121, SCR 122, and SCR 127 were delivered to the Office of the Secretary of State at 2:13 p.m., March 29, 2013.

LODGE, Chairman

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

April 3, 2013

The JUDICIARY AND RULES Committee reports that Enrolled S 1126, S 1127, S 1135, S 1145, S 1109, as amended, S 1119, S 1136, S 1165, S 1155, S 1072, as amended, as amended in the House, S 1116, as amended, as amended in the House, S 1179, S 1080, as amended in the House, S 1147, as amended, S 1149, S 1172, S 1173, S 1174, S 1175, S 1176, S 1177, S 1178, S 1180, S 1181, S 1182, S 1186, S 1157, S 1187, S 1188, S 1150, S 1191, S 1158, S 1183, and S 1156 were delivered to the Office of the Governor at 1:55 p.m., March 29, 2013.

LODGE, Chairman

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

April 4, 2013

The FINANCE Committee reports out S 1200 with the recommendation that it do pass.

CAMERON, Chairman

S 1200 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

April 3, 2013

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 1060

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 3, 2013

Dear Mr. President:

I return herewith S 1197 and S 1199 , which have passed the House.

ALEXANDER, Chief Clerk

S 1197 and S 1199 were referred to the Judiciary and Rules Committee for enrolling.

April 3, 2013

Dear Mr. President:

I transmit herewith Enrolled HCR 21, HCR 22, HCR 34, HCR 33, HCR 31, H 322, H 133, H 327, H 328, H 231, as amended, H 245, H 332, H 333, H 334, H 335, H 317, and H 324 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled HCR 21, HCR 22, HCR 34, HCR 33, HCR 31, H 322, H 133, H 327, H 328, H 231, as amended, H 245, H 332, H 333, H 334, H 335, H 317, and H 324 and ordered them returned to the House.

April 3, 2013

Dear Mr. President:

I return herewith Enrolled S 1189 and S 1190 , which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled S 1189 and S 1190 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

April 3, 2013

Dear Mr. President:

I return herewith Enrolled SCR 128, SCR 129, and SCR 131 , which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled SCR 128, SCR 129, and SCR 131 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

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

Second Reading of Bills

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of S 1200 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 33.

NAYS–Durst. Total - 1.

Absent and excused–Pearce. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that S 1200 was before the Senate for final consideration.

S 1200 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?"

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

Roll call resulted as follows:

AYES–Bair, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Werk, Winder. Total - 29.

NAYS–Bayer, Mortimer, Nonini, Nuxoll, Vick. Total - 5.

Absent and excused–Pearce. Total - 1.

Total - 35.

Whereupon the President declared S 1200 passed, title was approved, and the bill ordered transmitted to the House.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

H 319 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Pearce. Total - 1.

Total - 35.

Whereupon the President declared H 319 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

April 4, 2013

Dear Mr. President:

I transmit herewith H 345 , which has passed the House.

ALEXANDER, Chief Clerk

H 345 was filed for first reading.

April 4, 2013

Dear Mr. President:

I return herewith SCR 103 , which has passed the House.

ALEXANDER, Chief Clerk

SCR 103 was 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

H 345 , 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 returned to the Sixth Order of Business.

Reports of Standing Committees

April 4, 2013

The JUDICIARY AND RULES Committee reports that S 1197 and S 1199 have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled S 1197 and S 1199 and ordered them transmitted to the House for the signature of the Speaker.

April 4, 2013

The JUDICIARY AND RULES Committee reports that Enrolled SCR 128, SCR 129, and SCR 131 were delivered to the Office of the Secretary of State at 9:56 a.m., April 4, 2013.

LODGE, Chairman

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

April 4, 2013

The JUDICIARY AND RULES Committee reports that Enrolled S 1189 and S 1190 were delivered to the Office of the Governor at 9:55 a.m., April 4, 2013.

LODGE, Chairman

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

April 4, 2013

The FINANCE Committee reports out H 345 with the recommendation that it do pass.

CAMERON, Chairman

H 345 was filed for second reading.

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

Second Reading of Bills

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of H 345 be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Pearce. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that H 345 was before the Senate for final consideration.

H 345 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, Bock, Brackett, Buckner-Webb, Cameron, Davis, Durst, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Pearce. Total - 1.

Total - 35.

Whereupon the President declared H 345 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 Keough, Chairman, and Senators Bayer and Schmidt 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 Siddoway, Chairman, and Senators Thayn and Lacey to notify the Governor that the Senate had completed its business and was ready to adjourn *Sine Die*. The committee was excused.

The 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-second Legislature of the State of Idaho. The flag was then presented to Senator McKenzie in honor of his exemplary service to the Senate.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the First Regular Session of the Sixty-second Legislature of the Idaho Senate adjourned *Sine Die* at 10:51 a.m., Thursday, April 4, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

*****

[Note: The following is action recorded after Senate *Sine Die*:]

April 2, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I hereby advise you that I am transmitting today to the Office of the Secretary of State, the following Senate Bill, which will be allowed to become law without my signature:

S 1047, as amended

within the time limited by law.

I support responsible efforts by the Legislature to guard against overzealous tax collections or any actions that may undermine the public's confidence in or respect for the Idaho State Tax Commission and its operations. However, the need for reasonable legislative oversight must be balanced against the legitimate needs of lawful tax collections.

There are lengthy and detailed processes in place, including opportunities for appeal, that run their course before any wage garnishment order is issued. The Tax Commission estimates that this measure limiting its tools to ensure fairness in tax payments will reduce collections from $700,000 to $5 million in the first year, with the impact declining significantly in succeeding years.

I understand the concerns of taxpayers, and I hope the Legislature will join me in working cooperatively with the Tax Commission to address those concerns in a manner that serves all our shared priorities. I also encourage the Legislature to carefully review the impact of this legislation and make adjustments where they are needed.

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, 2013

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 1079, S 1109, as amended, S 1116, as amended, as amended in the House, S 1119, S 1123, S 1126, S 1127, S 1135, S 1136, S 1145, S 1146, S 1151, S 1165, and S 1179

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

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

April 4, 2013

Dear Mr. President:

I return herewith S 1200 and S 1040, as amended, which have passed the House.

ALEXANDER, Chief Clerk

S 1200 and S 1040, as amended, were referred to the Judiciary and Rules Committee for enrolling.

April 4, 2013

Dear Mr. President:

I transmit herewith Enrolled H 206, as amended in the Senate, as amended in the Senate, H 221, as amended in the Senate, H 259, as amended in the Senate, H 98, as amended, as amended in the Senate, H 120, as amended, as amended in the Senate, H 343, HCR 36, H 319, and H 345 for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled H 206, as amended in the Senate, as amended in the Senate, H 221, as amended in the Senate, H 259, as amended in the Senate, H 98, as amended, as amended in the Senate, H 120, as amended, as amended in the Senate, H 343, HCR 36, H 319, and H 345 and ordered them returned to the House.

April 4, 2013

Dear Mr. President:

I return herewith Enrolled S 1196, S 1192, as amended, S 1134, as amended, as amended in the House, as amended in the House, S 1197, and S 1199 , which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled S 1196, S 1192, as amended, S 1134, as amended, as amended in the House, as amended in the House, S 1197, and S 1199 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

April 5, 2013

The JUDICIARY AND RULES Committee reports that Enrolled S 1196, S 1192, as amended, S 1134, as amended, as amended in the House, as amended in the House, S 1197, and S 1199 were delivered to the Office of the Governor at 9:55 a.m., April 5, 2013.

LODGE, Chairman

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

April 5, 2013

The JUDICIARY AND RULES Committee reports that S 1200, S 1040, as amended, and SCR 103 have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled S 1200, S 1040, as amended, and SCR 103 and ordered them transmitted to the House for the signature of the Speaker.

April 5, 2013

Dear Mr. President:

I return herewith Enrolled **S 1040**, as amended, and **S 1200** , which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1040**, as amended, and **S 1200** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

April 5, 2013

Dear Mr. President:

I return herewith Enrolled **SCR 103** , which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **SCR 103** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

April 9, 2013

The JUDICIARY AND RULES Committee reports that Enrolled **S 1040**, as amended, and **S 1200** were delivered to the Office of the Governor at 10 a.m., April 9, 2013.

LODGE, Chairman

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

April 9, 2013

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 1172, **S 1173**, **S 1174**, **S 1175**, **S 1176**, **S 1177**, **S 1178**, **S 1180**, **S 1181**, **S 1182**, **S 1183**, **S 1186**, **S 1187**, **S 1188**, **S 1190**, **S 1196**, **S 1197**, and **S 1200**

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

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

April 11, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I hereby advise you that I am returning to you, without my approval, disapproved and vetoed, the following Senate Bill, to wit:

S 1080, as amended in the House

within the time limited by law, the same having arrived in the Office of the Governor at the hour of 1:55 p.m. on March 29, 2013.

I agree with this legislation's intent, and I appreciate Senator Rice's efforts to collaborate with the Office of the Attorney General in its development. Unfortunately, the decision by the House of Representatives not to take up the trailer appropriation in S 1195 makes my veto necessary.

S 1195 would have provided $212,600 from the General Fund for the Attorney General to hire a deputy and an investigator to carry out the intent of Senator Rice's bill - eliminating the conflict of interest that occurs when county prosecutors must represent county elected officials while also addressing allegations of misconduct by those same elected officials.

The Attorney General was willing to take on that additional responsibility, but the failure of S 1195 makes that impossible. Therefore, I must veto S 1080aaH while strongly encouraging Senator Rice to return in 2014 with the appropriate legislation - including a request for appropriation - realize the goals of S 1080 aaH.

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

April 11, 2013

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 1134, as amended, as amended in the House, as amended in the House, **S 1147**, as amended, **S 1149**, **S 1150**, **S 1156**, **S 1157**, **S 1158**, **S 1189**, **S 1191**, **S 1192**, as amended, and **S 1199**

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 11, 2013

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 1155

I signed Senate Bill 1155 into law with some hesitation. I do not feel that it ultimately meets the desired goal.

There is no classification in the Idaho Personnel System for watermaster or watermaster assistant. Since the employees are

employed by the State of Idaho, and not a water district, a new classification would need to be created to reach the desired outcome.

The parties will need to work together over the interim to develop a more pragmatic solution that reaches the goals that the water users desire to obtain.

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 12, 2013

The JUDICIARY AND RULES Committee reports that Enrolled **SCR 103** was delivered to the Office of the Secretary of State at 2:14 p.m., April 12, 2013.

LODGE, Chairman

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

April 16, 2013

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 1040, as amended

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

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

April 16, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I hereby advise you that I am transmitting today to the Office of the Secretary of State, the following Senate Bill, which will be allowed to become law without my signature:

S 1072, as amended, as amended in the House

as prescribed by the Constitution.

The Organ Donation Program is a simple and effective way for citizens to save or dramatically improve a life. I applaud Intermountain Donor Services for looking for creative ways to fund this important program that has given many Idahoans a new lease on life. I believe with some reasonable accommodations this program could touch many lives in the years to come.

However, the Idaho Transportation Department (ITD) will not be prepared to implement the program for vehicle registrations by July 1, 2013, and has concerns about the program's impact on its vehicle registration systems.

Perhaps more importantly, ITD has not yet determined a policy for linking fees beyond those for transportation-related purposes to driver license and vehicle registration transactions. Doing so could challenge the viability of much-needed potential transportation revenue as other worthy but unrelated causes look to those transactions as a source of funding. I encourage caution in using them for purposes beyond transportation.

I also encourage stakeholders in this new program to work together with ITD and the Legislature to ensure the department's startup costs are reimbursed from the new fees collected. This agreement should be memorialized prior to implementation.

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.

CERTIFICATE

State of Idaho)
)
Senate Chamber, Boise, Idaho)

We, BRAD LITTLE , President of the Senate, and JENNIFER NOVAK , Secretary of the Senate, do hereby certify and attest as follows:

That the daily Senate Journal of the proceedings of April 4, 2013, the Eighty-eighth Legislative Day, has been read and approved:

And, said Journal contains a true, complete, and accurate record of all Senate proceedings of said day, including final actions by the Senate and the Governor of the State of Idaho, as statutorily mandated.

IN WITNESS WHEREOF, we have hereunto set our hand this 17th day of April, 2013.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

*****

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- FIRST REGULAR SESSION -

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SECTION I-O

SIXTY-SECOND LEGISLATURE - ORGANIZATIONAL SESSION - 2013

OFFICERS AND ADMINISTRATION OF THE SENATE

Name	Address
LITTLE, BRAD Lieutenant Governor/President of the Senate	Emmett
HILL, BRENT President Pro Tempore	Rexburg
DAVIS, BART M. Majority Leader	Idaho Falls
WINDER, CHUCK Assistant Majority Leader	Boise
FULCHER, RUSSELL M. Majority Caucus Chair	Meridian
STENNETT, MICHELLE Minority Leader	Ketchum
WERK, ELLIOT Assistant Minority Leader	Boise
BUCKNER-WEBB, CHERIE Minority Caucus Chair	Boise
NOVAK, JENNIFER Secretary of the Senate	Boise
SNELL, JAN Secretary to the Secretary of the Senate	Boise
HENDRICK, SARAH Journal Clerk	Boise
JONES, MARY SUE Chief of Staff to the President Pro Tempore	Boise
SMITH, MARIAN Assistant to Majority Leader	Boise
KUKLA, LIZZIE Assistant to the Assistant Majority Leader	Melba
KELLY, DIANE Minority Chief of Staff	Boise
MCDONALD, SARAH JANE Sergeant at Arms	Boise
CSUTORAS, JERRY Assistant Sergeant at Arms	Boise
WIBBERDING, JAMES Chaplain	Boise

SECTION II-O

SENATE COMMITTEE ASSIGNMENTS
2013 LEGISLATURE
[Organizational Session: December 6, 2012]

Agricultural Affairs (9)

Bair, Chairman
Guthrie, Vice Chairman

Brackett
Tippets
Rice
Nonini
Patrick
Durst
Buckner-Webb

Commerce and Human Resources (9)

Tippets, Chairman
Patrick, Vice Chairman

Cameron
Goedde
Guthrie
Martin
Lakey
Schmidt
Durst

Education (9)

Goedde, Chairman
Mortimer, Vice Chairman

Pearce
Fulcher
Nonini
Thayn
Patrick
Durst
Buckner-Webb

Finance (10)

Cameron, Chairman
Keough, Vice Chairman

Mortimer
Nuxoll
Vick
Johnson
Bayer
Thayn
Schmidt
Lacey

Health and Welfare (9)

Heider, Chairman
Nuxoll, Vice Chairman

Lodge
Hagedorn
Guthrie
Martin
Lakey
Bock
Schmidt

Judiciary and Rules (9)

Lodge, Chairman
Vick, Vice Chairman

Davis
Mortimer
Nuxoll
Hagedorn
Lakey
Bock
Werk

Local Government and Taxation (9)

Siddoway, Chairman
Rice, Vice Chairman

Hill
McKenzie
Johnson
Vick
Bayer
Werk
Lacey

Resources and Environment (9)

Pearce, Chairman
Bair, Vice Chairman

Cameron
Siddoway
Brackett
Heider
Tippets
Stennett
Lacey

State Affairs (9)

McKenzie, Chairman

Davis
Fulcher
Hill
Winder
Lodge
Siddoway
Stennett
Werk

Transportation (9)

Brackett, Chairman
Johnson, Vice Chairman

Keough
Winder
Rice
Nonini
Hagedorn
Bock
Buckner-Webb

SENATE JOURNAL

SECTION III-O

SIXTY-SECOND IDAHO LEGISLATURE

ORGANIZATIONAL SESSION

2013 LEGISLATIVE SESSION

December 6, 2012

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Hill, Brent

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Oath of Office 1

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Adopted, Sixty-second Legislature 2

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Secretary of the Senate:

Novak, Jennifer

Elected by the Senate 2

Oath of Office 2

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SIXTY-SECOND LEGISLATURE - FIRST REGULAR SESSION - 2013
OFFICERS AND ADMINISTRATION OF THE SENATE

Name **Address**

LITTLE, BRAD ..... Emmett
Lieutenant Governor/President of the Senate

HILL, BRENT ..... Rexburg
President Pro Tempore

DAVIS, BART M. ..... Idaho Falls
Majority Leader

WINDER, CHUCK ..... Boise
Assistant Majority Leader

FULCHER, RUSSELL M. ..... Meridian
Majority Caucus Chair

STENNETT, MICHELLE ..... Ketchum
Minority Leader

WERK, ELLIOT ..... Boise
Assistant Minority Leader

BUCKNER-WEBB, CHERIE ..... Boise
Minority Caucus Chair

NOVAK, JENNIFER ..... Boise
Secretary of the Senate

SNELL, JAN ..... Boise
Secretary to the Secretary of the Senate

HENDRICK, SARAH ..... Boise
Journal Clerk

JONES, MARY SUE ..... Boise
Chief of Staff to President Pro Tem

SMITH, MARIAN ..... Boise
Assistant to Majority Leader

KUKLA, LIZZIE ..... Melba
Assistant to the Assistant Majority Leader

KELLY, DIANE ..... Boise
Minority Chief of Staff

MCDONALD, SARAH JANE ..... Boise
Sergeant at Arms

CSUTORAS, JERRY ..... Boise
Assistant Sergeant at Arms

WIBBERDING, JAMES ..... Boise
Chaplain

SECTION II

2013 MEMBERS OF THE SENATE AND ASSIGNMENTS

(Certificate of Election - First Regular Session)

Name	Address	District
BAIR, STEVE Agricultural Affairs - Chair Resources and Environment - Vice Chair	Blackfoot	31
BAYER, CLIFFORD R. Finance Local Government and Taxation	Boise	21
BOCK, LES Health and Welfare Judiciary and Rules Transportation	Garden City	16
BRACKETT, BERT Transportation - Chair Agricultural Affairs Resources and Environment	Rogerson	23
BUCKNER-WEBB, CHERIE Minority Caucus Chair Agricultural Affairs Education Transportation	Boise	19
CAMERON, DEAN L. Finance - Chair Commerce and Human Resources Resources and Environment	Rupert	27
DAVIS, BART M. Majority Leader Judiciary and Rules State Affairs	Idaho Falls	33
DURST, BRANDEN J. Agricultural Affairs Commerce and Human Resources Education	Boise	18
FULCHER, RUSSELL M. Majority Caucus Chair Education State Affairs	Meridian	22

Name	Address	District
GOEDDE, JOHN W.	Coeur d'Alene	4
Education - Chair		
Commerce and Human Resources		
GUTHRIE, JIM	McCammon	28
Agricultural Affairs - Vice Chair		
Commerce and Human Resources		
Health and Welfare		
HAGEDORN, MARV	Meridian	14
Health and Welfare		
Judiciary and Rules		
Transportation		
HEIDER, LEE	Twin Falls	24
Health and Welfare - Chair		
Resources and Environment		
HILL, BRENT	Rexburg	34
President Pro Tempore		
Local Government and Taxation		
State Affairs		
JOHNSON, DAN G.	Lewiston	6
Transportation - Vice Chair		
Finance		
Local Government and Taxation		
KEOUGH, SHAWN	Sandpoint	1
Finance - Vice Chair		
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MORTIMER, DEAN M. Education - Vice Chair Finance Judiciary and Rules	Idaho Falls	30
NONINI, BOB Agricultural Affairs Education Transportation	Coeur d'Alene	3
NUXOLL, SHERYL L. Health and Welfare - Vice Chair Finance Judiciary and Rules	Cottonwood	7
PATRICK, JIM Commerce and Human Resources - Vice Chair Agricultural Affairs Education	Twin Falls	25
PEARCE, MONTY J. Resources and Environment - Chair Education	New Plymouth	9
RICE, JIM Local Government and Taxation - Vice Chair Agricultural Affairs Transportation	Caldwell	10
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Judiciary and Rules - Vice Chair		
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Assistant Majority Leader		
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Agricultural Affairs (9)

Bair, Chairman
Guthrie, Vice Chairman

Brackett
Tippets
Rice
Nonini
Patrick
Durst
Buckner-Webb

Commerce and Human Resources (9)

Tippets, Chairman
Patrick, Vice Chairman

Cameron
Goedde
Guthrie
Martin
Lakey
Schmidt
Durst

Education (9)

Goedde, Chairman
Mortimer, Vice Chairman

Pearce
Fulcher
Nonini
Thayn
Patrick
Durst
Buckner-Webb

Finance (10)

Cameron, Chairman
Keough, Vice Chairman

Mortimer
Nuxoll
Vick
Johnson
Bayer
Thayn
Schmidt
Lacey

Health and Welfare (9)

Heider, Chairman
Nuxoll, Vice Chairman

Lodge
Hagedorn
Guthrie
Martin
Lakey
Bock
Schmidt

Judiciary and Rules (9)

Lodge, Chairman
Vick, Vice Chairman

Davis
Mortimer
Nuxoll
Hagedorn
Lakey
Bock
Werk

Local Government and Taxation (9)

Siddoway, Chairman
Rice, Vice Chairman

Hill
McKenzie
Johnson
Vick
Bayer
Werk
Lacey

Resources and Environment (9)

Pearce, Chairman
Bair, Vice Chairman

Cameron
Siddoway
Brackett
Heider
Tippets
Stennett
Lacey

State Affairs (9)

McKenzie, Chairman

Davis
Fulcher
Hill
Winder
Lodge
Siddoway
Stennett
Werk

Transportation (9)

Brackett, Chairman
Johnson, Vice Chairman

Keough
Winder
Rice
Nonini
Hagedorn
Bock
Buckner-Webb

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BENNETT, GAYE	Transportation Committee Secretary
BREEN, MADELINE	*Page
BUDELL, JUANITA	Resources and Environment Committee Secretary
CHRISTOPHERSON, IVY	Page
CLAYTON, JEANNE	*Majority Staff Assistant
COLE, CARSON	*Page
CROTTEAU, ROBIN	*Page
CSUTORAS, JERRY	Assistant Sergeant at Arms
CZAPLICKI, TODD	Majority Staff Assistant
DAVIS, TAYLOR	Page
DEIS, CAROL	Majority Staff Assistant
DICKERSON, DANYA	Majority Staff Assistant
FREDERICKSEN, EMMA	Page
HAMLET, LINDA	Health and Welfare Committee Secretary
HENDERSON, AL	Doorkeeper
HENDRICK, SARAH	Journal Clerk
HINDS, LEIGH	Judiciary and Rules Committee Secretary
HOLMES, JESSE	Minority Staff Assistant
HOODENPYLE, KYLE	*Page
JOHNSON, MEGAN	*Page
JONES, MARY SUE	**Chief of Staff to President Pro Tem
KAMBEITZ, LINDA	Commerce and Human Resources Committee Secretary
KELLY, DIANE	***Minority Chief of Staff
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KUKLA, LIZZIE	Assistant to Assistant Majority Leader
LEEDY, ELAINE	Education Committee Secretary
LISTER, CAITLIN	Minority Staff Assistant
MACHADO, KARA	Majority Staff Assistant
MCDANIEL, MATTISON	Page
MCDONALD, SARAH JANE	Sergeant at Arms
MCNEIL, DENISE	Agricultural Affairs Committee Secretary
MELTON, TWYLA	State Affairs Committee Secretary
MOYER, PEGGY	Finance Committee Secretary

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PETERSON, LINDSEY	Minority Staff Assistant
SCHMECHEL, NERISSA	*Page
SEARS, CAMERON	*Page
SMITH, MARIAN	Assistant to the Majority Leader
SNELL, JAN	Secretary to the Secretary of the Senate
STANSELL, CHRISTY	Local Government and Taxation Committee Secretary
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WIBBERDING, JAMES	Chaplain

Attache sworn in January 9, 2013

* Attache sworn in February 19, 2013

** Permanent Full-Time Employees

*** Permanent Part-Time Employees

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[ALPHABETICALLY ARRANGED]

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Since the Senate Journal **only** covers the actions of House bills transmitted to the Senate, this topical index does not refer to every House bill introduced in the House. Separate indices in this volume list, in numerical order, all House bills, memorials, resolutions, and proclamations received by the Senate and show action taken by the Senate thereon. If a particular subject matter does not appear in this index, refer to the House Journal Alphabetical Index. Session law numbers for legislation passing both Senate and House, and becoming law, are included for all Senate bills within the Numerical Index Section V.

