HOUSE JOURNAL

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OFFICERS OF THE HOUSE OF REPRESENTATIVES
FIFTY-SIXTH LEGISLATURE
FIRST REGULAR SESSION - 2001

BRUCE NEWCOMB . . . . . *Burley*
Speaker of the House

FRANK BRUNEEL . . . . . *Lewiston*
Majority Leader

LAWERENCE DENNEY . . . . . *Midvale*
Assistant Majority Leader

DAN MADER . . . . . *Genesee*
Majority Caucus Chairman

WENDY JAQUET . . . . . *Ketchum*
Minority Leader

MARGARET HENBEST . . . . . *Boise*
Assistant Minority Leader

ROGER CHASE . . . . . *Pocatello*
Minority Caucus Chairman

HOUSE ADMINISTRATION

PAMM JUKER . . . . . *Chief Clerk and Parliamentarian*

VERNA GOEDDERTZ . . . . . *Assistant Chief Clerk*

JEANNE LUDWIG . . . . . *Administrative Assistant to the Speaker*

VIVIAN KLEIN . . . . . *Administrative Assistant to Minority Leader*

TERRI FRANKS . . . . . *Fiscal Assistant to the Speaker*

MARY KEELER . . . . . *Docket Clerk*

SHELLEY HUBBARD . . . . . *Journal Clerk*

FORREST LUDWIG . . . . . *Journal Clerk*

JUDY CHRISTENSEN . . . . . *Sergeant at Arms*

ROBERT GOLLING . . . . . *Assistant Sergeant at Arms*

CARL SHELL . . . . . *Assistant Sergeant at Arms*

JIM HARDENBROOK . . . . . *Chaplain*

Name	Address	District
BARRACLOUGH, JACK T. Environmental Affairs - Chairman Resources and Conservation	Idaho Falls	29
BARRETT, LENORE HARDY Local Government Resources and Conservation Revenue and Taxation	Challis	26
BELL, MAXINE T. Appropriations, Chairman Resources and Conservation	Jerome	24
BEDKE, SCOTT Education Transportation and Defense	Oakley	25
BIETER, DAVID H. Judiciary, Rules, and Administration Local Government	Boise	19
BLACK, MAX C. Business, Chairman Education Local Government	Boise	15
BOE, DONNA H. Education Environmental Affairs Judiciary, Rules, and Administration	Pocatello	34
BOLZ, DARRELL Agricultural Affairs Commerce and Human Resources Education	Caldwell	10
BRADFORD, LARRY C. Commerce and Human Resources Education Health and Welfare	Franklin	32
BRUNEEL, FRANK C. Majority Leader Revenue and Taxation Transportation and Defense Ways and Means	Lewiston	6
CALLISTER, DAVID Business Local Government	Boise	17
CAMPBELL, JOHN L. Environmental Affairs, Vice Chairman Resources and Conservation State Affairs	Sandpoint	1

Name	Address	District
CHASE, ROGER W.	Pocatello	33
Minority Caucus Chairman		
Agricultural Affairs		
Business		
Revenue and Taxation		
Ways and Means		
CLARK, JIM	Hayden	3
Appropriations		
Judiciary, Rules, and Administration		
COLLINS, GARY E.	Nampa	11
Business		
Local Government		
Revenue and Taxation		
CROW, DOLORES J.	Nampa	12
Revenue and Taxation, Chairman		
Commerce and Human Resources		
CUDDY, CHARLES D.	Orofino	7
Resources and Conservation		
Revenue and Taxation		
Transportation and Defense		
DEAL, WILLIAM W. "BILL"	Nampa	12
State Affairs, Chairman		
Business		
DENNEY, LAWERENCE	Midvale	9
Assistant Majority Leader		
Resources and Conservation		
State Affairs		
Ways and Means		
ELLIS, KRIS	Coeur D'Alene	3
Business		
Health and Welfare		
Revenue and Taxation		
ELLSWORTH, JULIE	Boise	13
State Affairs, Vice Chairman		
Environmental Affairs		
Judiciary, Rules, and Administration		
ESKRIDGE, GEORGE E.	Dover	1
Local Government		
Resources and Conservation		
State Affairs		
FIELD, DEBBIE S.	Boise	13
Judiciary, Rules, and Administration, Vice Chairman		
Revenue and Taxation		