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SECTION V

NUMERICAL INDEX OF SENATE BILLS

The following index lists in numerical order all bills which were introduced in the Senate, together with the name of the author and a brief description of the subject matter. The numbers in the Introduction column cite the page where the complete title may be found and the date of introduction of the bill. The numbers in the Vote or Disposition columns cite the page where the Senate's Final Vote or Final Disposition can be found. Amendments to a bill are noted at the bottom of the subject matter and the number opposite is the page in the Journal where the Senate amendments are recorded. Session Law chapter numbers for bills which became law are also noted. House amendments to Senate bills can be found in the House Journal.

Senate Bill	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1001	Resources and Environment	LAW	FISH AND GAME - Amends existing law relating to fish and game to revise provisions relating to disease research and to remove obsolete language.	18	74	197
			Session Law Chapter No. 69			
1002	Resources and Environment	S Res/Env	FISH AND GAME - Amends existing law relating to fish and game to exempt specified classes of licenses from requirements relating to the deposit of certain proceeds from the sale of the licenses into the Fish and Game Set-aside Account; to provide for class 9 licenses; to provide for the replacement of lost or mutilated permits; and to provide that trapping licenses shall entitle the purchaser to trap wolves.....	18	-	20
1003	Resources and Environment	LAW	FISH AND GAME - Amends existing law relating to fish and game to revise provisions relating to class 2 and class 6 licenses; to remove provisions relating to youth small game licenses and youth hunter education graduate licenses; to provide that a trapping license shall entitle the purchaser to trap wolves; to revise provisions relating to certain nonresident licenses; and to revise fees.	18	-	197
			Amended in the Senate.....	98	113	
			Session Law Chapter No. 70			
1004	Resources and Environment	LAW	FISH AND GAME - Amends existing law relating to fish and game to provide for specified resident and nonresident three year licenses and to provide for fees.....	19	74	197
			Session Law Chapter No. 71			
1005	Durst	S Educ	EDUCATION - ONLINE COURSES - Adds to existing law relating to education to establish provisions relating to administrative rules and online courses.	19	-	20
1006	Transportation	LAW	TRANSPORTATION BOARD - Amends existing law relating to the Idaho Transportation Board to provide that abandonment shall proceed pursuant to law and to remove language relating to certain powers and duties of the board as they relate to a board decision to abandon, relocate or replace certain highways.	21	-	242
			Amended in the Senate.....	65	95	
			Amended in the Senate.....	67	85	
			Session Law Chapter No. 141			
1007	Transportation	LAW	MOTOR VEHICLE REGISTRATION - Amends existing law relating to motor vehicle registration to add language relating to staggered registration.	22	60	237
			Session Law Chapter No. 88			

Senate Bill	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1008	Transportation	LAW	MOTOR VEHICLE SALVAGE CERTIFICATES - Amends existing law relating to motor vehicle salvage certificates and salvage pools to provide for the submission of applications for salvage certificates by insurance companies and salvage pools, to provide for the issuance of salvage certificates by the department and to provide for the notation "theft recovery.".... **Session Law Chapter No. 89**	22	60	237
1009	Local Government and Taxation	LAW	EQUALIZATION BOARD APPEALS - Amends existing law to revise the deadline for the submittal of appeals to the Board of Tax Appeals from the County Board of Equalization. ..... **Session Law Chapter No. 24**	22	48	135
1010	Health and Welfare	LAW	MEDICAID - BEHAVIORAL HEALTH SERVICES - Amends existing law to revise provisions of behavioral health services for Medicaid participants..... **Session Law Chapter No. 25**	22	79	151
1011	Health and Welfare	S Health/Wel	IMMUNIZATION - Amends existing law to clarify terminology regarding removal of information from the immunization registry.	22	-	24
1012	Health and Welfare	S Health/Wel	IMMUNIZATION REGISTRY - Amends existing law to revise terminology, to provide for both adults and children in the immunization registry, to provide for a health data exchange in disclosure of information, to revise a provision relating to removal of information from the registry and to revise a provision relating to disclosure of confidential information.....	22	-	24
1013	Health and Welfare	LAW	TELECOMMUNICATIONS SERVICE ASSISTANCE - Amends existing law to remove reference to link-up contributions. ..... **Amended in the House (See House Journal)** **Session Law Chapter No. 186**	22	102 239	284
1014	Health and Welfare	LAW	INSURANCE - FEES AND TAXES - Amends existing law to remove the requirement that a specific percentage of funds be allocated to specific programs. ..... **Session Law Chapter No. 90**	22	132	237
1015	Health and Welfare	S Health/Wel	HEALTH AND WELFARE - Amends existing law to clarify laws related to putative fathers and their rights.....	22	-	24
1016	Judiciary and Rules	LAW	PRODUCER LICENSING - Amends existing law relating to producer licensing to remove language providing that a bail agent's license filed with the clerk of the District Court is deemed proof that such bail agent is licensed. ..... **Session Law Chapter No. 36**	24	65	173
1017	Judiciary and Rules	LAW	MAGISTRATE'S DIVISION - Repeals existing law relating to proceedings in the magistrate's division. ..... **Session Law Chapter No. 37**	24	65	173
1018	Judiciary and Rules	LAW	JUROR CONTEMPT - Amends existing law relating to jury selection and service to revise provisions relating to contempt proceedings for a prospective juror who fails to appear pursuant to court order..... **Amended in the Senate**..... **Amended in the Senate**.....	24 137 166	- 185	288

Senate Bill	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
			Session Law Chapter No. 207			
1019	Health and Welfare	S Com/HuRes	NURSES - Amends existing law relating to nurses to revise provisions relating to criminal history checks and to revise provisions relating to disciplinary action.	25	-	27
1020	Health and Welfare	S Com/HuRes	NURSES - Amends existing law relating to nurses to increase a certain maximum fine and to revise provisions relating to the violations for which such fine may be assessed.	25	-	27
1021	Health and Welfare	LAW	NURSES - Amends existing law relating to nurses to grant the executive director of the Board of Nursing certain authority. **Session Law Chapter No. 208**	25	177	288
1022	Health and Welfare	S Jud	INCOME WITHHOLDING - CHILD SUPPORT - Amends existing law to provide that income withholding orders use a certain form and to provide that income withholding payments by employers be remitted to the Department of Health and Welfare.	25	-	27
1023	Health and Welfare	S Health/Wel	HEALTH AND WELFARE - BEHAVIORAL HEALTH SERVICES - Repeals, amends and adds to existing law relating to Behavioral Health Services.	25	-	27
1024	Agricultural Affairs	LAW	SHEEP AND GOAT HEALTH BOARD - Amends existing law relating to sheep and goats to provide that members of the Idaho Sheep and Goat Health Board may include goat raisers; and to provide that the state of Idaho may audit the funds of the board at any time. **Session Law Chapter No. 91**	28	79	237
1025	State Affairs	LAW	WINE - Amends existing law to revise the size of a container of wine a distributor or importer is allowed to purchase, receive or sell. **Session Law Chapter No. 142**	32	95	242
1026	State Affairs	S St Aff	INITIATIVE AND REFERENDUM ELECTIONS - Amends existing law relating to initiative and referendum elections to revise provisions relating to the form of certain petitions; to revise provisions relating to certain signature sheets; to revise provisions relating to the number of signatures required on certain petitions; and to revise provisions relating to certain petitions and signature sheets.	32	-	34
1027	Education	LAW	EDUCATION - Adds to and amends existing law relating to education scholarships to establish the Armed Forces and Public Safety Officer Scholarship Program, to establish provisions relating to individuals eligible for the Armed Forces and Public Safety Scholarship Program; to establish the Idaho Opportunity Scholarship Program, to provide for the Opportunity Scholarship Program account and to provide for an evaluation; and establishing provisions relating to scholarship program reporting requirements. **Session Law Chapter No. 72**	32	74	197
1028	Education	LAW	EDUCATION - Amends existing law relating to education to remove reference to a pilot program and to remove unnecessary language; and to revise provisions relating to participation in the Mastery Advancement Program. **Session Law Chapter No. 35**	33	103	160

Senate Bill	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1029	State Affairs	LAW	CODIFIER CORRECTIONS - Amends existing law to make codifier's corrections, technical corrections and to provide for correct terminology and code references. ..... **Session Law Chapter No. 187**	35	167	284
1030	State Affairs	S St Aff	COUNTY COMMISSIONERS - Amends existing law relating to the Board of County Commissioners to revise provisions relating to the term of office of a county commissioner; and to provide that on and after a date certain each member of a Board of County Commissioners shall be elected from the district in which he resides.	36	-	37
1031	Commerce and Human Resources	LAW	CONSUMER TRANSACTIONS - Amends existing law relating to commercial transactions to provide for an exception, to establish provisions relating to certain remittance transfers and to establish provisions relating to the application of laws..... **Session Law Chapter No. 73**	42	103	197
1032	Judiciary and Rules	LAW	PUBLIC ASSISTANCE - Amends existing law relating to public assistance to provide that provisions relating to certain fraudulent acts and penalties shall not be construed to be more restrictive than federal or state provisions regarding the transfer of property for public assistance and to provide that provisions relating to specified fraudulent acts and penalties shall not apply to any person who communicates information or renders advice to another regarding federal or state provisions regarding the transfer of property for public assistance..... **Session Law Chapter No. 143**	45	79	242
1033	Judiciary and Rules	LAW	CONSERVATORS - POWERS OF ATTORNEY - Amends existing law relating to conservators and powers of attorney to provide that responsibilities relating to an agent's accountability to certain fiduciaries and principals shall also apply to appointed temporary conservators; to provide that under certain conditions powers of attorney are terminated unless limited or continued by the court; and to provide for applicability.....	45	-	242
			Amended in the Senate.....	99	114	
			Session Law Chapter No. 144			
1034	Judiciary and Rules	LAW	COUNTY JAILS - Repeals existing law relating to the governor's authority to order removal of prisoners..... **Session Law Chapter No. 145**	45	124	242
1035	Judiciary and Rules	LAW	COUNTY JAILS - Amends existing law relating to county jails to establish additional provisions relating to the authority to designate detention officers to act as peace officers..... **Session Law Chapter No. 146**	45	124	242
1036	Judiciary and Rules	S Jud	COUNTY JAILS - Amends existing law relating to county jails to establish additional provisions relating to prisoner reimbursement to the county.	45	-	46

Senate Bill	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1037	Education	S Educ	EDUCATION - Amends existing law relating to education to remove language relating to fact-finders, appointment and hearings, to establish provisions relating to terms of agreements, to provide that agreements shall have a one year duration and to establish provisions relating to limitations on the parties' authority.	50	-	54
1038	Education	S Educ	EDUCATION - Amends existing law relating to education to establish provisions relating to an employee's appeal to the district court, to establish provisions relating to the district court's action and to provide that the determination of the Board of Trustees shall be affirmed unless the employee's substantial rights are violated.	50	-	54
1039	Education	S Educ	EDUCATION - EMPLOYEE NEGOTIATIONS - Amends existing law relating to education to revise language relating to entering into a negotiation agreement, to provide for negotiations in good faith, to revise provisions relating to a request for negotiations, to revise provisions relating to ratification; and to provide for additional revisions relating to negotiations and mediation.	50	-	54
1040	Education	LAW	EDUCATION - Amends existing law relating to education to establish provisions relating to granting an employee's request for voluntary leave of absence, to establish provisions relating to the delegation of authority to place an employee on an involuntary leave of absence, to provide for ratification of certain action, to establish provisions relating to an involuntary leave of absence without pay, to establish provisions relating to an involuntary leave of absence with pay and to establish provisions relating to dual court orders; to revise provisions relating to a contract automatically renewed, to remove language relating to renewing a contract at a reduced rate and to establish provisions relating to an informal review.	50	-	301
			Amended in the Senate	271	282	
			Session Law Chapter No. 353			
1041	Commerce and Human Resources	S FAILED	STATE PERSONNEL - Adds to existing law to provide for the noncompetitive appointment of certain disabled veterans for classified and nonclassified state service.	50	158	158
1042	Commerce and Human Resources	H Health/Wel	HEALTH INSURANCE EXCHANGE - Adds to existing law to establish the Health Insurance Exchange and the board; to provide for powers and authority of the exchange; to provide for reporting; to authorize reliance by the exchange on other agencies; and to provide that the exchange shall not preempt the duties of the Department of Insurance.	51	121	121
1043	Transportation	LAW	MOTOR VEHICLE DRIVER'S LICENSES - IDENTIFICATION CARDS - Amends existing law relating to motor vehicle driver's licenses and identification cards to provide that a licensee or identification cardholder who is a veteran may request that his or her status as such be designated on his or her driver's license or identification card and to establish provisions governing such designation.	51	79	237
			Session Law Chapter No. 92			
1044	Transportation	LAW	MOTORCYCLES - Amends existing law to revise the definition of motorcycle.	51	80	179
			Session Law Chapter No. 39			

Senate Bill	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1045	Transportation	LAW	VETERANS - Amends existing law relating to veterans to revise the definition of "veteran."	51	-	284
			Amended in the Senate	166	186	
			Session Law Chapter No. 188			
1046	Local Government and Taxation	S Loc Gov	EMINENT DOMAIN - Amends existing law to provide that eminent domain shall not be used for trails, paths, greenways or other ways for walking, running, hiking, bicycling or equestrian use, unless adjacent to a highway, road or street.	51	-	54
1047	Local Government and Taxation	LAW	INCOME TAX - GARNISHMENT - Amends existing law to limit the amount of a garnishment for payment of state and federal income taxes, penalties and interest.	51	-	298
			Amended in the Senate	204	222	
			Session Law Chapter No. 244			
1048	Judiciary and Rules	LAW	DRIVER'S LICENSE - SUSPENSION - Amends existing law to revise conditions when the Idaho Transportation Department may suspend a driver's license for nonpayment of a traffic infraction penalty.	56	-	242
			Amended in the Senate	117	139	
			Session Law Chapter No. 147			
1049	Resources and Environment	LAW	OIL AND GAS CONSERVATION COMMISSION - Amends existing law relating to the Oil and Gas Conservation Commission to remove reference to the State Board of Land Commissioners comprising the commission, to provide for commission membership, terms of office, officers, meetings, compensation and personnel, to provide for hearing officers; and to authorize the commission to appoint committees for the purpose of advising the commission on matters relating to oil and gas	56	113	284
			Amended in the House (See House Journal)		238	
			Session Law Chapter No. 189			
1050	Transportation	LAW	MOTOR VEHICLE DEALERS - Amends existing law relating to motor vehicle dealers to revise provisions relating to education requirements of applicants for a wholesale dealer's license.	59	103	237
			Session Law Chapter No. 93			
1051	Transportation	S Transp	AERONAUTICS - Adds to existing law relating to aeronautics to establish provisions relating to restrictions on gathering evidence or other information through the use of a drone or other unmanned aircraft and to provide for consent; to establish provisions relating to the use of a drone by a law enforcement agency when exigent circumstances exist; to establish provisions relating to a civil action and to provide that no information obtained in violation of this act may be admissible as evidence in certain proceedings.	59	-	61
1052	Transportation	S Transp	MOTOR VEHICLES - Amends existing law relating to motor vehicles to revise provisions relating to the powers of local authorities with respect to highways and to provide that certain speed limits and minimum speed limits may be altered or established on the basis of certain engineering and traffic investigations.	59	-	61

Senate Bill	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1053	Health and Welfare	S Health/Wel	PUBLIC ASSISTANCE LAW - Adds to existing law relating to public assistance law to require that the state Department of Health and Welfare or its authorized agent issue certain benefits over the course of not less than ten consecutive days within a month.	65	-	123
1054	Education	S Educ	EDUCATION AND GRADUATION REQUIREMENTS - Adds to existing law relating to education and graduation requirements to provide that the reading and comprehension of "Atlas Shrugged" shall be a requirement of high school graduation, to provide for an examination and to provide for rules.	68	-	71
1055	Education	LAW	EDUCATION - Amends existing law relating to education and Internet based expenditure website to provide that an annual budget shall be included on the Internet based website and to provide that certain master labor agreements shall be included on the Internet based website.	68	113	237
			Session Law Chapter No. 94			
1056	Education	S Educ	SCHOOL ATTENDANCE - Amends existing law to provide that the Board of Trustees shall deny enrollment to any pupil found guilty of a crime of violence or who was imprisoned for more than one year.	68	-	71
1057	Education	LAW	EDUCATION - Amends existing law relating to education to establish provisions relating to a district utilizing a portion of instructional staff allowance for certain visits between the teacher and parents or guardians.	68	-	242
			Amended in the Senate	88	103	
			Amended in the Senate	138	152	
			Session Law Chapter No. 148			
1058	State Affairs	LAW	KEG BEER - Amends existing law to revise the definition of "keg beer"; and to revise the size of a keg of beer that a dealer or wholesaler is allowed to sell to a consumer at his licensed premises.	68	133	237
			Session Law Chapter No. 95			
1059	Judiciary and Rules	LAW	VENEREAL DISEASES - STATE PRISONS - Amends existing law relating to the control of venereal diseases to revise provisions relating to the examination for and treatment of certain diseases of persons confined or imprisoned in any state prison facility in Idaho.	73	-	288
			Amended in the Senate	89	102	
			Amended in the Senate	166	185	
			Session Law Chapter No. 209			
1060	Judiciary and Rules	LAW	PROSTITUTION - Adds to and amends existing law relating to prostitution to establish a felony for utilizing a person under eighteen years of age for prostitution and to provide penalties; to provide for property subject to criminal forfeiture; and to provide that a certain Idaho Code chapter applies to certain persons.	73	219	296
			Session Law Chapter No. 240			

Senate Bill	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1061	Resources and Environment	LAW	THREATENED AND ENDANGERED SPECIES - Amends existing law relating to threatened and endangered species to provide that the state asserts primacy over the management of its fish and wildlife and that it is against the policy of the State of Idaho to introduce or reintroduce any federally listed species onto lands within the state or into state waters without state consultation and approval. ..... **Session Law Chapter No. 149**	73	127	242
1062	Resources and Environment	LAW	TRESPASS - Amends existing law relating to trespass to provide for the use of high visibility shades of orange paint in postings associated with trespassing prohibitions.	73	-	242
			Amended in the Senate..... **Session Law Chapter No. 150**	117	139	
1063	Health and Welfare	LAW	MEDICAL CONSENT AND NATURAL DEATH ACT - Amends existing law relating to the Medical Consent and Natural Death Act to revise provisions relating to when health care may not be withdrawn or denied..... **Session Law Chapter No. 151**	73	138	242
1064	Transportation	LAW	OVERSIZE LOADS - PERMITS - Amends and repeals existing law to remove references to a pilot project..... **Session Law Chapter No. 152**	78	162	242
1065	Transportation	LAW	AMATEUR RADIO TOWERS - Amends existing law to include citizens band (CB) radio and amateur radio towers in structures exempt from standards for guyed towers. ..... **Session Law Chapter No. 210**	78	127	288
1066	Transportation	S Transp	OVERSIZE LOADS - PERMITS - Amends and repeals existing law to remove references to a pilot project.....	78	-	83
1067	Transportation	S Transp	AERONAUTICS - Adds to existing law relating to aeronautics to establish provisions relating to restrictions on gathering evidence or other information through the use of a drone or other unmanned aircraft and to provide for consent; to establish provisions relating to the use of a drone by a law enforcement agency when exigent circumstances exist; to establish provisions relating to a civil action and to provide that no information obtained in violation of this act may be admissible as evidence in certain proceedings.....	78	-	83
1068	Commerce and Human Resources	LAW	SERVICE MEMBERS AND SPOUSES - LICENSURE - Adds to existing law to allow for licensure, registration or certification for service members and spouses for certain professions and occupations in Idaho.	78	-	288
			Amended in the Senate..... **Session Law Chapter No. 211**	157	167	
1069	Local Government and Taxation	S Loc Gov	SOLID WASTE DISPOSAL - Adds to and amends existing law relating to solid waste disposal to establish provisions relating to compliance with notice and meeting provisions in certain circumstances; and to provide for the application of law.	78	-	83

Senate Bill	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1070	Local Government and Taxation	S FAILED	MUNICIPALITIES AND COUNTIES - FEES - Adds to existing law to define terms, to prohibit a municipality or county from charging an incident response fee for the use of emergency services related to traffic incidents, to authorize a municipality or county to charge for certain actual expenses in traffic incidents, to provide for apportionment of actual expenses and to provide that established provisions shall not apply to certain charges.	78	118	118
1071	Health and Welfare	S Health/Wel	ORGAN DONATIONS - Amends existing law to provide that law enforcement officers, firefighters and emergency medical providers shall provide certain information to organ procurement organizations regarding deceased individuals in a motor vehicle accident.	84	-	89
1072	Health and Welfare	LAW	ORGAN DONATION CONTRIBUTION FUND - Adds to and amends existing law to create the Organ Donation Contribution Fund to provide for duties of the Department of Health and Welfare in administration of the fund and to identify possible recipients of moneys from the fund; to authorize voluntary contributions to the fund by persons applying for or renewing a driver's license; and to authorize voluntary contributions to the fund by persons applying for or renewing motor vehicle registration.	84	-	301
			Amended in the Senate	117	139	
			Amended in the House (See House Journal)		271	
			Session Law Chapter No. 354			
1073	Health and Welfare	S Health/Wel	IMMUNIZATION REGISTRY - Amends existing law to revise terminology, to provide for both adults and children in the immunization registry, to provide for a health data exchange in disclosure of information, to revise a provision relating to removal of information from the registry and to revise a provision relating to disclosure of confidential information.	84	-	89
1074	State Affairs	H St Aff	LICENSE TO RETAIL LIQUOR - Amends existing law to revise a provision relating to the issuance of a license to retail liquor to the owner, operator or lessee of an equestrian facility.	84	138	138
1075	State Affairs	S St Aff	UNIFORM LIMITED CONVENTION ACT - Adds to existing law to provide the Article V Convention Act or "Uniform Limited Convention Act."	84	-	89
1076	Finance	LAW	APPROPRIATIONS - HISPANIC AFFAIRS COMMISSION - Appropriates an additional $10,000 to the Commission on Hispanic Affairs for fiscal year 2013.	84	103	151
			Session Law Chapter No. 26			
1077	Finance	LAW	APPROPRIATIONS - BLIND AND VISUALLY IMPAIRED - Appropriates an additional $312,800 to the Commission for the Blind and Visually Impaired for fiscal year 2013; and increases the number of authorized positions by 0.12.	84	103	151
			Session Law Chapter No. 27			

Senate Bill	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1078	State Affairs	LAW	RELIGIOUS STUDENTS - CAMPUS ACCESS - Adds to existing law to provide that no state postsecondary educational institution shall take any action or enforce any policy that would deny a religious student group any benefit available to any other student group based on the religious student group's requirement that its leaders adhere to its sincerely held religious beliefs or standards of conduct.....	84	167	284
			Session Law Chapter No. 190			
1079	State Affairs	LAW	INTERNET CRIMES AGAINST CHILDREN UNIT - Amends and adds to existing law to create the Internet Crimes Against Children Unit in the Office of the Attorney General; and to create the Internet Crimes Against Children Fund.	85	185	299
			Session Law Chapter No. 245			
1080	State Affairs	VETOED	COUNTY OFFICERS - Amends and adds to existing law relating to county officers to revise provisions relating to an action against county officials, county commissioners or auditors; to provide for duties of the Attorney General relating to preliminary investigations and actions against county elected officers; to provide a certain exception relating to the primary responsibility for enforcing penal laws; and to provide that the Attorney General shall have the duty to enforce a certain act with respect to certain violations committed by members of a Board of County Commissioners.....	85	181	300
			Amended in the House (See House Journal)		276	
1081	Transportation	LAW	MOTOR VEHICLE REGISTRATION - Amends existing law relating to motor vehicle registration to revise a fee, to provide that certain trailer manufacturers may purchase registration from the department, to establish provisions relating to the issuing of annual registration to certain foreign-based purchasers and to establish provisions relating to the application of an annual fee to a nonexpiring registration fee.	85	127	242
			Session Law Chapter No. 153			
1082	Transportation	S FAILED	LICENSE PLATES - Adds to existing law to establish the Idaho Volunteer EMS License Plate Program.....	85	-	168
			Amended in the Senate.....	157	168	
1083	Transportation	LAW	LICENSE PLATES - SPECIAL - Amends existing law relating to motor vehicle license plates to establish provisions relating to the use of certain specialty license plates.....	85	132	237
			Session Law Chapter No. 96			
1084	Transportation	S Transp	ROAD CONSTRUCTION - Adds to existing law to provide that road construction shall not block access or unreasonably divert traffic from businesses and to provide for twenty-four hour construction if a violation occurs.....	85	-	89
1085	Education	S Educ	SCHOOL COUNSELING ACT - Adds to existing law relating to the School Counseling Act to establish provisions requiring a certain number of school counselors, to provide for an experience and education multiplier and to establish provisions relating to the use of such multiplier.....	85	-	89

Senate Bill	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1086	Education	S Educ	EDUCATION AND CLASS SIZES - Adds to and amends existing law relating to education and class sizes to establish provisions relating to required maximum class sizes for certain public school classrooms, to establish provisions relating to reporting requirements and to provide for rules; and to provide for the application of law.	85	-	89
1087	Education	S Educ	MOTOR VEHICLE DRIVER'S LICENSES - Amends existing law relating to motor vehicle driver's licenses to revise provisions relating to driver's licenses or permits issued to certain persons under the age of 18 years and to include provisions relating to maintaining satisfactory academic progress.	85	-	89
1088	Education	S Educ	SCHOOL DISTRICTS - Adds to existing law relating to school districts to establish provisions relating to a required audit, to establish provisions relating to consolidation protocols, to establish provisions relating to reduced state allocation to certain districts, to establish provisions relating to increased allocation to certain districts, to establish provisions relating to one or more school districts choosing not to participate in consolidation, to define a term and to provide for rules.	86	-	89
1089	Education	LAW	EDUCATION - Repeals and amends existing law relating to education to revise provisions relating to school districts employing retired teachers and administrators.	86	132	237
			Session Law Chapter No. 97			
1090	Education	S Educ	EDUCATION - Amends existing law relating to education to revise provisions relating to certain conditions relating to a financial emergency, to establish provisions relating to a decision to institute a reduction in force and to the selection of employees subject to such reduction and providing for a district policy.	86	-	89
1091	Education	LAW	EDUCATION - Adds to and amends existing law relating to education to establish provisions relating to an online course portal, advanced opportunities and the "8 in 6 Program"; to revise provisions relating to a certain distribution calculation; to provide that certain moneys may be expended for the development and maintenance of an Internet-based portal, to establish provisions relating to certain courses available, to provide that the portal shall include certain customer ratings and a notification capacity and to establish additional provisions relating to an online portal.	86	-	242
			Amended in the Senate	138	152	
			Session Law Chapter No. 154			
1092	Education	LAW	EDUCATION - Amends and adds to existing law relating to education to establish provisions relating to additional math and science courses; to establish provisions relating to meeting graduation requirements for math and science courses, to provide for the distribution of certain moneys, to provide for the use of such moneys, to establish criteria for the distribution of moneys and to establish provisions relating to certain ninth grade students for the purposes of school size classifications.	86	127	237
			Session Law Chapter No. 98			

Senate Bill	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1093	Education	LAW	EDUCATION - Amends existing law relating to education and the Transportation Support Program to provide that the total moneys paid to school districts and public charter schools for certain transportation costs shall be reduced by a certain amount and shall be used as discretionary spending..... **Session Law Chapter No. 168**	86	138	280
1094	Education	S Educ	EDUCATION - Amends existing law relating to education to remove language relating to fact-finders, appointment and hearings, to establish provisions relating to terms of agreements, to provide that agreements shall have a one year duration, to establish provisions relating to limitations on the parties' authority, to establish provisions relating to certain agreements having a two year duration and to establish provisions relating to what a financial term includes.	86	-	89
1095	Education	S Educ	EDUCATION - EMPLOYEE NEGOTIATIONS - Amends existing law relating to education to revise language relating to entering into a negotiation agreement, to provide for negotiations in good faith, to revise provisions relating to a request for negotiations, to revise provisions relating to ratification; and to provide for additional revisions relating to negotiations and mediation.....	87	-	89
1096	Education	S Educ	EDUCATION - Amends existing law relating to education to establish provisions relating to granting an employee's request for voluntary leave of absence, to establish provisions relating to the delegation of authority to place an employee on an involuntary leave of absence, to provide for ratification of certain action, to establish provisions relating to an involuntary leave of absence without pay, to establish provisions relating to an involuntary leave of absence with pay, to establish provisions relating to dual court orders and to establish provisions relating to an investigation; to remove language relating to a notice concerning renewal of a contract, to revise provisions relating to contracts automatically renewed and to establish provisions relating to an informal review.	87	-	89
1097	Education	LAW	EDUCATION - Amends existing law relating to education to establish provisions relating to certain school age education students from outside the state of Idaho.	87	-	280
			Amended in the Senate..... **Session Law Chapter No. 169**	138	161	
1098	Education	LAW	EDUCATION - Adds to and amends existing law relating to education to establish provisions relating to negotiations in open session; to provide that certain negotiations shall be in open session, to establish that certain documentation shall be subject to disclosure laws and to provide for notice. ..... **Session Law Chapter No. 155**	87	148	242
1099	Health and Welfare	S St Aff	FIREARM SUPPRESSORS - Adds to existing law to provide prohibition of federal regulation of certain suppressors on firearms and to provide duties of the Attorney General.	87	-	89
1100	Health and Welfare	LAW	HEALTH CARE SHARING MINISTRIES FREEDOM TO SHARE ACT - Adds to existing law to provide that a health care sharing ministry shall not be considered to be engaging in the business of insurance for the purposes of the State Insurance Code.	87	132	242

Senate Bill	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
			Session Law Chapter No. 156			
1101	Finance	LAW	APPROPRIATIONS - PARKS AND RECREATION - Appropriates an additional $330,000 to the Department of Parks and Recreation for fiscal year 2013.	94	123	197
			Session Law Chapter No. 74			
1102	Finance	LAW	APPROPRIATIONS - SELF-GOVERNING AGENCIES, REGULATORY BOARDS - Reduces the appropriation to the Regulatory Boards by $1,125,000 for fiscal year 2013, and revises the standard class appropriation.	94	123	197
			Session Law Chapter No. 75			
1103	Finance	LAW	APPROPRIATIONS - STATE TAX COMMISSION - Appropriates an additional $200,000 to the Idaho State Tax Commission for fiscal year 2013.....	94	123	197
			Session Law Chapter No. 76			
1104	Finance	LAW	APPROPRIATIONS - FISH AND GAME DEPARTMENT - Appropriates an additional $8,205,700 to the Department of Fish and Game for fiscal year 2013.	94	123	197
			Session Law Chapter No. 77			
1105	State Affairs	LAW	LEGISLATIVE DEPARTMENT - Repeals and adds to existing law relating to audits of the Legislative Department.....	94	186	288
			Session Law Chapter No. 212			
1106	State Affairs	LAW	PERSONNEL SYSTEM - Adds to existing law to provide for health savings accounts for state employees who choose a high deductible health plan, to define terms, to provide for deposits into health savings accounts by employers, to provide for contribution of funds to a health savings account by state employees and to authorize the Division of Human Resources to promulgate rules.	102	-	288
			Amended in the Senate.....	181	199	
			Session Law Chapter No. 213			
1107	State Affairs	LAW	REVENUE AND TAXATION - Amends existing law relating to revenue and taxation to establish provisions relating to providing certain assessment notices electronically.....	102	-	284
			Amended in the Senate.....	157	168	
			Session Law Chapter No. 191			
1108	State Affairs	LAW	INITIATIVE AND REFERENDUM ELECTIONS - Amends existing law relating to initiative and referendum elections to revise provisions relating to the form of certain petitions; to revise provisions relating to certain signature sheets; to revise provisions relating to the number of signatures required on certain petitions; and to revise provisions relating to certain petitions and signature sheets.	102	182	288
			Session Law Chapter No. 214			
1109	Judiciary and Rules	LAW	ANNUITY CONTRACTS - Amends existing law to provide certain exemptions and protections from execution and attachment shall not apply to certain annuity contracts.....	108	-	299
			Amended in the Senate.....	117	132	
			Amended in the Senate.....	217	228	
			Session Law Chapter No. 246			

Senate Bill	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1110	Judiciary and Rules	S Jud	ATTORNEY'S FEES - Amends existing law to revise provisions relating to attorney's fees when an insurer fails to pay a person entitled and to provide for when no attorney's fees may be recovered.	108	-	110
1111	State Affairs	LAW	CONDOMINIUM PROPERTY ACT - Amends existing law relating to the condominium property act to revise provisions relating to the allocation of percentage of ownership interest in a common area.	112	177	284
			Session Law Chapter No. 192			
1112	State Affairs	LAW	PUBLIC UTILITIES COMMISSION - Amends and repeals existing law relating to public utilities regulation to revise Public Utilities Commission authority regarding rates and to revise procedures before the commission.	113	186	284
			Session Law Chapter No. 193			
1113	Finance	LAW	APPROPRIATIONS - SELF-GOVERNING AGENCIES - MEDICAL BOARDS - Reduces the appropriation to the medical boards for dentistry, medicine, pharmacy and veterinary medicine by $308,000 for fiscal year 2013; and revises the standard class appropriation.	120	139	237
			Session Law Chapter No. 99			
1114	Judiciary and Rules	H Health/Wel	HEALTH AND WELFARE - BEHAVIORAL HEALTH SERVICES - Repeals, amends and adds to existing law relating to behavioral health services.	120	-	211
			Amended in the Senate	180	211	
1115	Judiciary and Rules	S Health/Wel	RADIOLOGIC IMAGING - Adds to existing law to provide that a license is required to perform radiologic imaging or radiation therapy, to provide for limitations, to establish the Board of Radiologic Imaging and Radiation Therapy Examiners and its appointment, terms, powers and duties, to provide for requirements and certifications for licensure and to provide for discipline and penalties.	120	-	122
1116	Judiciary and Rules	LAW	ORGAN DONATIONS - Amends existing law to provide that certain information regarding donors shall be given to dispatch agencies, the Idaho State Communication Center and organ procurement organizations.	120	-	299
			Amended in the Senate	157	167	
			Amended in the House (See House Journal)		271	
			Session Law Chapter No. 247			
1117	State Affairs	LAW	OVERWEIGHT OR OVERSIZE LOADS - PERMITS - Adds to existing law to provide for special permits for new designated special routes and to provide for the analysis of new special routes.	126	162	288
			Session Law Chapter No. 206			
1118	State Affairs	H St Aff	ALCOHOLIC BEVERAGES - BEER - Adds to existing law to provide that it shall be unlawful for a brewer to have financial interest in the business of a dealer or wholesaler of beer.	126	-	239
			Amended in the Senate	231	239	

Senate Bill	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1119	Judiciary and Rules	LAW	INCOME WITHHOLDING - CHILD SUPPORT - Amends existing law to provide that income withholding orders use a certain form and to provide that income withholding payments by employers be remitted to the Department of Health and Welfare. ..... **Session Law Chapter No. 248**	126	167	299
1120	Finance	LAW	APPROPRIATION - LIEUTENANT GOVERNOR - Appropriates $147,600 to the Office of the Lieutenant Governor for fiscal year 2014; limits the number of full-time equivalent positions to 3; and provides guidance for employee compensation. ..... **Session Law Chapter No. 100**	126	148	237
1121	State Affairs	S Agric Aff	SHEEP - Adds to existing law relating to sheep to provide that the abandonment of sheep and related duties by certain persons shall constitute a misdemeanor and to provide that persons aiding and abetting such abandonment shall be guilty of a misdemeanor.	131	-	134
1122	Judiciary and Rules	LAW	CHILD CUSTODY - Adds to existing law relating to child custody to provide a procedure for the court in the event a petition for modification of a child custody order is filed where the action may be subject to the Servicemembers Civil Relief Act, to provide that under certain circumstances the court may only enter an order or decree temporarily modifying the existing child custody order during a period of deployment, to provide for expiration of the order or decree, to provide for expedited hearings, to provide for temporary orders granting deployed parents reasonable contact with the child and to provide for the presentation of testimony and evidence by electronic means. ..... **Session Law Chapter No. 215**	131	167	288
1123	Judiciary and Rules	LAW	PROSTITUTION - HUMAN TRAFFICKING - Adds to existing law to provide for the forfeiture of property used in human trafficking. ..... **Session Law Chapter No. 249**	131	219	299
1124	State Affairs	S Educ	PUBLIC CHARTER SCHOOLS - Adds to existing law relating to public charter schools to establish provisions relating to public postsecondary institutions being authorized to operate public charter high schools.	136	-	140
1125	State Affairs	S Educ	EDUCATION - Adds to and amends existing law relating to education to establish provisions relating to the education of certain school age children, to establish provisions relating to a memorandum of understanding, to establish provisions relating to an annual allowance and to establish provisions relating to accreditation reviews or reports; and to revise provisions relating to the educational support program.	136	-	140
1126	State Affairs	LAW	LOTTERY - Amends existing law to revise procedures for withholding and set-off of lottery prize winnings for satisfaction of outstanding state taxes owed and outstanding child support debt. ..... **Session Law Chapter No. 250**	136	226	299
1127	State Affairs	LAW	BINGO AND RAFFLES - Amends existing law to revise provisions regarding the licensure of bingo and raffles..... **Session Law Chapter No. 251**	137	226	299

Senate Bill	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1128	Finance	LAW	APPROPRIATIONS - STATE INDEPENDENT LIVING COUNCIL - Appropriates $715,900 to the State Independent Living Council for fiscal year 2014; limits the number of full-time equivalent positions to 5; and provides guidance for employee compensation.	141	168	242
			Session Law Chapter No. 157			
1129	Finance	LAW	APPROPRIATIONS - OFFICE OF SPECIES CONSERVATION - Appropriates $13,242,800 to the Office of Species Conservation for fiscal year 2014; limits the number of full-time equivalent positions to 12; and provides guidance for employee compensation.	142	168	242
			Session Law Chapter No. 158			
1130	Finance	LAW	APPROPRIATIONS - ENERGY RESOURCES - Appropriates $1,418,000 to the Office of Energy Resources for fiscal year 2014; limits the number of full-time equivalent positions to 10; authorizes certain non-General Fund carryover; and provides guidance for employee compensation.	142	169	242
			Session Law Chapter No. 159			
1131	Finance	LAW	APPROPRIATIONS - ENDOWMENT FUND INVESTMENT BOARD - Appropriates $624,800 to the Endowment Fund Investment Board for fiscal year 2014; limits the number of full-time equivalent positions to 4; authorizes continuous appropriation authority for certain costs; expresses legislative intent with regard to transfers from the earnings reserve funds to the income funds; and provides guidance for employee compensation.	142	169	242
			Session Law Chapter No. 160			
1132	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF FISH AND GAME - Appropriates $89,045,400 for fiscal year 2014; limits the number of full-time equivalent positions to 567; and provides guidance for employee compensation.	142	170	242
			Session Law Chapter No. 161			
1133	Judiciary and Rules	H 3rd Rdgaa	SCHOOL SECURITY PLANS - Adds to and amends existing law relating to school security plans to establish provisions for school safety and security plans; and to provide that certain plans and reports are confidential and exempt from disclosure.	142	-	199
			Amended in the Senate	180	199	
			Amended in the Senate	197	207	
			Amended in the House (See House Journal)			
1134	State Affairs	LAW	UNMANNED AIRCRAFT - Adds to existing law relating to aeronautics to define terms, to establish provisions relating to restrictions on the use of unmanned aircraft systems, to provide exceptions, to provide for a civil cause of action, to provide for certain damages and to provide that an owner of certain facilities shall not be prohibited from using an unmanned aircraft system to inspect such facilities.	151	-	300
			Amended in the Senate	206	222	
			Amended in the House (See House Journal)			
			Amended in the House (See House Journal)		294	
			Session Law Chapter No. 328			

Senate Bill	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1135	Judiciary and Rules	LAW	MEDICAL DISCIPLINE - Amends existing law to provide additional grounds for medical discipline by the State Board of Medicine over licensees or registrants under its jurisdiction. ..... **Session Law Chapter No. 252**	151	221	299
1136	Judiciary and Rules	LAW	SYNTHETIC DRUG LISTING - Amends existing law to revise a listing of synthetic drugs..... **Session Law Chapter No. 253**	151	219	299
1137	Judiciary and Rules	S Jud	GARNISHMENTS - Amends and adds to existing law relating to garnishments.	151	-	155
1138	State Affairs	LAW	LOCAL PLANNING ACT - Amends existing law relating to the Local Planning Act to provide that overlay zoning districts have specific standards; to provide that in no event shall the governing board by local ordinance enact provisions that abrogate the statutory authority of a public health district, state and/or federal agency; to enumerate express standards regarding the Local Planning Act and to provide procedures for reconsideration.	152	-	288
			Amended in the Senate.....	181	199	
			Session Law Chapter No. 216			
1139	Finance	LAW	APPROPRIATIONS - PUBLIC HEALTH DISTRICTS - Appropriates $8,232,500 from the General Fund to the Public Health Districts for fiscal year 2014; and provides guidance for employee compensation..... **Session Law Chapter No. 162**	156	176	242
1140	Finance	LAW	APPROPRIATIONS - MEDICAL BOARDS - Appropriates $5,075,800 to the Medical Boards for fiscal year 2014; limits the number of full-time equivalent positions to 43.3; and provides guidance for employee compensation. ..... **Session Law Chapter No. 163**	156	176	242
1141	Finance	S Fin	APPROPRIATIONS - STATE TREASURER - Appropriates $3,289,100 to the State Treasurer for fiscal year 2014; limits the number of full-time equivalent positions to 26; provides for reappropriation authority for the LGIP Fund; provides guidance for employee compensation; provides for legislative intent regarding the use of funds spent on conference related activities; and provides legislative intent for the payment of bank service fees.....	156	-	166
1142	Finance	LAW	APPROPRIATIONS - COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED - Appropriates $4,507,600 to the Commission for the Blind and Visually Impaired for fiscal year 2014; limits the number of full-time equivalent positions to 39.12; and provides guidance for employee compensation. ..... **Session Law Chapter No. 164**	156	181	242
1143	Finance	LAW	APPROPRIATIONS - DIVISION OF VETERANS SERVICES - Appropriates $29,366,700 to the Division of Veterans Services for fiscal year 2014; limits the number of full-time equivalent positions to 316.7; and provides guidance for employee compensation. ..... **Session Law Chapter No. 165**	156	176	242

Senate Bill	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1144	Finance	LAW	APPROPRIATIONS - AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE - Appropriates $24,474,700 to the Agricultural Research and Cooperative Extension Service for fiscal year 2014; provides guidance for employee compensation; exempts appropriation from object transfer limitations; and provides reappropriation of non-General Funds.....	156	177	242
			Session Law Chapter No. 166			
1145	State Affairs	LAW	WORKER'S COMPENSATION - Amends existing law relating to worker's compensation to extend a temporary premium tax reduction and to extend certain deduction provisions.....	165	228	299
			Session Law Chapter No. 254			
1146	State Affairs	LAW	EDUCATION - Amends existing law relating to education to revise provisions relating to certain conditions concerning the declaration of a financial emergency.....	165	222	299
			Session Law Chapter No. 255			
1147	State Affairs	LAW	EDUCATION - Amends existing law relating to education to establish provisions relating to terms of agreements, to provide that agreements shall have a one year duration, to establish provisions relating to limitations on the parties' authority, to establish provisions relating to certain agreements having a two year duration, to establish provisions relating to what a financial term includes and to define terms; and to establish language relating to fact-finders, appointment and hearings.....	165	-	300
			Amended in the Senate.....	232	239	
			Amended in the Senate.....	286		
			Session Law Chapter No. 329			
1148	State Affairs	S FAILED	EDUCATION - Amends, repeals and adds to existing law relating to education to remove language relating to a notice concerning renewal of a contract, to revise a date, to revise provisions relating to contracts automatically renewed and to establish provisions relating to an informal review if the board determines to change certain terms of a contract; and to establish provisions relating to the issuance of annual contracts and to establish provisions relating to the issuance of renewable contracts.....	165	-	240
			Amended in the Senate.....	232	240	
1149	State Affairs	LAW	EDUCATION - EMPLOYEE NEGOTIATIONS - Amends existing law relating to education to revise language relating to entering into a negotiation agreement, to provide for negotiations in good faith, to revise provisions relating to a request for negotiations and to revise provisions relating to ratification.....	165	239	300
			Session Law Chapter No. 330			
1150	State Affairs	LAW	EDUCATION - Amends existing law relating to education to establish provisions relating to an employee's appeal to the district court, to establish provisions relating to the district court's action and to provide that the determination of the Board of Trustees shall be affirmed unless the employee's substantial rights are violated.....	165	245	300
			Session Law Chapter No. 331			

Senate Bill	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1151	Judiciary and Rules	LAW	CRIMINAL PROCEDURE - Amends existing law to revise provisions relating to when relief from a felony conviction may be granted and to provide procedures. ..... **Session Law Chapter No. 256**	165	227	299
1152	Finance	LAW	APPROPRIATIONS - PROFESSIONAL-TECHNICAL EDUCATION DIVISION - Appropriates $58,738,300 to the Division of Professional-Technical Education for fiscal year 2014; provides guidance for employee compensation; provides exemptions from budget laws; and reappropriates certain unexpended and unencumbered fund balances. ..... **Session Law Chapter No. 194**	174	198	284
1153	Finance	LAW	APPROPRIATIONS - CATASTROPHIC HEALTH CARE COST FUND - Reduces the General Fund appropriation to the Catastrophic Health Care Cost Fund by $6,000,000 for fiscal year 2013. ..... **Session Law Chapter No. 195**	174	198	284
1154	Finance	LAW	APPROPRIATIONS - COMMISSION FOR LIBRARIES - Appropriates $4,764,100 to the Idaho Commission for Libraries for fiscal year 2014; limits the number of authorized full-time positions to 40.5; and provides guidance on employee compensation. ..... **Session Law Chapter No. 196**	174	199	284
1155	State Affairs	LAW	WATERMASTER COMPENSATION - Amends existing law relating to water districts to clarify compensation provisions relating to watermasters and assistants. ..... **Session Law Chapter No. 327**	174	218	300
1156	State Affairs	LAW	IRRIGATION DISTRICTS - Adds to existing law relating to irrigation districts to provide for the partition of certain irrigation districts, to provide that the petitions along with maps and other papers filed therewith shall be open to public inspection, to provide for bond, to provide for notice of filing, to provide for notice of hearing; to provide for examination by the Department of Water Resources, to provide for reports, to provide conditions under which orders shall be issued, to provide for supplemental petitions, to provide for division, to provide for directors, to provide for the effective date and to provide for appeal, to provide for the joint ownership of certain real or personal properties, canals and laterals, to provide for the proportionate obligation of outstanding debt and to provide for a joint board of control. ..... **Session Law Chapter No. 332**	174	218	300
1157	State Affairs	LAW	IRRIGATION DISTRICTS - Amends existing law relating to irrigation districts to provide that certain limited liability companies shall have the same rights and privileges in the conduct of irrigation district business as do natural persons and to revise provisions relating to voting and otherwise acting in regard to irrigation district business by corporations, limited liability companies, partnerships and trusts. ..... **Session Law Chapter No. 333**	175	220	300
1158	State Affairs	LAW	SOCIAL SECURITY BENEFITS - Amends existing law to revise terminology, to provide that Social Security benefits extend to police officers and firefighters and to define terms. ..... **Session Law Chapter No. 334**	180	245	300