Name	Address	District
FIELD, FRANCES	Grand View	20
Appropriations, Vice Chairman		
Agricultural Affairs		
Resources and Conservation		
GAGNER, LEE	Idaho Falls	30
Business, Vice Chairman		
Appropriations		
GOULD, CELIA R.	Buhl	22
Judiciary, Rules, and Administration, Chairman		
Revenue and Taxation		
HADLEY, J. STEVEN	Chubbuck	35
Appropriations		
Transportation and Defense		
HAMMOND, TODD M.	Rexburg	27
Education, Vice Chairman		
Environmental Affairs		
Judiciary, Rules, and Administration		
HANSEN, RANDY	Twin Falls	23
Commerce and Human Resources		
Education		
Health and Welfare		
*Term as Emergency Interim Successor March 26, 2001 through April 13, 2001		
HARWOOD, R.J., "DICK"	St. Maries	7
Business		
Local Government		
State Affairs		
HENBEST, MARGARET	Boise	16
Assistant Minority Leader		
Business		
Health and Welfare		
State Affairs		
Ways and Means		
HIGGINS, KENT A.	Idaho Falls	29
Business		
Education		
Local Government		
HORNBECK, TWILA	Grangeville	8
Local Government, Vice Chairman		
Resources and Conservation		
State Affairs		
JAQUET, WENDY	Ketchum	21
Minority Leader		
Health and Welfare		
State Affairs		
Ways and Means		

Name	Address	District
JONES, DOUGLAS R. Agricultural Affairs, Chairman Education Resources and Conservation	Filer	22
KELLOGG, HILDE Revenue and Taxation, Vice Chairman Business Transportation and Defense	Post Falls	2
KENDELL, WAYNE Agricultural Affairs Education Resources and Conservation	Aberdeen	35
KUNZ, KENT S. Ways and Means, Chairman State Affairs Transportation and Defense	Pocatello	34
LAKE, DENNIS M. Agricultural Affairs Appropriations Commerce and Human Resources	Blackfoot	31
LANGFORD, EULALIE T. Agricultural Affairs State Affairs	Montpelier	32
LOERTSCHER, THOMAS F. Health and Welfare, Chairman State Affairs	Iona	30
MADER, DAN Majority Caucus Chairman Resources and Conservation Revenue and Taxation Ways and Means	Genesee	6
MARLEY, BERT C. Agricultural Affairs Commerce and Human Resources Education	McCammon	33
MCKAGUE, SHIRLEY Commerce and Human Resources State Affairs Transportation and Defense	Meridian	14
MEYER, WAYNE R. Appropriations Business Environmental Affairs	Rathdrum	2

Name	Address	District
MONTGOMERY, BEV Education Health and Welfare Judiciary, Rules, and Administration	Caldwell	10
MORTENSEN, MAX C. Commerce and Human Resources, Vice Chairman Agricultural Affairs Education	St. Anthony	28
MOSS, THOMAS Health and Welfare Judiciary, Rules, and Administration State Affairs	Blackfoot	31
MOYLE, MIKE Health and Welfare Resources and Conservation Revenue and Taxation	Star	14
NEWCOMB, BRUCE Speaker of the House	Burley	25
PEARCE, MONTY J. Environmental Affairs Judiciary, Rules, and Administration State Affairs	New Plymouth	9
PISCHNER, DON Appropriations Transportation and Defense	Coeur d' Alene	4
POMEROY, HORACE B. "HOD" Appropriations Transportation and Defense	Boise	16
RAYBOULD, DELL Health and Welfare Resources and Conservation Revenue and Taxation	Rexburg	27
RIDINGER, TIM Transportation and Defense, Vice Chairman Commerce and Human Resources Revenue and Taxation	Shoshone	21
ROBERTS, KEN A. Judiciary, Rules, and Administration Revenue and Taxation Transportation and Defense	Donnelly	8
ROBISON, KENNETH L. Appropriations Resources and Conservation	Boise	19

Name	Address	District
SALI, WILLIAM T. "BILL" Health and Welfare, Vice Chairman Judiciary, Rules, and Administration	Kuna	18
SCHAEFER, ROBERT E. Commerce and Human Resources, Chairman Revenue and Taxation	Nampa	11
SELLMAN, SHER Education Judiciary, Rules, and Administration Local Government	Mountain Home	20
SHEPHERD, MARY LOU State Affairs Transportation and Defense	Wallace	4
SMITH, LEON Judiciary, Rules, and Administration Revenue and Taxation Transportation and Defense	Twin Falls	23
SMYLIE, STEVE Business State Affairs	Boise	15
STEVENSON, JOHN A. "BERT" Agricultural Affairs, Vice Chairman Resources and Conservation State Affairs	Rupert	24
STONE, RUBY R. Local Government, Chairman State Affairs	Boise	17
SWAN, GEORGE H. Commerce and Human Resources Education Health and Welfare *Deceased March 22, 2001	Twin Falls	23
TILMAN, FRED D. Education, Chairman Business	Boise	18
TRAIL, TOM Agricultural Affairs Commerce and Human Resources Education	Moscow	5
WHEELER, CAMERON Resources and Conservation, Chairman Environmental Affairs Revenue and Taxation	Ririe	28

Name	Address	District
WOOD, JOAN E. Transportation and Defense, Chairman Resources and Conservation, Vice Chairman Revenue and Taxation	Rigby	26
YOUNG, GARY F. Agricultural Affairs Education Judiciary, Rules, and Administration	Moscow	5