Senate Bill	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1159	State Affairs	S Loc Gov	SOLID WASTE DISPOSAL - Adds to and amends existing law relating to solid waste disposal to establish provisions relating to compliance with notice and meeting provisions in certain circumstances; and to provide for the application of law.	184	-	192
1160	Finance	LAW	APPROPRIATIONS - STATE LIQUOR DIVISION - Appropriates $16,928,700 to the State Liquor Division for fiscal year 2014; limits the number of full-time equivalent positions to 205; and provides guidance for employee compensation. **Session Law Chapter No. 197**	184	218	284
1161	Finance	LAW	APPROPRIATIONS - REGULATORY BOARDS, SELF-GOVERNING - Appropriates $6,482,600 to the Regulatory Boards for fiscal year 2014; limits the number of full-time equivalent positions to 65; and provides guidance for state employee compensation. **Session Law Chapter No. 198**	184	218	284
1162	Finance	LAW	APPROPRIATIONS - IDAHO STATE CONTROLLER - Appropriates $14,527,000 to the Idaho State Controller for fiscal year 2014; limits the number of authorized full-time equivalent positions to 94; provides guidance for employee compensation; provides for the recovery of State Controller Service Costs to the General Fund; and provides non-General Fund reappropriation authority. **Session Law Chapter No. 199**	184	218	284
1163	Finance	LAW	APPROPRIATIONS - HISPANIC AFFAIRS - Appropriates $236,100 to the Commission on Hispanic Affairs for fiscal year 2014; limits the number of full-time positions to 3; and provides guidance for employee compensation. **Session Law Chapter No. 200**	185	218	284
1164	Finance	LAW	APPROPRIATIONS - DIVISION OF VOCATIONAL REHABILITATION - Reduces the General Fund appropriation to the Division of Vocational Rehabilitation for fiscal year 2013 by $200,000; appropriates $23,122,700 for fiscal year 2014; limits the number of full-time equivalent positions to 148; and provides guidance for employee compensation. **Session Law Chapter No. 201**	185	218	284
1165	Judiciary and Rules	LAW	ATTORNEY'S FEES - Amends existing law to revise a provision relating to attorney's fees when an insurer fails to pay a person entitled. **Session Law Chapter No. 257**	185	227	299
1166	State Affairs	H Agric Aff	DOMESTIC CERVIDAE - Adds to and amends existing law relating to domestic cervidae to provide for testing relating to chronic wasting disease; to provide for inspection of domestic cervidae farms and ranches; and to provide for inventory, import, export and transfer fees.	197	-	244
			Amended in the Senate	211	222	
			Amended in the Senate	230	237	
			Amended in the Senate	232	244	

Senate Bill	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1167	Finance	LAW	APPROPRIATIONS - SECRETARY OF STATE - Appropriates $1,991,400 to the Secretary of State for fiscal year 2014; limits the number of full-time equivalent positions to 27; and provides guidance for employee compensation..... **Session Law Chapter No. 202**	197	226	284
1168	Finance	LAW	APPROPRIATIONS - PUBLIC TELEVISION - Appropriates $7,935,200 to Idaho Public Television for fiscal year 2014; limits the number of full-time equivalent positions to 59; and provides guidance for employee compensation..... **Session Law Chapter No. 203**	197	226	284
1169	Finance	LAW	APPROPRIATIONS - BOARD OF TAX APPEALS - Appropriates $504,800 to the Board of Tax Appeals for fiscal year 2014; limits the number of full-time equivalent positions to 5; and provides guidance for employee compensation..... **Session Law Chapter No. 218**	197	226	291
1170	Finance	LAW	APPROPRIATIONS - SOIL AND WATER CONSERVATION COMMISSION - Appropriates $2,699,000 to the Soil and Water Conservation Commission for fiscal year 2014; limits the number of full-time equivalent positions to 16; and provides guidance for employee compensation. ..... **Session Law Chapter No. 204**	197	227	284
1171	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF AGRICULTURE - Appropriates $35,788,500 to the Department of Agriculture for fiscal year 2014; limits the number of full-time equivalent positions to 189.05; provides legislative intent; and provides guidance for employee compensation. ..... **Session Law Chapter No. 205**	197	227	284
1172	Finance	LAW	APPROPRIATIONS - LAVA HOT SPRINGS - Appropriates $2,112,600 to the Lava Hot Springs Foundation for fiscal year 2014; limits the number of full-time equivalent positions to 12.8; and provides guidance for employee compensation..... **Session Law Chapter No. 309**	197	246	300
1173	Finance	LAW	APPROPRIATIONS - PARKS AND RECREATION DEPARTMENT - Appropriates $33,446,900 to the Idaho Department of Parks and Recreation for fiscal year 2014; limits the number of full-time equivalent positions to 143.5; permits the department to exceed the 10% transfer limitations between programs for certain project grants; provides carryover authority for the Capital Development Program; supersedes the grant provisions of the Recreational Vehicle Fund; and provides guidance for employee compensation..... **Session Law Chapter No. 310**	198	246	300
1174	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF COMMERCE - Appropriates $34,245,200 to the Department of Commerce for fiscal year 2014; appropriates and transfers $3,000,000 from the General Fund to the Business and Jobs Development Fund; limits the number of full-time equivalent positions to 53; and provides guidance for employee compensation..... **Session Law Chapter No. 311**	198	248	300

Senate Bill	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1175	Finance	LAW	APPROPRIATIONS - STATE TAX COMMISSION - Appropriates $41,521,200 to the Idaho State Tax Commission for fiscal year 2014; limits the number of full-time equivalent positions to 455; and provides guidance for employee compensation. ..... **Session Law Chapter No. 312**	198	248	300
1176	Finance	LAW	APPROPRIATIONS - CATASTROPHIC HEALTH CARE PROGRAM - Appropriates $34,830,100 from the General Fund and directs the transfer to the Catastrophic Health Care Fund for fiscal year 2014..... **Session Law Chapter No. 313**	198	248	300
1177	Finance	LAW	APPROPRIATIONS - SUPERINTENDENT OF PUBLIC INSTRUCTION - Appropriates $35,671,900 to the Superintendent of Public Instruction for fiscal year 2014; limits the number of authorized full-time equivalent positions to 142; and provides guidance on employee compensation..... **Session Law Chapter No. 314**	198	248	300
1178	Finance	LAW	APPROPRIATIONS - STATE TREASURER - Appropriates $3,289,100 to the State Treasurer for fiscal year 2014; limits the number of full-time equivalent positions to 26; provides for reappropriation authority for the LGIP Fund; provides guidance for employee compensation; provides for legislative intent regarding the use of funds spent on conference related activities; and provides legislative intent for the payment of bank service fees..... **Session Law Chapter No. 315**	198	249	300
1179	State Affairs	LAW	TRANSPORTATION BOARD - Adds to and amends existing law relating to motor vehicles and transportation to establish provisions relating to agreements with authorized representatives of contiguous states for certain purposes and to establish provisions relating to certain Indian tribal members for purposes of vehicle registration and titling. ..... **Session Law Chapter No. 258**	204	228	299
1180	Finance	LAW	APPROPRIATIONS - EDUCATION BOARD, SPECIAL PROGRAMS - Appropriates $10,688,300 to the State Board of Education and Board of Regents of the University of Idaho for Special Programs for fiscal year 2014; limits the number of authorized full-time equivalent positions to 29.83; and provides guidance for employee compensation. ..... **Session Law Chapter No. 316**	210	249	300
1181	Finance	LAW	APPROPRIATION - MILLENNIUM FUND - Appropriates, distributes and transfers a total of $6,489,400 from the Idaho Millennium Income Fund for fiscal year 2014; provides that certain unexpended and unencumbered moneys shall revert to the Idaho Millennium Income Fund at the end of fiscal year 2014; and provides that any remaining unexpended and unencumbered moneys in the Idaho Millennium Income Fund shall be transferred to the Idaho Millennium Permanent Endowment Fund at the end of fiscal year 2014. ..... **Session Law Chapter No. 317**	210	249	300

Senate Bill	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1182	Finance	LAW	APPROPRIATIONS - CORRECTION DEPARTMENT - Appropriates an additional $8,462,300 to the Department of Correction for fiscal year 2013; authorizes an additional 29 full-time equivalent positions; appropriates $199,679,400 to the Department of Correction for fiscal year 2014; limits the number of authorized full-time equivalent positions to 1,592.93; exempts a portion of the appropriation from program transfer limitations; and provides guidance for employee compensation. **Session Law Chapter No. 318**	210	249	300
1183	Finance	LAW	APPROPRIATIONS - EDUCATION BOARD, HEALTH EDUCATION PROGRAMS - Appropriates $11,518,000 to the State Board of Education and the Board of Regents of the University of Idaho for Health Education Programs for fiscal year 2014; provides guidance for employee compensation; limits the number of authorized full-time equivalent positions to 21.3; provides a lump sum budget for WWAMI; and reappropriates unexpended and unencumbered dedicated fund balances. **Session Law Chapter No. 319**	210	249	300
1184	State Affairs	S St Aff	LIBERTY PRESERVATION ACT - Adds to existing law relating to the Idaho Liberty Preservation Act to provide definitions, to provide that certain portions of the federal National Defense Authorization Act of Fiscal Year 2012 are invalid, to provide that state actors are prohibited from supporting and participating in the certain indefinite detention provision of the National Defense Authorization Act, to provide offenses and penalties and to provide a certain report.	216	-	233
1185	State Affairs	S St Aff	GAMING - Amends and adds to existing law to revise provisions regarding tribal gaming and authorizes legal action to determine the constitutionality of certain tribal gaming actions.	216	-	224
1186	Finance	LAW	APPROPRIATIONS - COLLEGE AND UNIVERSITIES - Appropriates $465,902,000 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 2014; provides guidance for employee compensation; provides certain reappropriation authority; provides legislative intent for systemwide needs; provides legislative intent for university research; provides legislative intent regarding enrollment workload adjustment costs; provides legislative intent regarding equitable distribution of funds; and provides exceptions to budget law limitations. **Session Law Chapter No. 320**	216	249	300
1187	Finance	LAW	APPROPRIATIONS - OFFICE OF STATE BOARD OF EDUCATION - Appropriates $5,408,700 to the Office of the State Board of Education for fiscal year 2014; limits the number of full-time equivalent positions to 22.75; provides guidance for employee compensation; and provides for reappropriation of federal funds. **Session Law Chapter No. 321**	230	256	300

Senate Bill	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1188	Finance	LAW	APPROPRIATIONS - COMMUNITY COLLEGES - Appropriates $30,837,600 to the State Board of Education for community colleges for fiscal year 2014; and provides exemptions to budget law limitations. ..... **Session Law Chapter No. 322**	231	256	300
1189	Judiciary and Rules	LAW	IDAHO CODE - STATUTORY CONSTRUCTION - Amends existing law to provide principles of statutory construction of the Idaho Code..... **Session Law Chapter No. 335**	231	246	300
1190	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - MEDICAL ASSISTANCE SERVICES - Appropriates $2,024,182,500 for the Division of Medical Assistance Services in the Department of Health and Welfare for fiscal year 2014; limits the number of authorized full-time equivalent positions to 205.49; provides for transfers to the Cooperative Welfare Fund; limits transfers from trustee and benefit payments; provides legislative intent regarding program integrity; requires monthly Medicaid tracking reports; provides for transfers between programs; clarifies funding for Medicaid readiness; requires quarterly reports regarding the impacts of House Bill No. 260 of 2011; requires quarterly reports regarding managed care implementation; and provides guidance for employee compensation. ..... **Session Law Chapter No. 323**	234	268	300
1191	State Affairs	LAW	INITIATIVE AND REFERENDUM ELECTIONS - Amends Sections 1, 2 and 4 of Senate Bill No. 1108, as enacted by the First Regular Session of the Sixty-second Legislature, to provide that residence in a legislative district shall be for official use only of the county clerk and the Secretary of State, to remove provisions relating to a requirement that a certain signature sheet contain signatures of qualified electors from a legislative district and to delete provisions relating to district petition signers knowing their legislative districts. .... **Session Law Chapter No. 336**	240	246	300
1192	State Affairs	LAW	CAPITOL MALL - Adds to existing law to provide that the administrator of the Division of Public Works shall develop facilities in the Capitol Mall and to create a process for exempting Capitol Mall facilities from planning and zoning restrictions.....	240	-	300
			Amended in the Senate..... **Session Law Chapter No. 337**	271	281	
1193	State Affairs	S St Aff	ABORTION - Amends, adds to and repeals existing law to revise the laws relating to abortion.	240	-	240
1194	Finance	S Fin	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - MENTAL HEALTH SERVICES DIVISION - Provides reappropriation authority for the Mental Health Services Division in the Department of Health and Welfare; clarifies the use of the reappropriation; and exempts certain program transfers from the ten percent limitation.	243	-	267
1195	Finance	H Approp	APPROPRIATIONS - ATTORNEY GENERAL - TRAILER - Appropriates an additional $212,600 to the Attorney General for the State Legal Services program for fiscal year 2014; and authorizes an additional two full-time equivalent positions.....	243	276	276

Senate Bill	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1196	Finance	LAW	APPROPRIATIONS - ATTORNEY GENERAL - TRAILER - Appropriates an additional $2,014,900 to the Attorney General for Internet Crimes Against Children for fiscal year 2014; authorizes an additional 3.5 full-time equivalent positions; and transfers $2,014,900 from the Consumer Protection Fund to the General Fund for fiscal year 2013. .... **Session Law Chapter No. 324**	243	276	300
1197	Finance	LAW	APPROPRIATIONS - DEPARTMENT OF COMMERCE - TRAILER - Amends the fiscal year 2014 appropriation bill for the Department of Commerce by removing references to the Business and Jobs Development Fund and replacing them with the Idaho Opportunity Fund. ..... **Session Law Chapter No. 325**	243	276	300
1198	Judiciary and Rules	S Jud	IDAHO UNIFORM BUSINESS ORGANIZATION CODE - Adds to and repeals existing law relating to business organizations to establish the Idaho Uniform Business Organization Code and related provisions.	253	-	259
1199	State Affairs	LAW	EDUCATION - Amends, repeals and adds to existing law relating to education to provide for differential pay and to provide for technology pilot projects; to remove language relating to differential pay and technology projects; to revise provisions relating to obligations to retirement and Social Security benefits; to establish provisions relating to differential pay and Excellence in Achievement awards and to establish provisions relating to the distribution of certain moneys; to establish provisions relating to technology pilot projects; and to establish provisions relating to discretionary funds..... **Session Law Chapter No. 338**	290	292	300
1200	Finance	LAW	APPROPRIATIONS - PUBLIC SCHOOLS SUPPORT PROGRAM - Appropriates $1,598,156,500 to the Public Schools Educational Support Program for fiscal year 2014; amending Section 33-1004A, Idaho Code, to restore two years of experience on the multiplier table; amending Section 33-1004E, Idaho Code, to increase the minimum instructional staff salary; providing guidance for the use of certain moneys; directing the use of certain moneys; providing for carryover of specific dedicated funds; and allowing for transfer of appropriations between certain divisions. ..... **Session Law Chapter No. 326**	295	297	300

SECTION VI

SENATE JOINT RESOLUTIONS

Senate Joint Resolution	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
101	Durst	S St Aff	LEGISLATIVE SESSIONS - LENGTH - Proposing an amendment to Section 8, Article III, of the Constitution of the State of Idaho relating to sessions of the Legislature.	18	-	20
102	State Affairs	S St Aff	MILITARY DUTY - Proposing an amendment to Section 1, Article XIV, of the Constitution of the State of Idaho to provide that all able-bodied persons, residents of this state, age eighteen years or older be subject to military duty.	134	-	140

SECTION VII

SENATE JOINT MEMORIALS

Senate Joint Memorial	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
101	State Affairs	S FAILED	MARIJUANA - Stating findings of the Legislature and calling upon the President, the Department of Justice and Congress to uphold federal drug-free policy in all states. ...	83	126	126
102	Judiciary and Rules	H St Aff	SNAP BENEFITS - Stating findings of the Legislature and calling upon the President, the Secretary of Agriculture and Congress to give Idaho the flexibility to prohibit the purchase of unhealthy food items with Supplemental Nutritional Assistance Program (SNAP) benefits and to encourage healthy eating and lifestyle choices.	213	238	238

SECTION VIII

SENATE RESOLUTIONS

Senate Resolution	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
101	Judiciary and Rules	ADOPTED	SENATE RULE 8 - Stating findings of the Senate and proposing an amendment to Senate Rule 8 of the Rules of the Senate providing for the handling of public records requests.	229	252	252

SECTION IX

SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
101	State Affairs	ADOPTED	POWER COUNTY - Stating findings of the Legislature and recognizing Power County on its 100th anniversary.	27	32	97
102	Agricultural Affairs	ADOPTED	OPPOSITION TO USE OF "IDAHO" MARK - Stating findings of the Legislature and urging the Republic of Turkey and the Turkish Patent Institute to honor Idaho's opposition and deny the request for registration of applicant Beta Ziraat Ve Ticaret A.S. to claim the mark "IDAHO" for use in identification of products not originating in the State of Idaho.	53	55	83
103	Transportation	ADOPTED	UNMANNED AIRCRAFT SYSTEM TEST SITE - Stating findings of the Legislature and encouraging the Idaho Department of Commerce in collaboration with the University of Idaho, Boise State University, Idaho State University, the College of Western Idaho and other stakeholders to coordinate comments and identify a lead entity to prepare a proposal on behalf of the state, for Idaho to be selected as one of the Federal Aviation Administration's six unmanned aircraft system test sites.	57	68	301
104	State Affairs	ADOPTED	TAIWAN - Stating findings of the Legislature and reaffirming the State of Idaho's commitment to the strong and deepening relationship between the State of Idaho and Taiwan and encouraging ongoing participation in organizations that improve public safety, health and trade.	57	90	179
105	Local Government and Taxation	ADOPTED	TAX APPEALS BOARD - RULES REJECTED - Stating findings of the Legislature and rejecting certain rules of the Idaho Board of Tax Appeals.	70	90	275
106	Resources and Environment	ADOPTED	FISH AND GAME - RULE REJECTED - Stating findings of the Legislature and rejecting a certain rulemaking docket of the Idaho Fish and Game Commission relating to Rules Governing Licensing.	70	90	275
107	Resources and Environment	H Res/Con	FISH AND GAME - RULE REJECTED - Stating findings of the Legislature and rejecting a certain rulemaking docket of the Idaho Fish and Game Commission relating to Rules Governing the Taking of Big Game Animals in the State of Idaho.	70	90	90
108	Resources and Environment	ADOPTED	FISH AND GAME - RULE REJECTED - Stating findings of the Legislature and rejecting a certain rulemaking docket of the Idaho Fish and Game Commission relating to Rules Governing the Taking of Big Game Animals in the State of Idaho.	71	90	275
109	Resources and Environment	H Res/Con	FISH AND GAME - RULE REJECTED - Stating findings of the Legislature and rejecting a certain rulemaking docket of the Idaho Fish and Game Commission relating to Rules Governing the Taking of Game Birds in the State of Idaho.	71	90	90

Senate Concurrent Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
110	Resources and Environment	ADOPTED	FISH AND GAME - RULE REJECTED - Stating findings of the Legislature and rejecting a certain rule of the Idaho Fish and Game Commission relating to Rules Governing Licensing.	71	90	275
111	Transportation	S Transp	STATEWIDE FREIGHT TRANSPORTATION TASK FORCE - Stating findings of the Legislature and directing the Idaho Transportation Department, the Idaho Department of Agriculture and the Idaho Department of Commerce to continue and facilitate a statewide Freight Transportation Task Force with emphasis on the formation of a stakeholder Freight Transportation Advisory Committee, to initiate and finalize a methodical study of Idaho's present freight transportation system, to establish a consistent and rigorous data collection and analysis protocol, and recommending policies, activities and timelines to implement these changes.	76	-	83
112	State Affairs	ADOPTED	MARIJUANA USE - Stating findings of the Legislature and affirming the Legislature's opposition to the legalization of marijuana in Idaho.	82	126	296
113	Transportation	S Transp	STATEWIDE FREIGHT TRANSPORTATION TASK FORCE - Stating findings of the Legislature and directing the Idaho Transportation Department, the Idaho Department of Agriculture and the Idaho Department of Commerce to continue and facilitate a statewide Freight Transportation Task Force with emphasis on the formation of a stakeholder Freight Transportation Advisory Committee, to initiate and finalize a methodical study of Idaho's present freight transportation system, to establish a consistent and rigorous data collection and analysis protocol, and recommending policies, activities and timelines to implement these changes.	82	-	89
114	Judiciary and Rules	ADOPTED	STATE POLICE - RULES REJECTED - Stating findings of the Legislature and rejecting certain rules of the Idaho State Police relating to Rules of the Idaho Peace Officer Standards and Training Council.	110	122	296
115	Judiciary and Rules	ADOPTED	STATE POLICE - RULE REJECTED - Stating findings of the Legislature and rejecting a certain rule of the Idaho State Police relating to Rules of the Idaho Peace Officer Standards and Training Council.	110	122	296
116	State Affairs	S Health/Wel	HOUSEHOLD PRODUCTS - HARMFUL SUBSTANCES - Stating findings of the Legislature and encouraging companies to avoid potentially harmful substances and to substitute safer alternatives whenever feasible in household products, especially those likely to be used by pregnant women and children.	125	-	130
117	State Affairs	ADOPTED	PUBLIC UTILITIES COMMISSION - RULE REJECTED - Stating findings of the Legislature and rejecting a certain rule of the Idaho Public Utilities Commission relating to the Telephone Customer Relations Rules.	129	147	296

Senate Concurrent Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
118	State Affairs	ADOPTED	ADMINISTRATION DEPARTMENT - RULES REJECTED - Stating findings of the Legislature and rejecting certain rules of the Department of Administration relating to Rules Governing Use of the Exterior of State Property in the Capitol Mall and Other State Facilities.	129	147	296
119	State Affairs	ADOPTED	DEPARTMENT OF ADMINISTRATION - RULES REJECTED - Stating findings of the Legislature and rejecting certain rules of the Department of Administration relating to Rules Governing Use of the Idaho State Capitol Exterior.	129	147	296
120	Judiciary and Rules	ADOPTED	BOISE SCHOOL DISTRICT - READ RIGHT AWARD - Stating findings of the Legislature and commending the Boise School District for its 2013 Read Right Award of Excellence, its continuing commitment to the Read Right program and its focus on the success of Boise students.	150	164	296
121	State Affairs	ADOPTED	OCCUPATIONAL LICENSES BUREAU - RULE REJECTED - Stating findings of the Legislature and rejecting a certain rule docket of the Bureau of Occupational Licenses relating to Rules of the Idaho Driving Businesses Licensure Board.	163	179	296
122	State Affairs	ADOPTED	OCCUPATIONAL LICENSES BUREAU - RULES REJECTED - Stating findings of the Legislature and rejecting certain rules of the Bureau of Occupational Licenses relating to Rules of the Board of Architectural Examiners.	163	179	296
123	State Affairs	S St Aff	IDAHO SERVICEMEN - Stating findings of the Legislature and honoring five Idaho servicemen who fought and lost their lives in Afghanistan within the past year.	172	-	192
124	State Affairs	ADOPTED	IDAHO SERVICEMEN - Stating findings of the Legislature and honoring five Idaho servicemen who fought and lost their lives in Afghanistan within the past year.	191	207	296
125	State Affairs	ADOPTED	FEE RULES - Stating legislative findings and approving administrative rules that impose a fee or charge, with stated exceptions, and rejecting certain agency rules that are not approved.	195	209	296
126	State Affairs	ADOPTED	TEMPORARY RULES - Stating legislative findings and approving and extending temporary rules reviewed by the Legislature.	196	209	296
127	State Affairs	ADOPTED	ENERGY, ENVIRONMENT AND TECHNOLOGY ISSUES - Stating findings of the Legislature and authorizing a committee to monitor energy, environment and technology issues.	208	225	296
128	Judiciary and Rules	ADOPTED	CRIMINAL JUSTICE SYSTEM - STUDY COMMITTEE - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of the Idaho criminal justice system.	213	238	298
129	Judiciary and Rules	ADOPTED	JOINT RULE 18 - Stating findings of the Legislature and providing an amendment to Joint Rule 18 relating to statements of purpose and legislative intent.	229	253	298

Senate Concurrent Resolution	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
130	Judiciary and Rules	S Jud	JOINT RULE 21 - Stating findings of the Legislature and providing a new Joint Rule 21 relating to the recording of proceedings in House and Senate chambers and committees.	229	-	264
131	Judiciary and Rules	ADOPTED	JOINT RULE 21 - Stating findings of the Legislature and providing a new Joint Rule 21 relating to the recording of proceedings of the House and Senate chambers.	258	264	298

SECTION X

ENROLLED 2013 SENATE BILLS

WITH EFFECTIVE DATE AND SESSION LAW CHAPTER NUMBER CITED

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1001	69	Resources and Environment	03/13/2013	07/01/2013
1003, aa	70	Resources and Environment	03/13/2013	07/01/2013
1004	71	Resources and Environment	03/13/2013	07/01/2013
1006, aa	141	Transportation	03/22/2013	07/01/2013
1007	88	Transportation	03/21/2013	01/01/14
1008	89	Transportation	03/21/2013	07/01/2013
1009	24	Local Government and Taxation	02/26/2013	07/01/2013
1010	25	Health and Welfare	03/01/2013	07/01/2013
1013, aaH	186	Health and Welfare	03/29/2013	07/01/2013
1014	90	Health and Welfare	03/21/2013	07/01/13; 10/01/15 Sunset Clause - Subsection (1)(d) of Section 1 only
1016	36	Judiciary and Rules	03/07/2013	07/01/2013
1017	37	Judiciary and Rules	03/07/2013	07/01/2013
1018, aa,aa	207	Judiciary and Rules	04/01/2013	07/01/2013
1021	208	Health and Welfare	04/01/2013	07/01/2013
1024	91	Agricultural Affairs	03/21/2013	07/01/2013
1025	142	State Affairs	03/22/2013	07/01/2013
1027	72	Education	03/13/2013	07/01/13 Sections 1, 2, 3, 4, 7 & 10; 07/01/14 Sections 5, 6, 8 & 9
1028	35	Education	03/05/2013	07/01/2013
1029	187	State Affairs	03/29/2013	07/01/2013
1031	73	Commerce and Human Resources	03/13/2013	07/01/2013
1032	143	Judiciary and Rules	03/22/2013	07/01/2013
1033, aa	144	Judiciary and Rules	03/22/2013	07/01/13 for conservator appointments made after that date
1034	145	Judiciary and Rules	03/22/2013	07/01/2013
1035	146	Judiciary and Rules	03/22/2013	07/01/2013
1040, aa	353	Education	04/16/2013	04/16/13 Sections 1, 2 & 6; 07/01/14 Sections 3, 4 & 5
1043	92	Transportation	03/21/2013	11/10/14
1044	39	Transportation	03/08/2013	03/08/13
1045, aa	188	Transportation	03/29/2013	07/01/2013
1047, aa	244	Local Government and Taxation	law w/o signature	07/01/2013

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1048, aa	147	Judiciary and Rules	03/22/2013	03/22/13
1049, aaH	189	Resources and Environment	03/29/2013	07/01/2013
1050	93	Transportation	03/21/2013	07/01/2013
1055	94	Education	03/21/2013	07/01/2013
1057, aa	148	Education	03/22/2013	07/01/2013
1058	95	State Affairs	03/21/2013	07/01/2013
1059, aa	209	Judiciary and Rules	04/01/2013	07/01/2013
1060	240	Judiciary and Rules	04/03/2013	07/01/2013
1061	149	Resources and Environment	03/22/2013	07/01/2013
1062, aa	150	Resources and Environment	03/22/2013	07/01/2013
1063	151	Health and Welfare	03/22/2013	07/01/2013
1064	152	Transportation	03/22/2013	07/01/2013
1065	210	Transportation	04/01/2013	07/01/2013
1068, aa	211	Commerce and Human Resources	04/01/2013	07/01/2013
1072, aa,aaH	354	Health and Welfare	law w/o signature	Section 2 only - 07/01/14 or when Director of ITD certifies to SOS that technology system is updated to handle Donation Contribution Fund - whichever is later; 07/01/13 All other sections
1076	26	Finance	03/01/2013	03/01/13
1077	27	Finance	03/01/2013	03/01/13
1078	190	State Affairs	03/29/2013	07/01/2013
1079	245	State Affairs	04/03/2013	07/01/2013
1081	153	Transportation	03/22/2013	07/01/2013
1083	96	Transportation	03/21/2013	07/01/12
1089	97	Education	03/21/2013	03/21/13
1091, aa	154	Education	03/22/2013	07/01/2013
1092	98	Education	03/21/2013	07/01/2013
1093	168	Education	03/28/2013	07/01/2013
1097, aa	169	Education	03/28/2013	07/01/2013
1098	155	Education	03/22/2013	03/22/13
1100	156	Health and Welfare	03/22/2013	07/01/2013
1101	74	Finance	03/13/2013	03/13/13
1102	75	Finance	03/13/2013	03/13/13
1103	76	Finance	03/13/2013	03/13/13
1104	77	Finance	03/13/2013	03/13/13
1105	212	State Affairs	04/01/2013	07/01/2013

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1106, aa	213	State Affairs	04/01/2013	07/01/2013
1107, aa	191	State Affairs	03/29/2013	07/01/2013
1108	214	State Affairs	04/01/2013	07/01/2013
1109, aa	246	Judiciary and Rules	04/03/2013	07/01/2013
1111	192	State Affairs	03/29/2013	07/01/2013
1112	193	State Affairs	03/29/2013	07/01/2013
1113	99	Finance	03/21/2013	03/21/13
1116, aa,aaH	247	Judiciary and Rules	04/03/2013	07/01/2013
1117	206	State Affairs	04/01/2013	07/01/2013
1119	248	Judiciary and Rules	04/03/2013	07/01/2013
1120	100	Finance	03/21/2013	07/01/2013
1122	215	Judiciary and Rules	04/01/2013	07/01/2013
1123	249	Judiciary and Rules	04/03/2013	07/01/2013
1126	250	State Affairs	04/03/2013	07/01/2013
1127	251	State Affairs	04/03/2013	07/01/2013
1128	157	Finance	03/22/2013	07/01/2013
1129	158	Finance	03/22/2013	07/01/2013
1130	159	Finance	03/22/2013	07/01/2013
1131	160	Finance	03/22/2013	07/01/2013
1132	161	Finance	03/22/2013	07/01/2013
1134, aa,aaH,aaH	328	State Affairs	04/11/2013	07/01/2013
1135	252	Judiciary and Rules	04/03/2013	07/01/2013
1136	253	Judiciary and Rules	04/03/2013	04/03/13
1138, aa	216	State Affairs	04/01/2013	07/01/2013
1139	162	Finance	03/22/2013	07/01/2013
1140	163	Finance	03/22/2013	07/01/2013
1142	164	Finance	03/22/2013	07/01/2013
1143	165	Finance	03/22/2013	07/01/2013
1144	166	Finance	03/22/2013	07/01/2013
1145	254	State Affairs	04/03/2013	07/01/2013
1146	255	State Affairs	04/03/2013	07/01/2013
1147, aa	329	State Affairs	04/11/2013	11/21/12 Section 1; 07/01/14 Section 2; 07/01/14 Sunset Clause - Section 1
1149	330	State Affairs	04/11/2013	04/11/13
1150	331	State Affairs	04/11/2013	07/01/2013
1151	256	Judiciary and Rules	04/03/2013	07/01/2013
1152	194	Finance	03/29/2013	07/01/2013

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1153	195	Finance	03/29/2013	03/29/13
1154	196	Finance	03/29/2013	07/01/2013
1155	327	State Affairs	04/11/2013	07/01/2013
1156	332	State Affairs	04/11/2013	04/11/13
1157	333	State Affairs	04/11/2013	07/01/2013
1158	334	State Affairs	04/11/2013	04/11/13
1160	197	Finance	03/29/2013	07/01/2013
1161	198	Finance	03/29/2013	07/01/2013
1162	199	Finance	03/29/2013	07/01/2013
1163	200	Finance	03/29/2013	07/01/2013
1164	201	Finance	03/29/2013	03/29/13 Section 1; 07/01/13 All other sections
1165	257	Judiciary and Rules	04/03/2013	07/01/2013
1167	202	Finance	03/29/2013	07/01/2013
1168	203	Finance	03/29/2013	07/01/2013
1169	218	Finance	04/02/2013	07/01/2013
1170	204	Finance	03/29/2013	07/01/2013
1171	205	Finance	03/29/2013	07/01/2013
1172	309	Finance	04/09/2013	07/01/2013
1173	310	Finance	04/09/2013	07/01/2013
1174	311	Finance	04/09/2013	07/01/2013
1175	312	Finance	04/09/2013	07/01/2013
1176	313	Finance	04/09/2013	07/01/2013
1177	314	Finance	04/09/2013	07/01/2013
1178	315	Finance	04/09/2013	07/01/2013
1179	258	State Affairs	04/03/2013	07/01/2013
1180	316	Finance	04/09/2013	07/01/2013
1181	317	Finance	04/09/2013	07/01/2013
1182	318	Finance	04/09/2013	04/09/13 Sections 1 & 2; 07/01/13 All other sections
1183	319	Finance	04/09/2013	07/01/2013
1186	320	Finance	04/09/2013	07/01/2013
1187	321	Finance	04/09/2013	07/01/2013
1188	322	Finance	04/09/2013	07/01/2013
1189	335	Judiciary and Rules	04/11/2013	07/01/2013
1190	323	Finance	04/09/2013	07/01/2013

Senate Bill No.	Session Laws Chapter No.	Introduced by	Signed by Governor	Effective Date(s)
1191	336	State Affairs	04/11/2013	07/01/13 for referendums & initiatives assigned a ballot title by the Attorney General after that date
1192, aa	337	State Affairs	04/11/2013	04/11/13; 06/30/14 Sunset Clause
1196	324	Finance	04/09/2013	04/09/13 Section 3; 07/01/13 All other sections
1197	325	Finance	04/09/2013	07/01/2013
1199	338	State Affairs	04/11/2013	07/01/13 Sections 1, 3, 5, 6 & 8; 07/01/14 Sections 2, 4 & 7
1200	326	Finance	04/09/2013	07/01/2013

SECTION XI

NUMERICAL INDEX OF HOUSE BILLS RECEIVED BY THE SENATE

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
1	Revenue and Taxation	LAW	INCOME TAXES - Amends existing law to update references to the Internal Revenue Code.	28	45	55
2	Revenue and Taxation	LAW	INCOME TAX - Adds to and amends existing law to allow a deduction for certain recovery amounts included in federal income if no benefit was previously allowed for Idaho income tax purposes.	42	63	73
3	Revenue and Taxation	LAW	TAX COMMISSION - Adds to existing law to provide that the State Tax Commission may release certain tax information in cases of identity theft.	42	63	73
4	Revenue and Taxation	LAW	TAX COMMISSION - Amends existing law relating to income taxes to provide that any taxes paid to another state on which a credit for taxes paid is allowed shall be added back to income to prevent a double benefit; adds the word "widower" for income tax treatment of certain benefits; provides that the deduction for donation of technological equipment shall not exceed the fair market value or cost of the donation; and provides application to backup withholding by pass-through entities.	42	65	77
5	Revenue and Taxation	LAW	CIGARETTES - Amends existing law to clarify permitting requirements for persons actively engaged in making wholesale sales of cigarettes under the cigarette and tobacco products tax law.	48	79	93
7	Business	LAW	FINANCE DEPARTMENT - Amends existing law relating to the Department of Finance to grant the director the authority to approve a multistate licensing program for use by certain persons and to provide requirements for such persons using an approved multistate licensing system.	87	149	161
8	Business	LAW	COMMERCIAL TRANSACTIONS - Amends existing law relating to commercial transactions to clarify what constitutes engaging in business in this state for which a certain license is required; to define a term; to provide for certain exemptions; to provide circumstances under which a license application shall be deemed withdrawn and void; to provide for the automatic expiration of certain licenses and to provide criteria for the reinstatement of an expired license; to revise requirements relating to payday loan business practices; and to revise provisions relating to prohibited actions.	87	149	161
9	Business	LAW	BANKS AND BANKING - Amends existing law relating to limitations on loans, investments and practices to define terms, to revise a definition, to provide an additional item that does not constitute a loan or extension of credit, to provide requirements for a bank that enters into a derivative transaction, to revise headings and to provide provisions relating to extensions of credit and credit exposure in a derivative transaction.	87	148	161

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
10	Business	LAW	RESIDENTIAL MORTGAGE PRACTICES ACT - Amends and repeals existing law relating to the Idaho Residential Mortgage Practices Act to revise provisions and to establish additional provisions.	89	158	174
11	Business	LAW	CASUALTY INSURANCE - Amends existing law relating to casualty insurance contracts to provide a ground for an insurer to refuse to renew a certain policy.	63	148	161
12	Revenue and Taxation	LAW	SALES AND USE TAX - Amends existing law to provide a sales tax exemption for food purchased with benefits provided under the federal Supplemental Nutrition Assistance Program; and to clarify that for members of the military and accompanying spouses no use tax shall apply to certain articles acquired prior to receipt of orders to transfer to Idaho.	48	-	131
			Amended in the Senate	66	103	
14	Revenue and Taxation	LAW	PROPERTY TAXATION - Amends existing law to revise the calculation of net operating income of low-income housing for property taxation purposes.	48	95	108
15	Revenue and Taxation	LAW	SALES AND USE TAX - Adds to existing law to define the term "primary" or "primarily" with respect to the use of tangible personal property for sales and use tax purposes.	48	95	108
16	Health and Welfare	LAW	PRESCRIPTION TRACKING - Amends existing law to clarify that pharmacists and practitioners may share information.	56	80	93
17	Health and Welfare	LAW	PHARMACY - Amends and repeals existing law relating to the Board of Pharmacy.	89	115	122
19	Transportation and Defense	LAW	AIRPORTS - Repeals existing law relating to the state designation of airports.	59	99	111
20	Transportation and Defense	LAW	MOTOR FUELS TAX - Amends existing law to clarify that refunds apply to gaseous special fuels; and to provide that the State Tax Commission may sell gaseous fuel permits.	59	99	111
21	Transportation and Defense	LAW	MUNICIPAL AIRPORTS - Amends existing law relating to municipal airports to remove language relating to certain pre-application approval by the Idaho Transportation Department.	59	103	114
22	Revenue and Taxation	LAW	INCOME TAXATION - Amends existing law to revise reporting and paying periods for Idaho income tax withheld by certain employers.	48	95	108
23	Revenue and Taxation	LAW	BEER TAXATION - Amends existing law to remove language stating it is the State Tax Commission's duty to prescribe rules regarding reporting of the tax on beer.	48	95	108
24	Revenue and Taxation	LAW	SALES TAX REVENUES - ELECTIONS - Amends existing law to revise how the increase for inflation will be distributed to counties for costs incurred in administering elections.	63	99	111
25	Revenue and Taxation	LAW	PROPERTY TAX ADMINISTRATION - Amends existing law to make various technical corrections in the statutes regarding the administration of the property tax.	63	104	114

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
26	Business	LAW	HEATING, VENTILATION AND AIR CONDITIONING SYSTEMS - Amends existing law relating to the installation of heating, ventilation and air conditioning systems to establish provisions allowing individuals holding either an HVAC certification or plumbing certification to install certain piping.	69	188	209
28	Business	LAW	MANUFACTURED HOME DEALER AND INSTALLER LICENSING - Amends existing law relating to manufactured home dealer and installer licensing to revise legislative findings, to revise provisions relating to certain license requirements and to revise provisions relating to fees for criminal history background checks; to remove a definition and to remove all references to service companies.	69	149	161
29	Judiciary, Rules, and Administration	LAW	JUDICIAL DISTRICTS - Amends existing law relating to judicial districts to increase the number of judges in the third, fourth and seventh judicial districts and to increase the resident chambers in Canyon and Ada counties and to provide one resident chambers in Jefferson county.	89	132	147
30	Judiciary, Rules, and Administration	LAW	OATHS AND AFFIRMATIONS - Adds to existing law relating to the administration of oaths and affirmations to provide for a certification or declaration under penalty of perjury.	175	-	280
			Amended in the House (See House Journal)		256	
32	Health and Welfare	LAW	PSYCHOLOGIST EXAMINERS - Amends existing law relating to the Board of Psychologist Examiners to provide that the board shall have the power to establish by rule the standards and requirements for the use of communication technology in the practice of psychology, including supervision.	63	104	114
33	Health and Welfare	LAW	OCCUPATIONAL THERAPY LICENSING - Amends existing law relating to the Occupational Therapy Licensing Board to revise provisions relating to a limited permit.	63	104	114
34	Health and Welfare	S Health/Wel	SPEECH AND HEARING SERVICES PRACTICE ACT - Amends existing law relating to the Speech and Hearing Services Practice Act to revise provisions relating to a quorum of the board; and to provide that an applicant for licensure shall provide documentation that such applicant possesses a doctoral degree with emphasis in audiology and that the applicant shall successfully complete a supervised academic clinical practicum.	65	-	65
35	Health and Welfare	LAW	SOCIAL WORK EXAMINERS - Amends existing law relating to the Board of Social Work Examiners to provide that the board may review the practice of a licensed social worker who is the subject of a certain complaint and to establish provisions relating to such review; and to revise provisions relating to the board's authority to refuse to issue a license, refuse to renew a license or to take other disciplinary action.	65	104	114
36	Health and Welfare	S Health/Wel	OCCUPATIONAL LICENSES - Amends existing law relating to the Board of Nursing Home Administrators to establish provisions relating to the imposition of a fine upon a licensee by the board.	65	-	113

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
37	Environment, Energy, and Technology	LAW	WOOD AND MILL YARD DEBRIS - Amends existing law relating to the Wood and Mill Yard Debris Committee to revise provisions relating to the appointment of the committee and to provide for meetings of the committee.	59	96	108
39	Transportation and Defense	LAW	RECREATIONAL VEHICLES - Amends existing law relating to recreational vehicles to provide that initial license fees for recreational vehicles shall be prorated on a monthly basis for new owners and subsequent renewals of annual licenses shall require annual fees.	69	104	114
40	Transportation and Defense	LAW	CROSS-COUNTRY SKIING ADVISORY COMMITTEES - Repeals existing law relating to Cross-Country Skiing Advisory Committees.	69	114	122
41	Health and Welfare	LAW	DRIVER'S LICENSES - Amends existing law to clarify when visually impaired individuals are considered competent to drive a motor vehicle.	74	211	230
42	State Affairs	LAW	COUNTIES - Amends existing law relating to counties to revise the boundary descriptions of Gooding County, Jerome County, Lincoln County and Minidoka County.	68	144	156
43	Commerce and Human Resources	LAW	COMMERCE DEPARTMENT - ECONOMIC ADVISORY COUNCIL - Amends existing law to clarify that members of the Economic Advisory Council for the Department of Commerce serve at the pleasure of the Governor and to provide that no more than four members of the Economic Advisory Council shall be from any one political party.	89	200	215
44	Commerce and Human Resources	LAW	EMPLOYMENT SECURITY LAW - Adds to and amends existing law relating to employment security law to prohibit certain relief from liability relating to benefits paid to a claimant that are subsequently determined to be overpaid; to provide for the collection and deposit of civil penalties and to limit the compromise of civil penalties.	87	189	209
45	Business	LAW	ENGINEERS AND SURVEYORS - Amends existing law relating to engineers and surveyors to define a term and to revise definitions; to revise provisions relating to disciplinary actions and procedures; to revise provisions relating to the reissuance of licenses and to provide requirements relating to the reissuance of wall certificates. **Amended in the House (See House Journal)**	175	- 278	289
46	Business	LAW	FIRE ESCAPES AND DOORS - Repeals existing law relating to fire escapes provided for certain structures; how fire escapes are attached; the penalty for violations; and doors on public buildings.	69	189	209
47	Resources and Conservation	LAW	WATERMASTERS - Amends existing law relating to watermasters to authorize the director of the Department of Water Resources to appoint a successor watermaster under certain conditions and to provide a procedure.	113	144	156

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
48	Resources and Conservation	LAW	INJECTION WELLS - Amends existing law relating to injection wells to provide that the director of the Department of Water Resources shall require good and sufficient security as a condition of every class II injection well permit, to provide for the amount of security, to provide that the security shall be conditioned upon certain performance and to authorize additional security requirements under certain circumstances.	98	143	156
49	Resources and Conservation	LAW	INJECTION WELLS - Amends existing law relating to injection wells to define "Class II Injection Well" and to provide for fees.	98	143	156
50	Resources and Conservation	LAW	HYDROPOWER - Amends existing law relating to hydropower to revise provisions relating to the authority of the director of the Department of Water Resources to limit a permit or license for power purposes to a term; to provide for the automatic extension of a term with annual renewals of the project's FERC license; to provide for the director's review of terms not established by reference to a project's FERC license prior to expiration of the term; to provide that the director may review water right licenses and issue certain orders; and to provide for automatic extension of terms where such order is not issued and for the continued effectiveness of original conditions.	113	144	156
52	Revenue and Taxation	LAW	CIRCUIT BREAKER PROPERTY TAX RELIEF PROGRAM - Amends existing law to revise grounds when no application for deferral of property taxes shall be granted under the Circuit Breaker Property Tax Relief Program.	63	99	111
53	State Affairs	LAW	BOND BANK AUTHORITY - Amends existing law to clarify the salaries of members of the Bond Bank Authority who are statewide elected officials.	65	199	215
54	State Affairs	S Com/HuRes	HEALTH INSURANCE EXCHANGE - Adds to existing law to provide that producers may participate in a health insurance exchange, to provide for payment to producers participating in the exchange and to authorize the director to promulgate rules.	98	-	98
55	State Affairs	LAW	TELEPHONE SOLICITATION ACT - Amends existing law to remove an exception, to remove certain definitions and to provide that it is not a violation of the provisions of this section for a telephone solicitation to be made by or on behalf of a business having an existing or established business relationship with an Idaho residential subscriber if the telephone subscriber has not stated that he does not wish to receive solicitations from or on behalf of such business.	98	193	209
62	Packer	S Loc Gov	SALES TAX EXEMPTIONS - Amends existing law relating to sales tax exemptions to revise the definition of "health-related entities."	94	-	94

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
65	Education	LAW	EDUCATION - Amends and adds to existing law relating to education to revise provisions relating to the Educational Support Program, to establish provisions relating to dual credit courses and to establish provisions relating to additional math and science courses; to provide that a school district may utilize up to 15 percent of certain moneys to pay another school district or public charter school for instructional services and to provide that a district may employ fewer positions than funded without a reduction in the number of funded positions being imposed; to establish provisions relating to an adjustment to a district's salary-based apportionment for fiscal year 2013; and to establish additional provisions relating to math and science requirements, public school technology and dual credit.	116	281	291
66	Transportation and Defense	LAW	AGRICULTURE - Amends existing law relating to the Rural Economic Development and Integrated Freight Transportation Program to revise provisions to reflect the accurate purpose for the provision of certain information to the interagency working group by the Idaho Transportation Department.	79	-	188
			Amended in the Senate	138	153	
72	Revenue and Taxation	LAW	INCOME TAX CREDITS - Amends existing law to provide for tax credit to dedicated accounts within the Idaho Community Foundation Inc. that exclusively support charitable purposes otherwise qualifying for the tax credit.	89	139	151
73	State Affairs	LAW	INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS - Amends existing law to change the Information Technology Resource Management Council to the Idaho Technology Authority; to revise provisions for appointment of members of the authority; and to revise the authority's general powers and provisions.	79	-	260
			Amended in the Senate	204	222	
76	Business	LAW	TRUST DEEDS - Amends existing law to revise a provision relating to an invalid trustee's sale.	89	221	237
80	Judiciary, Rules, and Administration	LAW	EMERGENCY COMMUNICATIONS - Amends existing law relating to enhanced emergency communications grant fees to revise provisions.	225	264	280
81	Education	LAW	HIGHER EDUCATION INSTITUTIONS - Repeals existing law relating to procuring and purchasing by institutions of higher education to remove a sunset date.	79	115	122
82	Education	LAW	EDUCATION - WORKER'S COMPENSATION - Amends existing law relating to worker's compensation to revise a definition; and to provide that certain work experience students shall be covered by the Idaho higher education policy.	79	144	156
83	Education	LAW	PROPRIETARY SCHOOLS - Amends existing law relating to proprietary schools to revise provisions relating to a condition of registration, to eliminate language relating to a newly registered proprietary school and to provide that neither the principal nor surety on a bond or other financial instrument may terminate coverage of the bond.	79	115	122