AGRICULTURAL AFFAIRS (12)

Jones, Chairman
Stevenson, Vice Chairman

Field(20)	Chase
Mortensen	Marley
Kendell	
Lake	
Trail	
Bolz	
Langford	
Young	

APPROPRIATIONS (10)

Bell, Chairman
Field(20), Vice Chairman

Pomeroy	Robison
Pischner	
Clark	
Meyer	
Gagner	
Hadley	
Lake	

BUSINESS (14)

Black, Chairman
Gagner, Vice Chairman

Deal	Chase
Tilman	Henbest
Kellogg	
Meyer	
Callister	
Smylie	
Collins	
Ellis	
Harwood	
Higgins	

COMMERCE AND HUMAN RESOURCES (11)

Schaefer, Chairman
Mortensen, Vice Chairman

Ridinger	Marley
Lake	
Trail	
Crow	
McKague	
Bradford	
Swan	
Bolz	

EDUCATION (17)

Tilman, Chairman
Hammond, Vice Chairman

Jones	Boe
Mortensen	Marley
Black	
Kendell	
Trail	
Montgomery	
Sellman	
Bolz	
Bradford	
Higgins	
Swan	
Young	
Bedke	

ENVIRONMENTAL AFFAIRS (8)

Barraclough, Chairman
Campbell, Vice Chairman

Meyer	Boe
Ellsworth	
Wheeler	
Hammond	
Pearce	

HEALTH AND WELFARE (11)

Loertscher, Chairman
Sali, Vice Chairman

Moyle	Henbest
Moss	Jaquet
Montgomery	
Bradford	
Ellis	
Raybould	
Swan	

JUDICIARY, RULES, & ADMINISTRATION (15)

Gould, Chairman
Field(13), Vice Chairman

Sali	Boe
Clark	Bieter
Ellsworth	
Montgomery	
Sellman	
Smith	
Hammond	
Pearce	
Moss	
Roberts	
Young	

LOCAL GOVERNMENT (11)

Stone, Chairman
Hornbeck, Vice Chairman

Barrett
Callister
Sellman
Black
Collins
Eskridge
Harwood
Higgins
Bieter

RESOURCES AND CONSERVATION (18)

Wheeler, Chairman
Wood, Vice Chairman

Field(20)
Jones
Bell
Barraclough
Mader
Stevenson
Denney
Campbell
Barrett
Kendell
Moyle
Hornbeck
Eskridge
Raybould
Robison
Cuddy

REVENUE AND TAXATION (19)

Crow, Chairman
Kellogg, Vice Chairman

Gould
Barrett
Bruneel
Ridinger
Mader
Moyle
Field(13)
Schaefer
Smith
Wheeler
Collins
Ellis
Raybould
Roberts
Wood
Cuddy
Chase

STATE AFFAIRS (19)

Deal, Chairman
Ellsworth, Vice Chairman

Stone
Loertscher
Hornbeck
Stevenson
Denney
Kunz
McKague
Campbell
Smylie
Pearce
Moss
Eskridge
Harwood
Langford
Henbest
Jaquet
Shepherd

TRANSPORTATION AND DEFENSE (14)

Wood, Chairman
Ridinger, Vice Chairman

Pomeroy
Kellogg
Pischner
Bruneel
Kunz
McKague
Hadley
Smith
Roberts
Bedke
Cuddy
Shepherd

WAYS AND MEANS (7)

Kunz, Chairman

Bruneel
Denney
Mader
Jaquet
Henbest
Chase

FIRST ORGANIZATIONAL DAY
THURSDAY, DECEMBER 7, 2000

House of Representatives

At the hour of 9 a.m., on Thursday, December 7, 2000, the members-elect of the House of Representatives convened in the House Chamber of the Capitol Building in the City of Boise, with the Honorable Bruce Newcomb, Speaker of the House of the Fifty-fifth Legislature presiding, assisted by Pamm Juker, Chief Clerk of the Fifty-fifth Legislature.

The Chief Clerk read the official proclamation as follows:

I, PETE T. CENARRUSA, 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 House of Representatives of the First Regular Session of the Fifty-sixth Legislature, as shown by official records on file in my office:

DISTRICT	NAME
1	John L. Campbell (R), George E. Eskridge (R)
2	Hilde Kellogg (R), Wayne R. Meyer (R)
3	James W. Clark (R), Kris Ellis (R)
4	Mary Lou Shepherd (D), Don Pischner (R)
5	Tom Trail (R), Gary F. Young (R)
6	Frank C. Bruneel (R), Dan Mader (R)
7	Charles D. Cuddy (D), R. J. "Dick" Harwood (R)
8	Ken A. Roberts (R), Twila L. Hornbeck (R)
9	Lawerence E. Denney (R), Monty Pearce (R)
10	Beverly Montgomery (R), Darrell Bolz (R)
11	Robert E. Schaefer (R), Gary E. Collins (R)
12	Dolores J. Crow (R), W. W. "Bill" Deal (R)
13	Debbie Field (R), Julie Ellsworth (R)
14	Mike Moyle (R), Shirley McKague (R)
15	Steve Smylie (R), Max C. Black (R)
16	Margaret Henbest (D), Horace B. "Hod" Pomeroy (R)
17	David Callister (R), Ruby R. Stone (R)
18	William T. "Bill" Sali (R), Fred D. Tilman (R)
19	David H. Bieter (D), Ken Robison (D)
20	Frances Field (R), Sher Sellman (R)
21	Wendy Jaquet (D), Tim Ridinger (R)
22	Celia R. Gould (R), Douglas R. Jones (R)
23	Leon Smith (R), George H. Swan(R)
24	John A. "Bert" Stevenson (R), Maxine T. Bell (R)
25	Jim D. Kempton (R), Bruce Newcomb(R)
26	JoAn E. Wood (R), Lenore Hardy Barrett (R)
27	Todd M. Hammond (R), Dell Raybould (R)
28	Max C. Mortensen (R), Cameron Wheeler (R)
29	Jack T. Barraclough (R), Kent A. Higgins (R)
30	Lee Gagner (R), Thomas F. Loertscher (R)
31	Dennis M. Lake (R), Thomas E. Moss (R)
32	Larry C. Bradford (R), Eulalie Teichert Langford (R)
33	Bert C. Marley (D), Roger W. Chase (D)
34	Donna H. Boe (D), Kent S. Kunz (R)
35	Steve Hadley (R), Wayne Kendell (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-second day of November, in the year of our Lord, Two Thousand, and of the Independence of the United State of America, the Two Hundred and Twenty-fourth.

/s/ PETE T. CENARRUSA
Secretary of State

The Certificate of Election was ordered filed in the office of the Chief Clerk.

Roll call showed all 70 members present.

At this time, the Speaker administered the oath of office to all members-elect.

Prayer was offered by Representative Field(13).

The Pledge of Allegiance was led by Representative Field(13).

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials and Resolutions

Nominations were declared in order for the Speaker of the House.

Mr. Bruneel presented in nomination the name of Mr. Bruce Newcomb. Seconded by Ms. Jaquet.

Mr. Bruneel asked unanimous consent that nominations cease and that a unanimous ballot be cast for Mr. Newcomb. There being no objection, it was so ordered and Mr. Bruce Newcomb was elected Speaker of the House.

At this time, Mr. Bruneel and Ms. Jaquet escorted Mr. Newcomb to the podium where the oath of office was administered to him by Representative Wood.

At this time, Speaker Newcomb took the Chair.

Mr. Bruneel moved that the House adopt as Temporary Rules and Temporary Joint Rules for the First and Second Sessions of the Fifty-sixth Legislature, the Rules and Joint Rules as adopted by the Fifty-fifth Legislature, with the exception of Rule 15 to be stated as follows:

Division of Question.--(1) Any member may call for the division of a question if it comprehends propositions so distinct, that one or more being taken away, a substantive proposition shall remain; but no bill, resolution, memorial, or Senate amendment to any House bill or proposition shall be divisible. If a question be divided, each portion thereof shall be voted on separately, the same as if it had been offered alone.

Strike Out and Insert.--(2) A motion to strike out and insert shall not be divisible but motions to strike out or to insert shall not preclude a motion to amend or to strike out and insert. A motion to strike out and insert or to strike or to insert shall be considered an amendment of bills and joint resolutions and not permitted other than in the Committee of the Whole except as provided in Rule 46.

Seconded by Ms. Jaquet.

The questions being, "Shall the motion carry?"

Whereupon the Speaker declared by voice vote that more than two-thirds of the membership having voted in the affirmative, the motion carried and the Temporary Rules and Temporary Joint Rules were adopted with the change to Rule 15.

There being no objection the House advanced to the Thirteenth Order of Business.

Miscellaneous and Unfinished Business

The following Attache Committee assignment was announced by the Speaker:

ATTACHE COMMITTEE

Representative Bell, Chairman
Representative Tilman
Representative Field(13)

At this time, the members selected their seats in accordance with House Rule 67.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 8 a.m., Friday, December 8, 2000. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 4:46 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

SECOND ORGANIZATIONAL DAY
FRIDAY, DECEMBER 8, 2000

House of Representatives

The House convened at 8 a.m., Mr. Bruneel in the Chair.

Roll call showed 69 members present.
Absent and excused – Gould. Total -- 1.
Total -- 70.

Prayer was offered by Representative Mader.

The Pledge of Allegiance was led by Representative Mader.

There being no objection, the House advanced to the Thirteenth Order of Business.