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
84	Education	LAW	EDUCATION - Amends existing law relating to education to provide that certain abatement of unsafe public school facilities shall be performed in accordance with certain requirements of the Division of Building Safety, to provide that the Idaho Building Code Board shall function as a Board of Appeals, to provide for the issuance of a certificate of occupancy and to provide that the responsibility for ensuring safety of the facility or portion of the facility will be returned to the school district and that responsibility for ensuring certain compliance with building codes will be returned to the authority having jurisdiction.	79	115	122
85	Transportation and Defense	LAW	HIGHWAY DISTRICTS - Adds to existing law relating to determining a vacancy on the Highway District Board, to establish provisions relating to filling a vacancy and to establish qualifications and other provisions relating to a person selected to fill a vacancy.	79	104	114
86	Revenue and Taxation	LAW	TAXES - Amends and repeals existing law relating to notice of redetermination or deficiency and notice of levy and distraint for tax purposes.	108	149	161
87	Revenue and Taxation	LAW	EXCISE TAX - WINERIES - Amends existing law to provide clarification when excise tax is to be paid by a winery.	79	104	114
88	Revenue and Taxation	S Loc Gov	SPECIAL TAX CREDIT - Repeals and adds to existing law to provide a special state income tax credit for new employees including veterans.	102	-	102
89	Health and Welfare	LAW	PHYSICIAN ASSISTANT ADVISORY COMMITTEE - Amends existing law to revise the rate of compensation for the members of the Physician Assistant Advisory Committee in the State Board of Medicine.	108	144	156
90	Judiciary, Rules, and Administration	LAW	LIQUOR BY THE DRINK - RETAIL SALES - Amends existing law relating to retail sale of liquor by the drink to remove the prohibition on the transferability of certain licenses.	185	-	283
			Amended in the House (See House Journal)		270	
91	Commerce and Human Resources	LAW	EMPLOYMENT SECURITY LAW - Amends existing law relating to employment security law to further define exempt employment.	175	-	280
			Amended in the House (See House Journal)		263	
			Amended in the House (See House Journal)			
93	Resources and Conservation	LAW	FOREST AND RANGE FIRES - Adds to existing law relating to forest and range fires to provide for nonprofit rangeland fire protection associations; to define a term and to provide procedures.	132	153	164
96	Agricultural Affairs	LAW	VETERINARIANS - Amends existing law relating to veterinarians to revise definitions.	127	170	188
97	Agricultural Affairs	S Agric Aff	VETERINARIANS - Amends existing law relating to veterinary license application fees to provide that specified fees are nonrefundable and to remove provisions relating to the return of certain fees.	127	-	127

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
98	Health and Welfare	LAW	MEDICAL INDIGENCY - Amends existing law to revise the declaration of policy to include dependents; to revise provisions relating to submission of medical records and medical claims as part of an application for financial assistance; and to provide that findings of indigency shall start on the date necessary medical services are first provided.	175	-	299
			Amended in the House (See House Journal)			
			Amended in the Senate	258	279	
100	Business	LAW	IDAHO OPPORTUNITY FUND - Adds to existing law to create the Idaho Opportunity Fund for the Idaho Department of Commerce to assist local governments with economic development.	108	201	215
102	Judiciary, Rules, and Administration	LAW	POLICE FORENSIC LABORATORY - Amends existing law relating to the Idaho State Police to revise provisions relating to the Idaho State Police forensic services resources.	147	219	237
103	Judiciary, Rules, and Administration	LAW	FEES - Amends existing law relating to fees to remove a certain date.	142	170	188
105	Judiciary, Rules, and Administration	LAW	SEXUAL OFFENDER REGISTRATION ACT - Amends existing law relating to the Sexual Offender Registration Act to revise provisions relating to registration.	147	200	215
107	State Affairs	LAW	ABSENTEE VOTING - Amends and adds to existing law to revise procedures for absentee voting.	123	190	209
109	Health and Welfare	LAW	PHARMACY BOARD - Amends existing law to provide for experience for pharmacist members of the Board of Pharmacy.	123	158	174
110	Agricultural Affairs	LAW	DAIRY PRODUCTS - Amends existing law relating to dairy products to provide that the Idaho Dairy Products Commission may employ a director and to remove provisions relating to fidelity bonds; to revise certain duties, authorities and powers of the commission; to revise bonding requirements; and to revise liability provisions.	121	222	237
111	Agricultural Affairs	S Agric Aff	ANIMAL CARE - Amends existing law relating to animal care to define a term; to establish provisions relating to committing torture to companion animals and to provide that certain officers may take possession of companion animals subjected to torture.	290	-	290
			Amended in the House (See House Journal)			
112	Agricultural Affairs	LAW	HONEY ADVERTISING COMMISSION - Amends existing law to revise compensation provisions regarding the Honey Advertising Commission.	121	170	188
113	Agricultural Affairs	LAW	AGRITOURISM PROMOTION ACT - Adds to existing law relating to actions in particular cases to provide for the Idaho Agritourism Promotion Act, to provide for certain limitations on liability relating to agritourism, to require warning notices and to provide that the use of a farm or ranch for agritourism activities shall not affect the assessment of the property as land actively devoted to agriculture as provided by specified law.	175	-	237
			Amended in the House (See House Journal)		222	

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
115	Appropriations	LAW	APPROPRIATIONS - DEFICIENCY WARRANTS - Appropriates and transfers a total of $6,390,700 from the General Fund for fiscal year 2013; transfers $6,013,200 to the Fire Suppression Deficiency Fund; transfers $349,400 to the Pest Control Deficiency Fund; and transfers $28,100 to the Hazardous Substance Emergency Response Fund.....	94	114	122
117	Transportation and Defense	LAW	AERONAUTICS - Amends existing law relating to aeronautics to revise a definition; to establish provisions relating to aerial search operations; to remove language relating to pilot registration, to revise provisions relating to certain fees and certain aircraft registration, to establish provisions relating to personal property tax, to revise provisions relating to certain decals and to the requirement for registration and issuance of certificates, to revise provisions relating to exemptions and to revise provisions relating to the transfer of ownership of an aircraft.....	137	189	209
118	Transportation and Defense	LAW	AIRCRAFT REGISTRATION - Amends existing law relating to registration of aircraft to revise a registration fee, to revise a term and to provide for a minimum and maximum fee.....	137	189	209
120	State Affairs	LAW	LOTTERY TICKET SALES - Amends existing law relating to the Idaho State Lottery to revise the powers and duties of the Idaho State Lottery Commission relating to the methods to be utilized in selling lottery tickets and shares.....	185	-	299
			Amended in the House (See House Journal)			
			Amended in the Senate.....	258	279	
121	State Affairs	LAW	CREDIT RATING ENHANCEMENT COMMITTEE - Amends existing law relating to the Idaho Credit Rating Enhancement Committee to revise provisions relating to meetings of the committee; to revise powers and duties of the committee and to provide that the committee shall report to the Speaker of the House of Representatives and the President Pro Tempore of the Senate by August 1 of each year.....	137	250	268
122	Appropriations	LAW	APPROPRIATIONS - SOIL AND WATER CONSERVATION COMMISSION - Appropriates an additional $20,000 from the Federal Grant Fund to the Soil and Water Conservation Commission for fiscal year 2013.....	98	142	156
123	Appropriations	LAW	APPROPRIATIONS- LAVA HOT SPRINGS FOUNDATION - Appropriates an additional $140,000 to the Lava Hot Springs Foundation for fiscal year 2013.....	98	143	156
124	Judiciary, Rules, and Administration	LAW	PARDONS AND GOVERNING RULES - Amends existing law relating to the State Board of Correction to revise provisions relating to the return of a certain bond.....	156	257	280
125	Judiciary, Rules, and Administration	LAW	GUARDIANSHIP - CONSERVATORSHIP - Amends existing law relating to guardianship and conservatorship to revise provisions relating to criminal history and background checks on certain persons and to revise provisions relating to guardianship proceedings.	147	257	280

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
127	Business	LAW	OCCUPATIONAL LICENSES - Amends existing law relating to the Bureau of Occupational Licenses to provide that the bureau may collect and pay certain fees relating to criminal background checks.	113	221	237
128	Resources and Conservation	LAW	WATER - Amends existing law relating to water to provide that liens by operating companies may not bind any land for a longer period than three years after the filing unless proceedings are commenced in a court within that time to enforce the lien.	132	153	164
129	Resources and Conservation	LAW	IRRIGATION DISTRICTS - Amends existing law relating to irrigation districts to revise the interest rate on delinquent assessments relating to the redemption of lands.	132	153	164
130	Resources and Conservation	LAW	IRRIGATION DISTRICTS - ELECTIONS - Amends existing law relating to irrigation districts to revise irrigation district election provisions.	132	-	224
			Amended in the Senate	166	186	
131	Resources and Conservation	LAW	WATER - Amends and adds to existing law relating to water to revise extension provisions relating to the time in which a permit holder completes work and applies water to full beneficial use; providing for applicability and to provide that permits pending before the department are entitled to the maximum qualifying extension available under specified law.	147	170	188
132	Resources and Conservation	LAW	FOREST AND RANGE FIRE - Adds to and amends existing law relating to forest and range fire to provide legislative intent; to revise provisions relating to trespass; and to limit damages in certain civil actions for real and personal property damage caused by forest or range fire.	132	153	164
133	Local Government	LAW	COUNTY RECORDER FEES - Amends existing law to revise fees that may be charged by a county recorder to a party procuring his services.	256	285	296
137	Local Government	LAW	URBAN RENEWAL - Amends existing law relating to urban renewal law to remove language relating to certain urban renewal agency powers.	121	153	164
138	Local Government	LAW	PLATS - Amends existing law relating to plats and vacations to establish additional provisions relating to requirements for a copy of a plat.	192	257	280
139	Revenue and Taxation	LAW	INCOME TAXES - PARTNERSHIP INCOME - Amends existing law to provide for a sourcing formula to Idaho for partnership income with exceptions for state income tax purposes.	132	177	188
140	Revenue and Taxation	LAW	PROPERTY TAXATION - Amends existing law to provide that property on a reservation belonging to a federally recognized Indian tribe is exempt from property taxation.	123	189	209
141	Revenue and Taxation	LAW	EXEMPTIONS FROM PROPERTY TAXATION - Adds to existing law to provide that wells drilled for the production of oil, gas or hydrocarbon condensate are exempt from property taxation.	123	186	203

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
142	Health and Welfare	LAW	DENTISTS - Amends existing law to revise provisions relating to a dentist who practices or represents himself as practicing dentistry under any name other than his own true name or under a business name and to provide that engaging in the practice of dentistry as part of a business in which a person not duly licensed holds an ownership interest may be subject to discipline.	142	-	289
			Amended in the Senate	139	153	
			Amended in the Senate	181		
			Amended in the Senate	217	245	
147	Judiciary, Rules, and Administration	LAW	EXAMINATION OF CASE AND DISCHARGE - Amends and repeals existing law relating to examination of case and discharge or commitment of accused to revise terminology; to provide provisions relating to a determination of indigency; to prohibit the use of certain information for certain purposes with exceptions, to revise provisions relating to reimbursement for certain costs; to remove a requirement that a certain waiver be in writing or other record; to revise provisions relating to reimbursement to a county; to revise provisions relating to a certain duty of the Board of County Commissioners of each county; and to revise provisions relating to certain records and a report.	156	249	268
148	Judiciary, Rules, and Administration	LAW	CHILD PROTECTIVE ACT - Amends existing law relating to the Child Protective Act to revise provisions relating to the appointment of a guardian ad litem and to revise provisions relating to the appointment of counsel for a guardian ad litem and for a child.	156	249	268
149	Judiciary, Rules, and Administration	LAW	JUVENILE CORRECTIONS - Amends existing law relating to the Juvenile Corrections Act to provide that certain statements are inadmissible at certain proceedings; to establish provisions relating to representation by counsel of certain juveniles, to provide requirements relating to a waiver of the right to counsel by certain juveniles and to revise certain reimbursement provisions.	156	250	268
150	Judiciary, Rules, and Administration	LAW	COUNTY FINANCES - CLAIMS AGAINST COUNTY - Amends existing law relating to county finances and claims against a county to revise provisions relating to judicial review of board decisions.	238	277	289
153	Judiciary, Rules, and Administration	LAW	JURY SELECTION AND SERVICE - Amends existing law relating to jury selection and service to revise provisions relating to mileage and per diem of jurors.	127	158	174
157	Revenue and Taxation	S Loc Gov	SALES AND USE TAX - Amends existing law relating to tax exemptions to provide that donations to, sales to and purchases by federally tax exempt homeless shelters and that provide temporary shelter or food to the economically disadvantaged are exempted from the sales and use tax for a time certain.	156	-	156
159	State Affairs	LAW	RETAIL SALE OF LIQUOR - Amends existing law relating to the retail sale of liquor by the drink to establish additional provisions relating to a license to retail liquor.	137	199	215
161	State Affairs	LAW	ELECTION CONSOLIDATION - Amends existing law to revise the statutes relating to elections regarding cities and certain special purpose districts.	127	190	209

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
162	Education	LAW	COSMETICIANS - Amends existing law relating to cosmeticians to revise a definition.	147	221	237
163	Education	LAW	EDUCATION - Amends existing law relating to education to clarify the number of days to sign and return a contract, to establish provisions relating to a default time, to revise provisions relating to the delivery of a contract and acknowledgment of such delivery and to revise provisions relating to declaring a position vacant.	123	158	174
166	Appropriations	LAW	APPROPRIATIONS - MILITARY DIVISION - Appropriates $1,392,100 to the Military Division for the Youth Challenge Program for fiscal year 2013; and authorizes an additional 5 full-time positions.	113	143	156
167	Transportation and Defense	LAW	MOTOR VEHICLE DEALERS AND SALESMEN - Amends and adds to existing law relating to motor vehicle dealers and salesmen to remove provisions relating to a nonvoting member of the Dealer Advisory Board; to establish provisions relating to the Idaho Consumer Asset Recovery Fund and to establish provisions relating to expenditures from such fund and claims against such fund; and to establish provisions relating to the creation of the Idaho Consumer Asset Recovery Control Board and to establish provisions relating to fees, claims and reimbursements to the fund.	137	-	224
			Amended in the Senate	166	186	
168	Transportation and Defense	LAW	MOTOR CARRIER CONTRACTS - Adds to existing law to provide that an indemnity agreement in a motor carrier transportation contract is against the public policy of this state and is void and unenforceable.	142	177	188
169	Transportation and Defense	LAW	LICENSE PLATES - Amends existing law to provide for the Legislature's role in the issuance of special license plates and to provide that the department shall report to the Legislature on any denied applications.	127	177	188
170	Transportation and Defense	LAW	REAL ESTATE APPRAISERS - Amends existing law to provide that local highway jurisdictions may perform value estimates in the same manner as the Idaho Transportation Department.	157	211	230
171	Transportation and Defense	LAW	HIGHWAYS - Amends existing law to provide that the county or highway district shall not be liable for any injury or damage caused by or arising from an unauthorized encroachment or failure to remove the unauthorized encroachment upon a highway.	185	-	280
			Amended in the House (See House Journal)		257	
174	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF WATER RESOURCES - Appropriates an additional $435,000 to the Department of Water Resources for fiscal year 2013.	113	143	156
175	State Affairs	LAW	LIVESTOCK LIENS - Amends existing law relating to special liens regarding livestock to provide that certain livestock may be sold at a licensed public livestock auction market and to provide that certain equines may be sold at a sale offered to the public.	137	171	188

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
176	State Affairs	S FAILED	ABSENTEE VOTING - Amends existing law relating to absentee voting to define a term and to provide voting requirements for overseas electors.	185	269	269
177	State Affairs	LAW	COLLEGE SAVINGS PROGRAM - Amends existing law relating to the College Savings Program to revise a definition; to revise the powers and duties of the College Savings Program Board and to provide for certain powers and duties; to remove certain provisions relating to the use of a contractor as account depository and manager and to provide for the administration of the program; to provide that the program shall be operated through the use of individual accounts, to provide that each account may be opened by any person who desires to save for the qualified higher education expenses of a person, to remove provisions relating to the procedure to be followed in the event the board terminates certain authority of a financial institution relating to the program, to provide for the transfer of accounts, to clarify the effect of such transfer and to provide that the program shall provide certain statements to each account owner; to revise terminology, to provide for continuous appropriation of certain moneys to the board and to revise provisions relating to the use of moneys in the College Savings Fund.	127	-	209
			Amended in the Senate	157	168	
178	Health and Welfare	LAW	IMMUNIZATION BOARDS - Amends existing law to extend the sunset date of immunization boards under the purview of the Department of Insurance by two years.	147	279	289
180	Appropriations	LAW	APPROPRIATIONS - HEALTH AND WELFARE DEPARTMENT - WELFARE DIVISION - Appropriates an additional $7,151,900 to the Department of Health and Welfare for fiscal year 2013; and providing legislative intent.	116	143	156
181	State Affairs	LAW	CAPITOL MAINTENANCE RESERVE FUND - Adds to and amends existing law relating to the capitol building and grounds to establish the Capitol Maintenance Reserve Fund, to provide that the fund shall receive certain distributions and that the fund shall be managed by the Endowment Fund Investment Board, and to provide for use of moneys in the fund; and to establish the Capitol Commission Operating Fund, to provide that the fund shall be managed by the state treasurer and shall consist of certain transfers, interests and proceeds.	156	190	209
183	State Affairs	LAW	CITIES - Amends existing law relating to municipal corporations to remove language granting cities the power to regulate, prevent and punish for the carrying of concealed weapons.	147	250	268

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
184	Revenue and Taxation	LAW	INCOME TAX - Amends existing law relating to income tax to revise a time period relating to a net operating loss carryback, to remove language relating to net operating loss subtracted from income, to remove language defining a term, to establish provisions relating to a net operating loss for any taxable year commencing on or after January 1, 2013, to establish provisions relating to the subtraction of a portion of a net operating loss and to define a term; and to revise provisions relating to a claim for credit or refund that relates to an overpayment attributable to a net operating loss carryback.	142	187	203
185	Environment, Energy, and Technology	LAW	DRINKING WATER AND WASTEWATER PROFESSIONALS - Amends existing law relating to drinking water and wastewater professionals to revise fee provisions relating to certain examinations.	137	221	237
187	Revenue and Taxation	LAW	USE TAX - Amends existing law to clarify serving sizes for free tastings of wine and beer and to provide that the use tax shall not apply to certain free samples of food.	142	187	203
188	Health and Welfare	LAW	PATIENT CARE RECORDS - Amends existing law to provide that a practitioner who is not the author of an order but who is responsible for the care of a patient may authenticate an order and to provide that each hospital must have a policy to assure timely authentication of orders by a practitioner who is not the author of an order.	161	189	209
192	State Affairs	LAW	CONCEALED WEAPONS - Adds to and amends existing law to revise renewal and fee provisions for licenses to carry concealed weapons and to provide for the issuance of enhanced licenses to carry concealed weapons.	147	244	268
193	State Affairs	LAW	EMERGENCY TELECOMMUNICATIONS - Amends existing law relating to prepaid wireless telecommunications service emergency communications fees to provide for the imposition of prepaid wireless E911 fees; to provide for the remittance of fees to the Idaho State Tax Commission, to provide for seller retention of a percentage of fees, to provide for payment of remitted fees to the Idaho Emergency Communications Fund, to restrict certain liability and to prohibit the imposition of additional E911 funding obligations; and to provide for the distribution of funds.	185	-	268
			Amended in the House (See House Journal)		250	
			Amended in the House (See House Journal)			
196	Business	LAW	INSURANCE - Amends existing law to revise provisions relating to the timing of permitted Idaho premium tax offsets by member insurers and to provide for an offset against premium tax liability to the Industrial Administration Fund for an insurer that is exempt from the premium tax.	157	263	280
197	Business	LAW	INSURANCE HOLDING COMPANY SYSTEMS - Repeals and adds to existing law relating to insurance holding company systems.	147	263	280

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
199	Business	LAW	SELF-FUNDED HEALTH CARE PLAN - Amends existing law relating to self-funded health care plans to provide for the inclusion of postsecondary educational institutions; to revise provisions relating to the registration of plans; to provide for specified notice to student participants and prospective student participants; to provide that a postsecondary educational institution as a plan sponsor of a self-funded plan shall be neither a trustee nor an administrator of such plan; and to revise coverage provisions.	157	217	237
202	State Affairs	LAW	ADMINISTRATIVE PROCEDURE ACT - Amends existing law relating to the Idaho Administrative Procedure Act to provide additional requirements relating to the public notice of proposed rulemaking and to provide additional requirements relating to a notice of adoption of a pending rule.	185	269	283
203	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - INDIRECT SUPPORT SERVICES AND PUBLIC HEALTH SERVICES - Increases the appropriation to the Department of Health and Welfare for Indirect Support Services and Public Health Services by $10,601,000 for fiscal year 2013.	142	159	174
205	Education	LAW	EDUCATION - Amends existing law relating to education to remove language referring to a time period.	147	263	280
206	Education	LAW	PUBLIC CHARTER SCHOOLS - Adds to and amends existing law relating to public charter schools to revise provisions relating to state support of special programs; to establish provisions relating to the distribution of facilities funds to public charter schools and to establish provisions relating to an authorizer fee; to establish the Public Charter School Authorizers Fund, to provide for the deposit of certain moneys and to provide for the use of such moneys.	161	-	299
			Amended in the Senate	231		
			Amended in the Senate	258	276	
210	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - MEDICAL ASSISTANCE SERVICES - Increases the appropriation to the Department of Health and Welfare for the Division of Medical Assistance Services (Medicaid) by $5,138,900 for fiscal year 2013.	147	170	188
211	Health and Welfare	LAW	PHYSICIANS AND SURGEONS - Amends existing law to provide that the Board of Medicine shall have the authority to share information with the Department of Labor to determine workforce shortage areas.	161	189	209
214	Health and Welfare	LAW	HEALTH AND WELFARE - Amends existing law to clarify laws relating to putative fathers and their rights.	157	211	230
215	State Affairs	LAW	BALLOTS - Amends existing law relating to ballots to revise provisions relating to the retention of certain election supplies; to revise and to remove provisions relating to an official election stamp; and to establish provisions relating to official election ballot identification.	204	269	283

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
216	State Affairs	LAW	GUYED TOWERS - Amends existing law to provide an exception for facilities used by a federal power marketing agency to serve public utilities or consumer-owned utilities.	161	221	237
217	State Affairs	LAW	MOTOR VEHICLES - Amends existing law to revise provisions relating to the negligent operation of a loaned vehicle.	166	-	260
			Amended in the Senate	162	171	
			Amended in the Senate	204	222	
218	Education	LAW	SCHOOL BONDS - Amends and repeals existing law relating to school bonds to revise provisions relating to the issuance of school bonds.	175	221	237
219	State Affairs	S St Aff	FEDERAL FIREARM, MAGAZINE AND REGISTER BAN ENFORCEMENT ACT - Adds to existing law to provide certain prohibited acts regarding firearms by public employees and officers of governmental entities, to provide penalties and to establish that certain laws are unenforceable in Idaho by state and local government officials, agents or employees.	185	-	185
220	State Affairs	LAW	HORSE RACING - Amends and adds to existing law relating to horse racing to provide for wagering on historical horse races; to provide for the distribution and payment of all sums deposited in any historical horse race pool; to provide for certain agreements with horsemen's groups; and to provide for the Historical Horse Race Purse Moneys Fund.	156	211	230
221	Education	LAW	EDUCATION - Adds to and amends existing law relating to public charter schools to revise provisions relating to limitations on the approval of a public charter school and to revise provisions relating to the designation of a public charter school as a local education agency; to establish provisions relating to the approval of authorized chartering entities and such entities' authority; to establish provisions relating to charter contracts and to establish provisions relating to performance expectations and measures; to revise provisions relating to reconsideration of a decision to deny a petition; and to establish provisions relating to accountability of each public charter school and certain performance indicators.	166	-	299
			Amended in the Senate	231	277	
222	State Affairs	LAW	VETERANS RECOGNITION ACT - Adds to existing law to create the Idaho Veterans Recognition Fund, to provide distributions from the fund, to provide a committee to prepare and recommend an allocation plan and to provide for an annual allocation plan.	185	270	283
223	State Affairs	LAW	CONCEALED WEAPONS - Amends existing law to revise the definition of "concealed weapon" in the Concealed Weapon Carry Law.	175	244	268
224	Education	LAW	EDUCATION - Adds to existing law relating to education to establish provisions governing certain contracts.	166	211	230
225	Education	LAW	EDUCATION - Adds to and repeals existing law relating to Special Applications of the Educational Support Program.	166	221	237

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
226	Education	LAW	EDUCATION - Amends existing law relating to education to establish provisions relating to the use of full-term average daily attendance to calculate support units for certain alternative secondary schools and to provide that certain support units shall be used for all state funding formulas in which support units are used.	166	260	280
231	State Affairs	LAW	PUBLIC WORKS - Amends existing law to provide an exception to the employment of residents of Idaho in public works.	225	-	296
			Amended in the House (See House Journal)		286	
			Amended in the House (See House Journal)		270	
232	State Affairs	LAW	INSURANCE CONTRACTS - Adds to existing law to allow for any notice to a party or any other document required under applicable law in an insurance transaction or that is to serve as evidence of insurance coverage may be delivered, stored and presented by electronic means so long as it meets certain requirements.	175	263	280
233	Appropriations	LAW	APPROPRIATION - COMMISSION ON THE ARTS - Appropriates $1,811,500 to the Idaho Commission on the Arts for fiscal year 2014; limits the number of authorized full-time equivalent positions to 10; and provides guidance for employee compensation.	161	186	203
234	Appropriations	LAW	APPROPRIATIONS - DIVISION OF HUMAN RESOURCES - Appropriates $1,678,100 to the Division of Human Resources for fiscal year 2014; limits the number of authorized full-time equivalent positions to 12; provides legislative intent; and provides guidance for employee compensation.	161	187	203
235	Appropriations	LAW	APPROPRIATIONS - PERSI - Appropriates $6,860,000 to the Public Employee Retirement System of Idaho for fiscal year 2014; limits the number of authorized full-time equivalent positions to 63; provides legislative intent; and provides guidance for employee compensation.	161	187	203
236	Appropriations	LAW	APPROPRIATION - IDAHO STATE LOTTERY - Appropriates $5,423,700 to the Idaho State Lottery for fiscal year 2014; limits the number of full-time positions to 47; provides legislative intent with regard to certain continuous appropriations; and provides guidance for employee compensation.	161	187	203
237	Appropriations	LAW	APPROPRIATION - BUILDING SAFETY - Appropriates $10,949,000 to the Division of Building Safety for fiscal year 2014; limits the number of full-time positions to 121; and provides guidance for employee compensation.	161	187	203
238	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF FINANCE - Appropriates $6,812,800 to the Department of Finance for fiscal year 2014; limits the number of full-time positions to 64; and provides guidance for employee compensation.	161	187	203
239	Health and Welfare	LAW	PHARMACISTS - Amends existing law to define "compounding"; and to provide that the Board of Pharmacy shall be responsible for the compounding, dispensing and distribution of certain medications, drugs, devices and other materials within the practice of pharmacy.	204	256	280

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
241	Health and Welfare	LAW	SCRAP DEALERS - Amends existing law to revise the definition of nonferrous metal property; to revise provisions of records required for purchasing nonferrous or stainless steel metal property from the general public by scrap dealers to include certain photographs or digital recordings; to provide that certain metal thefts are felonies and to provide liability protections for owners of metal property.	225	277	289
242	Revenue and Taxation	LAW	PROPERTY TAXATION - Amends existing law relating to property taxation to revise provisions relating to site improvements as business inventory exempt from property taxation.	185	257	280
243	Revenue and Taxation	LAW	SALES TAXATION - Amends existing law to provide that application software accessed over the Internet or through wireless media is not taxable under the state sales and use tax.	185	260	280
244	Revenue and Taxation	LAW	FIRE PROTECTION DISTRICTS - Amends existing law relating to fire protection districts to provide for an exception and to provide for application of law; to establish provisions relating to circumstances in which a higher levy exceeds the lowest levy in a proposed district consolidation, to provide for a public hearing, to provide for an election and to provide for a question.	175	219	237
245	State Affairs	LAW	ATHLETIC COMMISSION - Amends existing law relating to the State Athletic Commission to revise provisions relating to duties of the commission and to provide for the recovery of certain costs and fees; to revise provisions relating to the payment of an initial event tax, to revise provisions relating to an additional event tax, to establish provisions relating to the issuance of tickets and to establish provisions relating to the suspension of operations.	192	286	296
248	Health and Welfare	LAW	HEALTH INSURANCE EXCHANGE - Adds to law relating to the Health Insurance Exchange to provide a short title, to state legislative purpose and intent, to define terms, to establish the exchange and the board, to provide for powers and authority of the exchange, to provide for reporting, to authorize reliance by the exchange on other agencies, to provide that the exchange shall not preempt the duties of the Department of Insurance and to provide for the preference for Idaho contractors in a health insurance exchange.	198	234	247
250	Revenue and Taxation	S Loc Gov	SALES TAX - EXEMPTIONS - Adds to existing law relating to sales tax exemptions to provide that sales of cookies for human consumption by the Girl Scouts of America shall be exempt from sales tax.	225	-	225
251	Appropriations	LAW	APPROPRIATIONS - INDUSTRIAL COMMISSION - Appropriates $15,289,400 to the Industrial Commission for fiscal year 2014; limits the number of full-time equivalent positions to 137.25; and provides guidance for employee compensation and benefits.	175	193	209
252	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF INSURANCE - Appropriates $8,547,900 to the Department of Insurance for fiscal year 2014; limits the number of full-time positions to 73; and provides guidance for employee compensation.	185	200	215

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
253	Appropriations	LAW	APPROPRIATIONS - PUBLIC UTILITIES COMMISSION - Appropriates $5,482,200 to the Public Utilities Commission for fiscal year 2014; limits the number of full-time equivalent positions to 50; and provides guidance for employee compensation.	175	193	209
254	Appropriations	LAW	APPROPRIATIONS - ENVIRONMENTAL QUALITY DEPARTMENT - Appropriates $66,430,500 to the Department of Environmental Quality for fiscal year 2014; limits the number of full-time equivalent positions to 360; transfers $1.5 million from the Water Pollution Control Fund to the Environmental Remediation Fund; expresses legislative intent regarding certain environmental remediation and uses of the Water Pollution Control Fund; and provides guidance for employee compensation.	185	200	215
255	Appropriations	LAW	APPROPRIATIONS - LABOR DEPARTMENT - Appropriates an additional $19,500 to the Department of Labor for fiscal year 2013; appropriates $17,273,600 to the Department of Labor for fiscal year 2014; limits the number of full-time positions to 47.04; and provides guidance for employee compensation.	175	193	209
256	State Affairs	LAW	CHILD PROTECTIVE ACT - Amends existing law relating to the Child Protective Act to revise and to establish additional provisions within the Child Protective Act.	210	278	289
257	State Affairs	LAW	BEER AND WINE - Amends existing law to revise provisions relating to the acceptance and use of an electronic funds transfer.	192	270	283
258	State Affairs	LAW	CONCEALED WEAPONS - Amends existing law relating to licenses to carry concealed weapons to require the sheriff to provide the applicant with a copy of the results of the applicant's records check upon request of the applicant under certain conditions.	210	270	283
259	Education	LAW	EDUCATION - Amends existing law relating to education to establish provisions relating to granting an employee's request for voluntary leave of absence, to establish provisions relating to the delegation of authority to place an employee on an involuntary leave of absence, to provide for ratification of certain action, to establish provisions relating to an involuntary leave of absence without pay, to establish provisions relating to an involuntary leave of absence with pay, to establish provisions relating to dual court orders and to establish provisions relating to an investigation.	204	-	299
			Amended in the Senate	258	279	
260	Education	S Educ	EDUCATION - Amends, repeals and adds to existing law relating to education to revise provisions relating to mediation; to establish provisions relating to requirements when parties to negotiations reach agreement and to establish provisions relating to the failure to ratify a certain agreement; and to establish provisions relating to the appointment of mediators in the event parties are not able to come to an agreement.	204	-	282

House Bill No.	Introduced by	Final Action	Subject Matter	Introduction Page	Senate Vote Page	Final Disp. Page
261	Education	LAW	EDUCATION - Adds to existing law to establish provisions relating to a reduction in force and to establish provisions relating to a certain policy.	192	257	280
262	Appropriations	LAW	APPROPRIATIONS - STATE APPELLATE PUBLIC DEFENDER - Appropriates $100,000 to the State Appellate Public Defender for fiscal year 2013; appropriates $2,073,600 to the State Appellate Public Defender for fiscal year 2014; limits the number of full-time equivalent positions to 23; and provides guidance for employee compensation.	185	200	215
263	Appropriations	LAW	APPROPRIATIONS - ATTORNEY GENERAL - Appropriates $18,857,000 to the Attorney General for fiscal year 2014; limits the number of authorized full-time equivalent positions to 188.1; exempts the Attorney General from object and program transfer limitations; provides guidance for employee compensation; directs the recalculation of certain legal fees; and directs the collection of additional legal service fees.	185	200	215
265	State Affairs	LAW	PUBLIC WORK - Amends existing law to provide an exemption for certain public works in obtaining review by a professional engineer.	238	-	289
			Amended in the House (See House Journal)			
			Amended in the House (See House Journal)		278	
266	State Affairs	LAW	VETERINARY MEDICINE - Amends existing law to revise the definition of the practice of veterinary medicine in the Veterinary Practice Act.	238	278	289
269	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF LANDS - Appropriates an additional $97,000 in dedicated funds to the Department of Lands for fiscal year 2013; reduces the appropriation in federal funds by $97,000 for fiscal year 2013; appropriates $46,197,100 for fiscal year 2014; limits the number of full-time equivalent positions to 261.47; exempts certain appropriation object transfer limitations; provides guidance for employee compensation; and expresses legislative intent with regard to the Rangeland Fire Protection Program.	192	217	237
270	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF WATER RESOURCES - Appropriates $21,311,500 for fiscal year 2014; limits the number of full-time equivalent positions to 152; appropriates and transfers $716,000 from the Revolving Development Fund to the Secondary Aquifer Planning, Management, and Implementation Fund; provides legislative intent with regard to funding certain water right filing fees; provides guidance for employee compensation; and provides a lump sum appropriation.	192	217	237
271	Revenue and Taxation	LAW	WATER QUALITY - Amends existing law to clarify the Department of Environmental Quality director's considerations in designating beneficial uses and to provide that the director consult with basin advisory groups and watershed advisory groups.	225	270	283
273	State Affairs	LAW	MOTOR VEHICLE FINANCIAL RESPONSIBILITY - Amends existing law relating to commercial motor vehicle coverage to provide an exception for golf carts, to revise a definition and to revise the effective date.	238	279	289

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
274	State Affairs	LAW	TRAFFIC SAFETY EDUCATION PROGRAM - Amends existing law relating to the Traffic Safety Education Program to establish provisions relating to traffic safety education programs and related fees.	234	277	289
275	Education	LAW	EDUCATION - Amends, repeals and adds to existing law relating to education to provide that a district may utilize up to fifteen percent of certain moneys to pay another school district or public charter school for certain services or to defray certain costs and to provide that a district may employ fewer positions than funded without a reduction in the number of funded positions being imposed; to establish provisions relating to determining a staff allowance, to establish additional conditions governing staff allowance and to provide for an appeal and a waiver.	225	268	283
278	State Affairs	VETOED	FISH AND GAME - Amends existing law relating to fish and game to provide that certain moneys shall be earmarked for sportsmen access programs; and to revise provisions relating to the transfer and use of certain moneys from the Expendable Big Game Depredation Fund.	238	270	283
279	State Affairs	S Transp	REGISTRATIONS - Amends existing law relating to registrations to revise registration provisions relating to certain vehicles; to provide that certain certificates of title or evidence of prior registration shall be sufficient evidence of ownership for certificate of number and registration purposes and to authorize the Department of Parks and Recreation to share registration information with the Idaho Transportation Department.	234	-	234
280	State Affairs	S St Aff	FIREARMS - EXPLOSIVES - OTHER DEADLY WEAPONS - Amends and adds to existing law relating to firearms, explosives and other deadly weapons to revise and establish additional provisions relating to the prohibition of federal regulation of certain firearms.	204	-	204
283	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - CHILD WELFARE - DEVELOPMENTALLY DISABLED SERVICES - Appropriates $89,958,400 to the divisions of Child Welfare and Developmentally Disabled Services in the Department of Health and Welfare for fiscal year 2014; limits the full-time equivalent positions for the two divisions to 759.19; provides legislative intent; and provides guidance for employee compensation.	204	261	280
284	Appropriations	LAW	APPROPRIATIONS - OFFICE OF DRUG POLICY - Appropriates $2,107,300 to the Office of Drug Policy for fiscal year 2014; limits the number of full-time equivalent positions to 4; and provides guidance for employee compensation.	204	261	280
285	Appropriations	LAW	APPROPRIATIONS - COMMISSION ON AGING - Appropriates $13,117,400 to the Commission on Aging for fiscal year 2014; limits the number of authorized full-time equivalent positions to 14.35; and provides guidance for employee compensation.	204	261	280

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
286	Revenue and Taxation	S Loc Gov	EDUCATION - Adds to existing law relating to education to establish provisions relating to a tax credit for contributions made to a scholarship granting organization, to establish provisions relating to the duties and responsibilities of scholarship granting organizations, to establish provisions relating to the duties and responsibilities of the State Department of Education, to establish provisions relating to the duties and responsibilities of the Idaho State Tax Commission, to provide for rules and to establish provisions relating to the duties and responsibilities of participating schools, to provide for the limitation of regulatory authority and to provide that the amount of a scholarship shall not be treated as income or as a resource for certain purposes.	234	-	234
290	Health and Welfare	LAW	WEIGHT LIMITATIONS FOR MOTOR VEHICLES - Amends existing law to provide that vehicles owned and operated by a farmer or his agent may be operated on a highway up to two thousand pounds in excess of any axle, bridge or gross vehicle weight limit and to provide exceptions.	256	279	289
291	Health and Welfare	LAW	HOSPITALIZATION - MENTALLY ILL - Amends existing law to provide that a minor who is suffering from a serious emotional disturbance and poses a danger to himself or others may be temporarily detained by a health care professional without a hearing; to provide that certain health care professionals may temporarily detain a mentally ill patient in an emergency without a hearing; and to provide that certain health care professionals may commence proceedings for the involuntary care and treatment of mentally ill persons by the Department of Health and Welfare.	225	269	283
292	Health and Welfare	S FAILED	ASSAULT AND BATTERY - Adds to existing law relating to assault and battery to provide that any person who commits assault or battery upon certain persons shall be subject to a certain punishment and to provide an affirmative defense.	234	278	278
293	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - MENTAL HEALTH SERVICES/PSYCHIATRIC HOSPITALIZATION/ SUBSTANCE ABUSE TREATMENT AND PREVENTION - Appropriates $80,412,900 to the divisions of Mental Health, Psychiatric Hospitalization, and Substance Abuse Treatment and Prevention for fiscal year 2014; limits the number of full-time equivalent positions for the three divisions to 659.01; provides legislative intent; and provides guidance for employee compensation.	210	261	280
295	Education	LAW	EDUCATIONAL SUPPORT PROGRAM - Amends existing law relating to the Educational Support Program to revise provisions relating to the determination of certain district support units and to revise provisions relating to a district's total allowance for the Educational Support Program.	238	270	283
296	Appropriations	LAW	APPROPRIATIONS - PARDONS AND PAROLE COMMISSION - Appropriates $2,372,000 to the Commission for Pardons and Parole for fiscal year 2014; limits the number of authorized full-time equivalent positions to 32; and provides guidance for employee compensation.	216	261	280

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
297	Appropriations	LAW	APPROPRIATIONS - TRANSPORTATION DEPARTMENT - Appropriates $491,726,700 to the Idaho Transportation Department for fiscal year 2014; limits the number of authorized full-time equivalent positions to 1,814; provides guidance on employee compensation; expresses legislative intent with regard to certain moneys being continuously appropriated; authorizes the transfer of highway funds to the Tourism and Promotion Fund; provides reappropriation for Contract Construction and Right-of-Way Acquisition; provides reappropriation for airport development grants; provides reappropriation for American Recovery and Reinvestment Act moneys; and authorizes a transfer of funds for debt service.	216	261	280
298	Appropriations	LAW	APPROPRIATIONS - IDAHO STATE HISTORICAL SOCIETY - Appropriates $5,512,700 to the Idaho State Historical Society for fiscal year 2014; limits the number of authorized full-time equivalent positions to 49.02; and provides guidance on employee compensation.	216	261	280
299	Appropriations	LAW	APPROPRIATIONS - FINANCIAL MANAGEMENT DIVISION - Appropriates $1,633,900 to the Division of Financial Management for fiscal year 2014; limits the number of authorized full-time equivalent positions to 16; and provides guidance for employee compensation.	216	262	280
300	Appropriations	LAW	APPROPRIATIONS - LEGISLATIVE COUNCIL - Appropriates $7,484,100 to the Legislative Council for fiscal year 2014; exempts the appropriation from object and program transfer limitations; reappropriates any unexpended and unencumbered balances in the Professional Services Fund; limits General Fund transfers to the Legislative Fund to $6,149,000 for fiscal year 2014; and provides guidance for employee compensation.	216	262	280
301	Appropriations	LAW	APPROPRIATIONS - GOVERNOR, EXECUTIVE OFFICE OF - Appropriates $1,931,400 to the Executive Office of the Governor for fiscal year 2014; limits the number of full-time equivalent positions to 22; exempts appropriation object and program transfer limitations; and provides guidance for employee compensation.	216	262	280
302	Appropriations	LAW	APPROPRIATIONS - MILITARY DIVISION - Appropriates $64,664,800 to the Military Division for fiscal year 2014; limits the number of authorized full-time equivalent positions to 293.8; grants a continuous appropriation for a certain fund; and provides guidance for employee compensation.	216	262	280
303	Appropriations	LAW	APPROPRIATIONS - IDAHO STATE POLICE - Appropriates a total of $63,726,200 to the Idaho State Police for fiscal year 2014; limits the number of authorized full-time equivalent positions to 497.25; and provides guidance for employee compensation.	225	262	280

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
304	Appropriations	LAW	APPROPRIATIONS - BRAND INSPECTION AND RACING COMMISSION - Appropriates to the Idaho State Police $2,614,900 for Brand Inspection and $702,900 for the Racing Commission for a total of $3,317,800 for fiscal year 2014; limits the number of authorized full-time equivalent positions for Brand Inspection to 34.82; limits the number of authorized full-time equivalent positions for the Racing Commission to 3; and provides guidelines for employee compensation.	225	262	280
305	Appropriations	LAW	APPROPRIATIONS - JUVENILE CORRECTIONS DEPARTMENT - Appropriates $48,941,800 to the Department of Juvenile Corrections for fiscal year 2014; limits the number of authorized full-time equivalent positions to 401; and provides guidance for employee compensation.	225	262	280
306	Appropriations	LAW	APPROPRIATIONS - SUPREME COURT - Appropriates $51,328,500 to the Supreme Court for fiscal year 2014; exempts the appropriation from object and program transfer limitations; and provides guidance for non-judicial employee compensation.	225	263	280
310	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - INDEPENDENT COUNCILS/ INDIRECT SUPPORT SERVICES/LICENSING AND CERTIFICATION - Appropriates $48,126,100 to the Department of Health and Welfare for the divisions of Independent Councils, Indirect Support Services, and Licensing and Certification for fiscal year 2014; limits the number of authorized full-time equivalent positions to 355.37; provides for General Fund transfers to the Cooperative Welfare Fund; restricts the transfer of trustee and benefit payments; limits services to available resources; requires a monthly Medicaid tracking report; requires a quarterly report; expresses legislative intent regarding Medicaid readiness, and provides guidance for employee compensation.	225	263	280
311	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF ADMINISTRATION - Appropriates an additional $49,400 to the Department of Administration for fiscal year 2013; appropriates $26,053,100 to the Department of Administration for fiscal year 2014; limits the number of authorized full-time equivalent positions to 146.75; provides guidance for employee compensation; and transfers $2,737,500 from the Permanent Building Fund to the Administration and Accounting Services Fund.	238	269	283
312	Appropriations	LAW	APPROPRIATIONS - BOND PAYMENT PROGRAM - Appropriates $31,820,000 to the Department of Administration for the Bond Payment Program for fiscal year 2014.	238	269	283

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
313	Appropriations	LAW	APPROPRIATIONS - PERMANENT BUILDING FUND - Appropriates $36,613,900 to the Division of Public Works for fiscal year 2014; authorizes and directs the allocation of funds for the various projects specified; provides legislative intent relating to utilization of matching funds; exempts the appropriation from the provisions of Chapter 36, Title 67, Idaho Code, and from the provisions of Section 67-3516, Idaho Code; provides legislative intent relating to reallocation of project savings; states findings of the Legislature on the need for deferred maintenance at the state institutions of higher learning; and directs the allocation of funds for deferred maintenance at the state institutions of higher learning.	238	269	283
314	Education	S Educ	EDUCATION BOARD - Adds to existing law relating to the State Board of Education to establish provisions relating to certain authority and responsibility of the State Board of Education.	238	-	238
315	Ways and Means	LAW	PERSONAL PROPERTY TAX - Amends existing law to establish and revise provisions relating to certain personal property being exempt from taxation and to provide additional procedures and definitions.	223	264	280
317	Education	LAW	EDUCATION - Amends existing law relating to education to establish provisions relating to a written evaluation of certain employee's performance; to revise provisions relating to a category 3 contract and to revise provisions relating to certain written evaluations; and to revise provisions relating to a certain evaluation after the third full year of employment.	260	287	296
318	Education	LAW	EDUCATION - Amends existing law relating to education to provide a correct code reference.	238	270	283
319	Education	LAW	EDUCATION - Adds to existing law relating to education to establish provisions relating to the expenditure of certain moneys for a certain time period, to establish provisions relating to the determination of a certain amount and to provide that school districts shall provide certain information.	238	297	299
321	Ways and Means	LAW	HIGHWAYS - Amends existing law relating to highways to revise provisions relating to a certain map, to establish provisions relating to designating a new highway or public rights-of-way on the official map, to establish provisions relating to notice and to establish provisions relating to the purposes of an official map; to remove language relating to a highway abandoned and vacated and that public use of a certain highway or public right-of-way may not be restricted; and to establish provisions relating to actions where certain highways or public rights-of-way may be abandoned and vacated only upon a formal determination.	258	280	289
322	Ways and Means	LAW	OVERWEIGHT OR OVERSIZE LOADS - Amending Section 1, Senate Bill No. 1117, as enacted by the First Regular Session of the Sixty-second Idaho Legislature, to provide for special permits for new designated special routes, to provide for the analysis of new special routes, to provide authority to a local jurisdiction and to provide conditions for a notice and hearing.	244	285	296