Miscellaneous and Unfinished Business

At this time, the Speaker took the Chair.

The following committee assignments were announced by the Speaker:

STANDING COMMITTEES OF THE HOUSE
FIFTY-SIXTH IDAHO LEGISLATURE

AGRICULTURAL AFFAIRS (12)

Jones, Chairman
Stevenson, Vice Chairman

Field(20)
Mortensen
Kendell
Lake
Trail
Bolz
Langford
Young
Chase
Marley

APPROPRIATIONS (10)

Bell, Chairman
Field(20), Vice Chairman

Pomeroy
Pischner
Clark
Meyer
Gagner
Hadley
Lake
Robison

BUSINESS (14)

Black, Chairman
Gagner, Vice Chairman

Deal
Tilman
Kellogg
Meyer
Callister
Smylie
Collins
Ellis
Harwood
Higgins
Chase
Henbest

COMMERCE AND HUMAN RESOURCES (10)

Schaefer, Chairman
Mortensen, Vice Chairman

Ridinger
Lake
Trail
Crow
McKague
Bradford
Swan
Marley

EDUCATION (17)

Tilman, Chairman
Hammond, Vice Chairman

Jones
Mortensen
Black
Kendell
Trail
Wood
Montgomery
Sellman
Bolz
Bradford
Higgins
Swan
Young
Boe
Marley

ENVIRONMENTAL AFFAIRS (8)

Barraclough, Chairman
Campbell, Vice Chairman

Meyer
Ellsworth
Wheeler
Hammond
Pearce
Boe

HEALTH AND WELFARE (11)

Loertscher, Chairman
Sali, Vice Chairman

Moyle
Moss
Montgomery
Bradford
Ellis
Raybould
Swan
Henbest
Jaquet

JUDICIARY, RULES, & ADMINISTRATION (15)

Gould, Chairman
Field(13), Vice Chairman

Sali
Clark
Ellsworth
Montgomery
Sellman
Smith
Hammond
Pearce
Moss
Roberts
Young
Boe
Bieter

LOCAL GOVERNMENT (11)

Stone, Chairman
Hornbeck, Vice Chairman

Barrett
Callister
Sellman
Black
Collins
Eskridge
Harwood
Higgins
Bieter

RESOURCES AND CONSERVATION (18)

Wood, Chairman
Wheeler, Vice Chairman

Field(20)
Jones
Bell
Barraclough
Mader
Stevenson
Denney
Campbell
Barrett
Kendell
Moyle
Hornbeck
Eskridge
Raybould
Robison
Cuddy

REVENUE AND TAXATION (19)

Crow, Chairman
Kellogg, Vice Chairman

Gould
Kempton
Barrett
Bruneel
Ridinger
Mader
Moyle
Field(13)
Schaefer
Smith
Wheeler
Collins
Ellis
Raybould
Roberts

Cuddy
Chase

STATE AFFAIRS (19)

Deal, Chairman
Ellsworth, Vice Chairman

Stone
Loertscher
Hornbeck
Stevenson
Denney
Kunz
McKague
Campbell
Smylie
Pearce
Moss
Eskridge
Harwood
Langford

Henbest
Jaquet
Shepherd

TRANSPORTATION AND DEFENSE (14)

Kempton, Chairman
Ridinger, Vice Chairman

Wood
Pomeroy
Kellogg
Pischner
Bruneel
Kunz
McKague
Hadley
Smith
Roberts

Cuddy
Shepherd

WAYS AND MEANS (7)

Kunz, Chairman

Bruneel
Denney
Mader

Jaquet
Henbest
Chase

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the Organizational Session of the Fifty-sixth Legislature adjourn Sine Die. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the motion carried and the Organizational Session of the Fifty-sixth Legislature adjourned Sine Die at 9:17 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

FIRST LEGISLATIVE DAY
MONDAY, JANUARY 8, 2001

House of Representatives

The House convened at 12 noon, January 8, 2001, the time established for the convening of the First Regular Session of the Fifty-sixth Legislature, the members of the House of Representatives convened in the House Chamber of the Capitol Building in the City of Boise, with Bruce Newcomb, Speaker, presiding.

Roll call showed 69 members present.
Absent and excused -- Bell. Total -- 1.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Carl Shell, Assistant Sergeant at Arms.

At this time, the Speaker put the House at ease to present an Idaho State flag to the Idaho National Guard Honor Guard to be raised over the House dome to commemorate the First Regular Session of the Fifty-sixth Idaho Legislature.

Approval of Journal

January 8, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the First and Second Organizational Days and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that pursuant to the provisions of Section 59-904A, Idaho Code, the Legislative District 25 Committee of the Republican Party has submitted a list of three names for consideration in filling a vacancy in the District 25 Legislative House of Representatives seat.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-904A, Idaho Code, do hereby appoint Scott Bedke, to the position of State Representative, District 25, House Seat A, for a term commencing on January 3, 2001, and continuing until the next general election when the term of office expires.