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
323	Appropriations	S FAILED	APPROPRIATIONS - PUBLIC SCHOOLS SUPPORT PROGRAM - Appropriates $1,598,156,500 to the Public Schools Educational Support Program for fiscal year 2014; amends Section 33-1004A, Idaho Code, to restore two years of experience on the multiplier table; amends Section 33-1004E, Idaho Code, to increase the minimum instructional staff salary; provides guidance for the use of certain moneys; directs the use of certain moneys; provides for carryover of specific dedicated funds; and allows for transfer of appropriations between certain divisions.	244	267	267
324	Ways and Means	LAW	INTERSTATE COMPACT - EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN - Adds to and repeals existing law relating to the Interstate Compact on Educational Opportunity for Military Children.	260	287	296
325	Education	S Educ	EDUCATION - Amends existing law relating to education to provide for the use of certain funds for fiscal year 2014.	244	-	244
327	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - SERVICE INTEGRATION - WELFARE - MEDICALLY INDIGENT ADMINISTRATION - Appropriates $147,978,600 for the divisions of Service Integration, Welfare, and Medically Indigent Administration in the Department of Health and Welfare for fiscal year 2014; limits the number of authorized full-time equivalent positions to 653.65; provides for transfers to the Cooperative Welfare Fund; directs expenditures for trustee and benefit payments; provides legislative intent for program integrity; requires quarterly forecast reports; clarifies funding for Medicaid readiness; directs expenditures for Head Start; provides guidance for employee compensation; and clarifies guidance for employee compensation.	260	285	296
328	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - PUBLIC HEALTH SERVICES - Appropriates $91,765,400 to the Department of Health and Welfare for the Public Health Services Division for fiscal year 2014; limits the number of authorized full-time equivalent positions to 214.45; provides for transfers to the Cooperative Welfare Fund; limits the transfer of funds budgeted for trustee and benefit payments; provides for program integrity; requires a management review; and provides guidance for employee compensation.	260	285	296
329	Ways and Means	S Agric Aff	WEED AWARENESS WEEK - Adds to existing law to provide that the week prior to Memorial Day weekend annually shall be Idaho Weed Awareness Week.	260	-	260
332	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - MEDICAL ASSISTANCE SERVICES DIVISION - Amends the fiscal year 2013 appropriation for the Medical Assistance Services Division in the Department of Health and Welfare to remove reappropriation authority.	268	286	296
333	Appropriations	LAW	APPROPRIATIONS - DIVISION OF VETERANS SERVICES - Appropriates and transfers $20,000,000 from the Division of Veterans Services to the Veterans Recognition Fund for fiscal year 2014.	268	286	296

House Bill No.	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
334	Appropriations	LAW	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - PUBLIC HEALTH SERVICES DIVISION - Appropriates an additional $10,620,000 for the Public Health Services Division in the Department of Health and Welfare for fiscal year 2014; and provides legislative intent.	268	286	296
335	Appropriations	LAW	APPROPRIATIONS - IDAHO STATE CAPITOL COMMISSION - Appropriates $2,333,000 to the Idaho State Capitol Commission for fiscal year 2014; makes an ending balance transfer; directs the transfer of moneys; and exempts appropriation object transfer limitations.	268	286	296
343	Ways and Means	LAW	ADMINISTRATIVE RULES - Adds to existing law to provide that administrative rules that expire on July 1, 2013, will continue to be effective until July 1, 2014, to provide that administrative rules approved or extended by the adoption of a concurrent resolution shall be effective until July 1, 2014, or until such time as they expire, to provide that rules rejected by concurrent resolution shall be null, void and of no force and effect and to authorize agencies to amend or repeal certain rules pursuant to the Administrative Procedure Act.	292	292	299
345	Appropriations	LAW	APPROPRIATIONS - YEAR-END TRANSFERS - Appropriates and transfers any excess fiscal year 2013 year-end cash balance from the General Fund to the Budget Stabilization Fund.	297	298	299

SECTION XII

NUMERICAL INDEX OF HOUSE JOINT MEMORIALS RECEIVED BY THE SENATE

House Joint Memorial	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1	Resources and Conservation	ADOPTED	FRANK CHURCH-RIVER OF NO RETURN WILDERNESS - Stating findings of the Legislature and urging the Secretary of the U.S. Department of Agriculture and the Chief of the U.S. Forest Service to recognize the dire conditions prevailing within and adjacent to the Frank Church-River of No Return Wilderness and adjacent national forests, further urging the Secretary of the U.S. Department of Agriculture to declare the Frank Church-River of No Return Wilderness and adjacent national forest lands to be a Natural Resource Disaster Area and further urging that the necessary priorities and emphasis be placed on prompt and practical actions to prevent further cumulative loss of the unique values of the wilderness.	157	192	209
2	State Affairs	S St Aff	FEDERAL COMMUNICATIONS COMMISSION - ENFORCEMENT - Stating findings of the Legislature and encouraging the Federal Communications Commission to resume enforcement of traditional American standards of decency in prohibiting portrayals of premarital sex on television.	225	-	225

SECTION XIII

NUMERICAL INDEX OF HOUSE CONCURRENT RESOLUTIONS RECEIVED BY THE SENATE

House Concurrent Resolution	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
1	Moyle and Rusche	ADOPTED	GOVERNOR - STATE OF STATE ADDRESS - Provides for a joint session of the House of Representatives and the Senate to hear the Governor's State of the State Address.	5	5	14
2	Environment, Energy, and Technology	ADOPTED	MADISON COUNTY - Stating the findings of the Legislature and recognizing and congratulating Madison County and its residents for the county's Centennial Anniversary.	59	108	120
3	Education	ADOPTED	CURSIVE WRITING - Stating findings of the Legislature and requesting that the State Board of Education commence rulemaking to provide that cursive handwriting shall be taught in the state public elementary schools.	94	141	156
4	State Affairs	ADOPTED	KRISTIN ARMSTRONG - Stating findings of the Legislature and commending Kristin Armstrong for her accomplishments at the 2012 Summer Olympics in London, England, and for her superior attitude, work ethic, focus and exemplary conduct.	48	131	147
5	State Affairs	ADOPTED	IDAHO TERRITORIAL SESQUICENTENNIAL - ABRAHAM LINCOLN AUDITORIUM - Stating findings of the Legislature and commemorating the Idaho Territorial Sesquicentennial and providing that the Legislative Auditorium be named the Abraham Lincoln Auditorium.	56	152	164
6	Health and Welfare	ADOPTED	PRESCRIPTION MONITORING PROGRAM - Stating findings of the Legislature and calling for the Idaho Boards of Medicine, Nursing, Dentistry and Pharmacy, working with the Office of Drug Policy, the Idaho Department of Health and Welfare, local governments, local law enforcement and prosecutors, and professional associations throughout Idaho to use the Board of Pharmacy's Prescription Monitoring Program and best practices in order to increase awareness and prevent and treat prescription drug abuse for the people of Idaho and calling for the Office of Drug Policy to coordinate the development of a state response to the problem of prescription drug abuse.	157	176	188
7	Transportation and Defense	ADOPTED	TRANSPORTATION DEPARTMENT - RULE REJECTED - Stating findings of the Legislature and rejecting a rulemaking docket of the Idaho Transportation Department relating to rules governing license plate provisions.	127	164	184
8	Transportation and Defense	ADOPTED	TRANSPORTATION DEPARTMENT - Stating findings of the Legislature and recognizing the achievements of the Idaho Transportation Department.	157	176	188
10	Health and Welfare	ADOPTED	CARE SYSTEM - TIME-SENSITIVE EMERGENCIES - STUDY GROUP - Stating findings of the Legislature and directing the Idaho Department of Health and Welfare to convene a working group charged with developing legislation that creates a system of care for time-sensitive emergencies in Idaho.	157	176	188

House Concurrent Resolution	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
12	State Affairs	ADOPTED	BOISE CITY SESQUICENTENNIAL - Stating findings of the Legislature and recognizing and congratulating the City of Boise on the its Sesquicentennial Anniversary.	156	203	224
14	Health and Welfare	S Res/Env	FISH AND GAME - RULE REJECTED - Stating findings of the Legislature and rejecting a certain rule docket of the Idaho Fish and Game Commission relating to Rules Governing the Taking of Big Game Animals in the State of Idaho.	175	-	225
16	Education	ADOPTED	INVENT IDAHO DAY - Stating findings of the Legislature and encouraging support for an Invent Idaho Day to acknowledge and celebrate this creative student work and to invite a display of such projects at the Capitol rotunda after each state competition.	161	175	188
17	Health and Welfare	ADOPTED	HEALTH AND WELFARE DEPARTMENT - RULE REJECTED - Stating findings of the Legislature and rejecting a certain rule of the Department of Health and Welfare relating to Alcohol and Substance Use Disorders Treatment and Recovery Support Services Facilities and Programs.	175	243	268
18	State Affairs	ADOPTED	DEPARTMENT OF ADMINISTRATION - CONTRACT MANAGEMENT - Stating findings of the Legislature and calling upon the Department of Administration to develop a plan to improve the development, management, and reporting of contracts, to train contract development and management personnel, to review a database of contracts and to develop a plan to identify and outline the duties of project managers.	204	276	289
19	Health and Welfare	ADOPTED	NUTRITION SERVICES - Stating findings of the Legislature and encouraging the inclusion of nutrition services as an integral component in the prevention and treatment of chronic disease.	204	225	243
20	State Affairs	ADOPTED	ATHLETIC COMMISSION - RULE REJECTED - Stating findings of the Legislature and rejecting a certain final rule of the State Athletic Commission relating to Rules of the State Athletic Commission.	185	276	289
21	State Affairs	ADOPTED	STATE ACQUIRING FEDERAL LANDS - STUDY - Stating findings of the Legislature and authorizing the Legislative Council to appoint a study committee to ascertain the process for the State of Idaho to acquire title to and control of public lands controlled by the federal government in the State of Idaho.	238	289	296
22	State Affairs	ADOPTED	FEDERAL GOVERNMENT - PUBLIC LANDS - TRANSFER - Stating findings of the Legislature and demanding that the federal government imminently transfer title to all of the public lands within Idaho's borders directly to the State of Idaho.	238	289	296
23	State Affairs	ADOPTED	BUILDING SAFETY DIVISION - RULE REJECTED - Stating findings of the Legislature and rejecting a certain rule of the Division of Building Safety relating to Rules Concerning Uniform Plumbing Code.	192	243	268
24	State Affairs	S Com/HuRes	OCCUPATIONAL LICENSES BUREAU - RULE REJECTED - Stating findings of the Legislature and rejecting a certain rule of the Bureau of Occupational Licenses relating to Rules of the Idaho Driving Businesses Licensure Board.	192	-	192

House Concurrent Resolution	Introduced by	Final Action	Subject Matter	Intro-duction Page	Senate Vote Page	Final Disp. Page
25	State Affairs	ADOPTED	OWYHEE COUNTY - Stating findings of the Legislature and recognizing and congratulating Owyhee County and its residents for the county's Sesquicentennial Anniversary.....	204	253	280
26	State Affairs	ADOPTED	PUBLIC DEFENSE REFORM - STUDY - 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.	238	266	283
27	State Affairs	ADOPTED	PRINTING CONTRACT - SESSION LAWS - Approves the contract for the printing of the Session Laws.....	225	243	268
29	Ways and Means	ADOPTED	PUBLIC UTILITIES COMMISSION - Stating findings of the Legislature and providing that the history and achievement of the Idaho Public Utilities Commission be recognized in this year of its one hundredth anniversary.	225	243	268
30	Health and Welfare	ADOPTED	PANCREATIC CANCER AWARENESS MONTH - Stating findings of the Legislature and declaring the month of November "Pancreatic Cancer Awareness Month" in Idaho.	238	253	280
31	State Affairs	ADOPTED	NATURAL RESOURCE ISSUES - STUDY - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of natural resource issues.	260	285	296
32	Ways and Means	ADOPTED	STATE TAX COMMISSION - RULES REJECTED - Stating findings of the Legislature and rejecting certain final rules of the State Tax Commission relating to Income Tax Administrative Rules.	258	266	283
33	Education	ADOPTED	INTERIM COMMITTEE - K THROUGH 12 EDUCATIONAL SYSTEM - Stating findings of the Legislature and requesting the President Pro Tempore of the Senate and the Speaker of the House of Representatives to appoint an interim committee to undertake and complete a study of how to improve and strengthen Idaho's K-12 educational system.	260	284	296
34	Ways and Means	ADOPTED	ALZHEIMER'S PLANNING GROUP - Stating findings of the Legislature and acknowledging the seriousness of Alzheimer's disease and related dementias in Idaho by endorsing the Idaho Alzheimer's Planning Group's statewide plan to increase public awareness and access to information, to provide specific training for Alzheimer's disease and related dementias, to coordinate support services for Alzheimer's disease and related dementias, to create a positive regulatory and financial environment and to develop an ongoing source of data collection.	283	289	296
36	Ways and Means	ADOPTED	LINE COMMISSION - Stating findings of the Legislature and commending Governor Otter for the establishment of the original LINE Commission and for continuing its efforts with the creation of the LINE 2.0 Commission.....	292	293	299

SECTION XIV

SENATE SPONSORS - **SENATE** LEGISLATION **VOTED** ON IN SENATE - 2013

BILL NO.	SPONSOR(S)
S 1001	Lacey
S 1003 aa	Siddoway
S 1004	Bair
S 1006 aa	Hagedorn
S 1007	Bock
S 1008	Buckner-Webb
S 1009	Rice
S 1010	Hagedorn
S 1013 aaH	Heider
S 1014	Martin
S 1016	Lakey
S 1017	Lakey
S 1018 aa,aa	Lakey
S 1021	Martin
S 1024	Bair
S 1025	McKenzie
S 1027	Thayn
S 1028	Thayn
S 1029	McKenzie
S 1031	Davis
S 1032	Bock
S 1033 aa	Vick
S 1034	Lodge
S 1035	Lakey
S 1040 aa	Goedde
S 1041	Durst
S 1042	Tippets
S 1043	Hagedorn
S 1044	Hagedorn
S 1045 aa	Hagedorn
S 1047 aa	Rice
S 1048 aa	Davis
S 1049 aaH	Siddoway
S 1050	Winder
S 1055	Goedde
S 1057 aa	Thayn

BILL NO.	SPONSOR(S)
S 1058	Patrick
S 1059 aa	Mortimer, Lakey
S 1060	Lodge
S 1061	Brackett
S 1062 aa	Guthrie
S 1063	Nuxoll
S 1064	Brackett
S 1065	Heider
S 1068 aa	Durst
S 1070	Siddoway
S 1072 aa,aaH	Heider
S 1074	Lodge
S 1076	Keough
S 1077	Bayer
S 1078	McKenzie
S 1079	McKenzie
S 1080 aaH	Rice
S 1081	Hagedorn
S 1082 aa	Nuxoll
S 1083	Vick
S 1089	Bayer
S 1091 aa	Thayn, Durst
S 1092	Mortimer
S 1093	Goedde
S 1097 aa	Goedde
S 1098	Patrick
S 1100	Nuxoll
S 1101	Schmidt
S 1102	Vick
S 1103	Nuxoll
S 1104	Bayer
S 1105	Lodge
S 1106 aa	Thayn
S 1107 aa	Winder
S 1108	McKenzie
S 1109 aa	Davis

BILL NO.	SPONSOR(S)
S 1111	Stennett
S 1112	McKenzie
S 1113	Johnson
S 1114 aa	Lakey
S 1116 aa,aaH	Heider
S 1117	Brackett
S 1118 aa	McKenzie
S 1119	Bock
S 1120	Bayer
S 1122	Lakey
S 1123	Werk
S 1126	Lodge
S 1127	Werk
S 1128	Schmidt
S 1129	Johnson
S 1130	Keough
S 1131	Lacey
S 1132	Lacey
S 1133 aa	Hagedorn
S 1134 aa,aaH,aaH	Winder
S 1135	Hagedorn
S 1136	Vick
S 1138 aa	Tippets
S 1139	Schmidt
S 1140	Johnson
S 1142	Vick
S 1143	Johnson
S 1144	Johnson
S 1145	Schmidt
S 1146	Mortimer
S 1147 aa	Goedde
S 1148 aa	Patrick
S 1149	Patrick
S 1150	Lakey
S 1151	Davis
S 1152	Mortimer

BILL NO.	SPONSOR(S)
S 1153	Schmidt
S 1154	Schmidt
S 1155	Tippets
S 1156	Stennett
S 1157	Bair
S 1158	Winder
S 1160	Schmidt
S 1161	Johnson
S 1162	Mortimer
S 1163	Lacey
S 1164	Mortimer
S 1165	Bock
S 1166 aa	Bair
S 1167	Nuxoll
S 1168	Mortimer
S 1169	Vick
S 1170	Thayn
S 1171	Thayn
S 1172	Lacey
S 1173	Johnson
S 1174	Keough
S 1175	Keough
S 1176	Schmidt
S 1177	Bayer
S 1178	Bayer
S 1179	Brackett
S 1180	Johnson
S 1181	Keough
S 1182	Vick
S 1183	Schmidt
S 1186	Mortimer
S 1187	Mortimer
S 1188	Vick
S 1189	Davis
S 1190	Schmidt
S 1191	McKenzie

BILL NO.	SPONSOR(S)
S 1192 aa	Winder
S 1195	Mortimer
S 1196	Mortimer
S 1197	Keough
S 1199	Goedde
S 1200	Cameron
SCR NO.	**SPONSOR(S)**
SCR 101	Guthrie
SCR 102	Bair
SCR 103	Winder
SCR 104	Fulcher
SCR 105	Rice
SCR 106	Bair
SCR 107	Bair
SCR 108	Bair
SCR 109	Bair
SCR 110	Bair
SCR 112	Winder
SCR 114	Vick
SCR 115	Vick
SCR 117	McKenzie
SCR 118	McKenzie
SCR 119	McKenzie
SCR 120	Buckner-Webb
SCR 121	Patrick
SCR 122	Patrick
SCR 124	Davis
SCR 125	McKenzie
SCR 126	McKenzie
SCR 127	McKenzie
SCR 128	Lodge
SCR 129	Davis
SCR 131	Davis

SCR NO.	SPONSOR(S)
SJM NO.	**SPONSOR(S)**
SJM 101	Winder
SJM 102	Lodge
SR NO.	**SPONSOR(S)**
SR 101	Davis

SECTION XV

SENATE SPONSORS - **HOUSE** LEGISLATION **VOTED** ON IN SENATE - 2013

BILL NO.	SPONSOR(S)
H 1	Hill
H 2	Werk
H 3	Rice
H 4	Werk
H 5	Bayer
H 7	Guthrie
H 8	Heider
H 9	Goedde
H 10	Cameron
H 11	Goedde
H 12 aaS	Rice
H 14	Johnson
H 15	McKenzie
H 16	Schmidt
H 17	Schmidt
H 19	Johnson
H 20	McKenzie
H 21	Rice
H 22	Vick
H 23	Werk
H 24	Siddoway
H 25	Rice
H 26	Martin
H 28	Lakey
H 29	Lodge
H 30 aa	Mortimer
H 32	Schmidt
H 33	Lodge
H 35	Lakey
H 36	Schmidt
H 37	Heider
H 39	Buckner-Webb
H 40	Heider
H 41	Johnson
H 42	Patrick
H 43	Martin

BILL NO.	SPONSOR(S)
H 44	Goedde
H 45 aa	Patrick
H 46	Patrick
H 47	Siddoway
H 48	Siddoway
H 49	Bair
H 50	Bair
H 52	Werk
H 53	Davis
H 55	Winder
H 65	Goedde
H 66 aaS	Keough
H 72	Vick
H 73 aaS	Siddoway
H 76	Patrick
H 80	Lacey
H 81	Buckner-Webb
H 82	Thayn
H 83	Mortimer
H 84	Nonini
H 85	Hagedorn
H 86	Rice
H 87	Bayer
H 89	Lodge
H 90 aa	McKenzie
H 91 aa	Martin
H 93	Brackett
H 96	Durst
H 98 aa,aaS	Schmidt
H 100	Tippets
H 102	Mortimer
H 103	Hagedorn, Bock
H 105	Lodge
H 107	Winder
H 109	Martin
H 110	Brackett

BILL NO.	SPONSOR(S)
H 112	Durst
H 113 aa	Guthrie
H 115	Johnson
H 117	Hagedorn
H 118	Winder
H 120 aa,aaS	Werk
H 121	McKenzie
H 122	Thayn
H 123	Lacey
H 124	Lakey
H 125	Hagedorn
H 127	Lakey
H 128	Heider
H 129	Cameron
H 130 aaS	Tippets
H 131	Thayn
H 132	Pearce
H 133	Lacey
H 137	Vick
H 138	Lacey
H 139	Hill
H 140	Rice
H 141	Rice
H 142 aaS,aaS	Lodge
H 147	Bock
H 148	Hagedorn
H 149	Lodge
H 150	Hagedorn
H 153	Lakey
H 159	Keough
H 161	Winder
H 162	Martin
H 163	Nonini
H 166	Nuxoll
H 167 aaS	Hagedorn
H 168	Buckner-Webb

BILL NO.	SPONSOR(S)
H 169	Rice
H 170	Bock
H 171 aa	Rice
H 174	Lacey
H 175	Brackett
H 176	Nonini
H 177 aaS	Goedde
H 178	Cameron
H 180	Keough
H 181	Winder
H 183	Hagedorn
H 184	Rice
H 185	Durst
H 187	Bayer
H 188	Schmidt
H 192	Winder
H 193 aa	Fulcher
H 196	Goedde
H 197	Cameron
H 199	Hill
H 202	Werk
H 203	Keough
H 205	Goedde
H 206 aaS,aaS	Mortimer
H 210	Schmidt
H 211	Bock
H 214	Davis
H 215	McKenzie
H 216	Keough
H 217 aaS	Hagedorn
H 218	Goedde
H 220	Lodge
H 221 aaS	Goedde
H 222	Hagedorn
H 223	McKenzie
H 224	Thayn

BILL NO.	SPONSOR(S)
H 225	Mortimer
H 226	Durst
H 231 aa	Siddoway
H 232	Goedde
H 233	Schmidt
H 234	Thayn
H 235	Johnson
H 236	Vick
H 237	Mortimer
H 238	Cameron
H 239	Bock
H 241	Vick
H 242	Rice
H 243	Rice
H 244	Bayer
H 245	Lodge
H 248	Tippets
H 251	Keough
H 252	Lacey
H 253	Johnson
H 254	Johnson
H 255	Mortimer
H 256	Lakey
H 257	Lodge
H 258	McKenzie
H 259 aaS	Bair
H 261	Mortimer
H 262	Thayn
H 263	Lacey
H 265 aa,aa	Lakey
H 266	Guthrie
H 269	Keough
H 270	Lacey
H 271	Bair
H 273	Goedde
H 274	Nuxoll

BILL NO.	SPONSOR(S)
H 275	Thayn
H 278	Pearce
H 283	Schmidt
H 284	Lacey
H 285	Lacey
H 290	Guthrie
H 291	Martin
H 292	Lakey
H 293	Thayn
H 295	Patrick
H 296	Bayer
H 297	Keough
H 298	Mortimer
H 299	Thayn
H 300	Mortimer
H 301	Mortimer
H 302	Nuxoll
H 303	Keough
H 304	Vick
H 305	Keough
H 306	Mortimer
H 310	Schmidt
H 311	Lacey
H 312	Bayer
H 313	Cameron
H 315	Siddoway
H 317	Patrick
H 318	Thayn
H 319	Mortimer
H 321	Brackett
H 322	Nonini
H 323	Cameron
H 324	Brackett
H 327	Schmidt
H 328	Schmidt
H 332	Schmidt

BILL NO.	SPONSOR(S)
H 333	Johnson
H 334	Schmidt
H 335	Lacey
H 343	McKenzie
H 345	Cameron
HCR NO.	**SPONSOR(S)**
HCR 1	Davis
HCR 2	Hill
HCR 3	Nonini
HCR 4	Werk
HCR 5	Davis
HCR 6	Schmidt
HCR 7	Rice
HCR 8	Brackett
HCR 10	Schmidt
HCR 12	Winder
HCR 16	Goedde
HCR 17	Guthrie
HCR 18	McKenzie
HCR 19	Lodge
HCR 20	McKenzie
HCR 21	Siddoway
HCR 22	Siddoway
HCR 23	Patrick
HCR 25	Brackett
HCR 26	Bock
HCR 27	McKenzie
HCR 29	McKenzie
HCR 30	Schmidt
HCR 31	Bair
HCR 32	Siddoway
HCR 33	Goedde
HCR 34	Heider
HCR 36	McKenzie

HCR NO.	SPONSOR(S)
HJM NO.	**SPONSOR(S)**
HJM 1	Siddoway
HP NO.	**SPONSOR(S)**
HP 1	Hill