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

Done at Boise, the Capital of Idaho, this 3rd day of January in the year of our Lord two thousand and one, and of the Independence of the United States of America, the two hundred and twenty-fifth year.

/s/ DIRK A. KEMPTHORNE
Governor
/s/ PETE T. CENARRUSA
Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mr. Bedke.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 1
BY MORTENSEN

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE CONCERNING CHARACTER EDUCATION AND MORAL DEVELOPMENT IN PUBLIC SCHOOLS, AND A CONCERN THAT TODAY'S U.S. HISTORY HAS SO NEGLECTED THE REPORTING OF GEORGE WASHINGTON'S VIRTUES THAT STUDENTS TODAY COULD THINK THEY PLAYED NO ROLE IN THE DEVELOPMENT OF THIS NATION.

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

WHEREAS, with discussions about character and personal responsibility dominating the political landscape, there is a renewed interest in the virtues of George Washington, "The True Father of our Country," and the first and last United States president to be elected unanimously; and

WHEREAS, in a letter to Alexander Hamilton, Washington said: "I hope I shall always possess firmness and virtue enough to maintain what I consider the most enviable of all titles, the character of an honest man."; and

WHEREAS, Washington's "crowning" Rule of Civility: "Labor to keep alive in your breast that little spark of celestial fire called conscience."; and

WHEREAS, John Adams, second U.S. president said: "Washington's example will teach wisdom and virtue as long as our history shall be read."; and

WHEREAS, Thomas Jefferson said: "The moderation and virtue of Washington probably prevented this (American) revolution from being closed."; and

WHEREAS, Abraham Lincoln said: "Washington is the mightiest name on earth...in the cause of civil liberty...in moral reformation."; and

WHEREAS, Benjamin Franklin said: "Only a virtuous people are capable of freedom."; and

WHEREAS, Daniel Webster said: "The ingenious youth of America will hold up to themselves the bright model of Washington's example till all its virtues spread out and display themselves to their delighted vision."; and

WHEREAS, General Richard Henry Lee said at Washington's funeral: "Washington was first in war, first in peace, first in the hearts of his countrymen; just, humane, temperate, and sincere; uniform, dignified and commanding; his example was edifying to all around him."; and

WHEREAS, Section 24, Article III of the Constitution of the State of Idaho states: "The legislature should further all wise and well directed efforts for the promotion of temperance and morality."

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that in U.S. history and civics classes in Idaho public schools, students are made aware of, and hopefully inspired by, the crucial role George Washington's virtues played in forming the moral foundation of this nation.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to facilitate distribution of this resolution to all entities concerned with public education in Idaho.

HOUSE CONCURRENT RESOLUTION NO. 2
BY BELL

A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO STUDY ELECTRIC UTILITY RESTRUCTURING.

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

WHEREAS, there were numerous bills introduced in Congress from 1996 through 2000 which would have provided for the restructuring of the electric utility industry in this country; and

WHEREAS, there are aggregators who are aggressively trying to find customers to purchase electric energy from them; and

WHEREAS, Idaho currently enjoys low electric rates compared to the rest of the nation, mainly because of our hydropower base; and

WHEREAS, some states, including California, have passed legislation to restructure the electric utility industry in those states; and

WHEREAS, there are some benefits to a competitive electric utility industry, there may be some large unintended consequences to the ratepayers and the citizens of the state if such a move is not carefully thought out and planned; and

WHEREAS, it is not the intent of the Legislature to have big winners and big losers as far as classes of electric customers go if the electric utility industry is restructured; and

WHEREAS, there have been many worthwhile social programs included in an electric utility's rate base such as fish mitigation, weatherization and low-income assistance programs, and the Legislature would not like to see those lost by a restructuring; and

WHEREAS, Idaho's water rights system is a complex system of management, and electric utility restructuring could affect demand loads and river flows and have some large unintended consequences if not managed properly.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a Committee to undertake and review the potential restructuring of the electric utility industry from both the statewide perspective and the national perspective. The Committee is directed to involve representatives of industry, agricultural groups, small businesses, consumers of electricity and conservation interests. The Committee is also authorized to retain the services of a consultant, within appropriated moneys, who is familiar with the electric utility industry and who can provide necessary economic or other research that can assist the Committee and the Legislature in making an informed decision on this most important topic.

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 Fifty-sixth Idaho Legislature and shall make a report detailing its findings, recommendations and proposed legislation, if any, to the First Regular Session of the Fifty-seventh Idaho Legislature.

HOUSE CONCURRENT RESOLUTION NO. 3
BY BRUNEEL AND JAQUET

A CONCURRENT RESOLUTION

PROVIDING FOR A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE FIRST REGULAR SESSION OF THE FIFTY-SIXTH IDAHO LEGISLATURE FOR THE PURPOSE OF HEARING A MESSAGE FROM THE GOVERNOR.

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

WHEREAS, the Governor has informed the House of Representatives and the Senate that he desires to deliver a message to a Joint Session of the House of Representatives and the Senate of the First Regular Session of the Fifty-sixth Idaho Legislature in the Chamber of the House of Representatives at 1 p.m. on Monday, January 8, 2001.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the House of Representatives and the Senate meet in Joint Session on Monday, January 8, 2001, at 1 p.m. for the purpose of hearing the message from the Governor.

HOUSE CONCURRENT RESOLUTION NO. 4
BY BRUNEEL AND JAQUET

A CONCURRENT RESOLUTION

PROVIDING FOR A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE FIRST

REGULAR SESSION OF THE FIFTY-SIXTH IDAHO LEGISLATURE FOR THE PURPOSE OF HEARING A MESSAGE FROM THE GOVERNOR.

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

WHEREAS, the Governor has informed the House of Representatives and the Senate that he desires to deliver a message to a Joint Session of the House of Representatives and the Senate of the First Regular Session of the Fifty-sixth Idaho Legislature in the Chamber of the House of Representatives at 11 a.m. on Wednesday, January 10, 2001.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the House of Representatives and the Senate meet in Joint Session on Wednesday, January 10, 2001, at 11 a.m. for the purpose of hearing the message from the Governor.

Prefiled and printed in accordance with House Rule No. 24, **HCR 1** and **HCR 2** were introduced and read the first time by title.

HCR 1 was referred to the Education Committee.

HCR 2 was referred to the Ways and Means Committee.

HCR 3 and **HCR 4** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Mr. Bruneel asked unanimous consent that two committees be appointed by the Speaker; one to notify the Governor, and one to notify the Senate that the House is organized and ready to do business. There being no objection, it was so ordered.

The Speaker appointed the following committees to notify the Governor and the Senate.

Representatives Crow, Wheeler, and Cuddy were appointed as the committee to notify the Governor and Representatives Denney, Tilman, and Bieter were appointed as the committee to notify the Senate. The committees were excused.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

January 8, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 3** and **HCR 4**.

GOULD, Chairman

HCR 3 was held at the Desk.

HCR 4 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **HCR 3** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **HCR 3** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Deal, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Trail, Wood, Young, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Bell, Bieter, Crow, Cuddy, Denney, Montgomery, Tilman, Wheeler. Total -- 8.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **HCR 3** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bruneel to open debate.

The question being, "Shall **HCR 3** be adopted?"

Whereupon the Speaker declared **HCR 3** adopted by voice vote and ordered the resolution transmitted to the Senate.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 1
BY MR. SPEAKER
Requested by: Department of Health and Welfare
AN ACT

RELATING TO POWERS OF THE STATE DEPARTMENT OF HEALTH AND WELFARE; AMENDING SECTION 56-203, IDAHO CODE, TO AUTHORIZE THE DEPARTMENT TO IMPLEMENT COPAYMENT AND OTHER REASONABLE COST-SHARING METHODS FOR MEDICAL ASSISTANCE PROGRAMS AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 2
BY MR. SPEAKER
Requested by: Department of Health and Welfare
AN ACT

RELATING TO MEDICAL ASSISTANCE; AMENDING SECTION 56-227E, IDAHO CODE, TO CLARIFY CONDITIONS

WHICH CONSTITUTE A VIOLATION OF THE LIMITATION ON CLAIMS FOR TRANSPORTATION OF MEDICAID CLIENTS; AND AMENDING SECTION 2, CHAPTER 360, LAWS OF 2000, TO EXTEND THE SUNSET CLAUSE.

HOUSE BILL NO. 3
BY MR. SPEAKER
Requested by: Board of Pharmacy
AN ACT

RELATING TO THE IDAHO BOARD OF PHARMACY; AMENDING SECTION 37-2719, IDAHO CODE, TO PROVIDE FOR IMPOSITION OF AN ADMINISTRATIVE FINE AND COSTS INCURRED BY THE BOARD WITH RESPECT TO ACTIONS TO DENY, SUSPEND, REVOKE OR REFUSE TO RENEW A CONTROLLED SUBSTANCE REGISTRATION.

HOUSE BILL NO. 4
BY MR. SPEAKER
Requested by: Board of Nursing
AN ACT

RELATING TO THE IDAHO BOARD OF NURSING; AMENDING SECTION 54-1404, IDAHO CODE, TO AUTHORIZE THE BOARD TO ENTER INTO MULTISTATE AGREEMENTS OR COMPACTS; AMENDING SECTION 54-1413, IDAHO CODE, TO CLARIFY AUTHORITY OF THE BOARD TO SUBMIT SIGNIFICANT INVESTIGATIVE INFORMATION TO THE COORDINATED LICENSURE INFORMATION SYSTEM FOR USE BY PARTIES TO AGREEMENTS OR COMPACTS; AND AMENDING CHAPTER 14, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1418, IDAHO CODE, TO PROVIDE ADOPTION OF THE NURSE LICENSURE COMPACT.

HOUSE BILL NO. 5
BY MR. SPEAKER
Requested by: Bureau of Occupational Licenses
AN ACT

RELATING TO THE BOARD OF NURSING HOME ADMINISTRATORS; AMENDING SECTION 54-1601, IDAHO CODE, TO DEFINE "TEMPORARY PERMIT" AND "ADMINISTRATOR DESIGNEE" AND TO ALPHABETIZE THE TERMS; AMENDING SECTION 54-1602, IDAHO CODE, TO PROVIDE THAT NURSING HOMES MAY OPERATE UNDER THE SUPERVISION OF A QUALIFIED ADMINISTRATOR DESIGNEE FOR UP TO FOUR CONTINUOUS WEEKS AND TO PROVIDE THAT A CONSULTING AGREEMENT ENTERED INTO BETWEEN THE ADMINISTRATOR DESIGNEE AND AN IDAHO LICENSED ADMINISTRATOR SHALL BE SUBMITTED TO THE BOARD; AMENDING SECTION 54-1604, IDAHO CODE, TO INCREASE THE MAXIMUM FEE THE BOARD MAY CHARGE FOR AN APPLICATION, LICENSE OR RENEWAL OF A LICENSE, PERMIT OR REGISTRATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1607, IDAHO CODE, TO REMOVE THE BOARD'S AUTHORITY TO ISSUE TEMPORARY LICENSES ON AN EMERGENCY BASIS; AMENDING SECTION 54-1608, IDAHO CODE, TO INCREASE THE MAXIMUM FEE THE BOARD MAY CHARGE FOR REINSTATEMENT OF A LICENSE; AMENDING SECTION 54-1609, IDAHO CODE, TO PROVIDE THAT THE BOARD MAY ISSUE A TEMPORARY PERMIT AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 54-1610, IDAHO CODE, TO DELETE REFERENCE TO TEMPORARY PERMITS AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 6
BY MR. SPEAKER
Requested by: Bureau of Occupational Licenses
AN ACT

RELATING TO THE BOARD OF PODIATRY; AMENDING SECTION 54-608, IDAHO CODE, TO PROVIDE FOR THE SUSPENSION, DENIAL, REFUSAL OR REVOCATION OF A LICENSE DUE TO A PERSON'S INABILITY TO PRACTICE PODIATRY BY REASON OF A PHYSICAL OR MENTAL DISABILITY.

HOUSE BILL NO. 7
BY MR. SPEAKER
Requested by: Bureau of Occupational Licenses
AN ACT

RELATING TO THE BOARD OF SOCIAL WORK EXAMINERS; AMENDING SECTION 54-3209, IDAHO CODE, TO INCREASE THE MAXIMUM FEE FOR SOCIAL WORK LICENSES; AND AMENDING SECTION 54-3211, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT MAY TAKE DISCIPLINARY ACTION OTHER THAN NONRENEWAL, SUSPENSION OR REVOCATION OF A LICENSE FOR UNPROFESSIONAL CONDUCT AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 8
BY MR. SPEAKER
Requested by: Idaho Commission on Aging
AN ACT

RELATING TO THE ADULT ABUSE, NEGLECT AND EXPLOITATION ACT; AMENDING SECTION 39-5304, IDAHO CODE, TO PROVIDE AN EXCEPTION FROM THE PROHIBITION AGAINST DISCLOSURE OF NAMES ASSOCIATED WITH INVESTIGATIVE REPORTS; AND AMENDING SECTION 39-5310, IDAHO CODE, TO PROVIDE THAT NAMES OF PERSONS ASSOCIATED WITH CERTAIN INVESTIGATIVE REPORTS OF THE COMMISSION SHALL BE PROVIDED TO LAW ENFORCEMENT WHEN THE COMMISSION HAS A DUTY TO REPORT THE RESULTS OF AN INVESTIGATION TO LAW ENFORCEMENT AND TO MAKE TECHNICAL CHANGES.

HOUSE BILL NO. 9
BY MR. SPEAKER
Requested by: Bureau of Occupational Licenses
AN ACT

RELATING TO CHIROPRACTIC PHYSICIANS; AMENDING SECTION 54-705, IDAHO CODE, TO PROVIDE FOR REGISTRATION OF CHIROPRACTIC INTERNS UNDER THE SUPERVISION OF LICENSED CHIROPRACTIC PHYSICIANS, TO PROVIDE A CORRECT REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-707, IDAHO CODE, TO BROADEN THE DISCIPLINARY AUTHORITY OF THE STATE BOARD OF CHIROPRACTIC PHYSICIANS WITH REGARD TO LICENSES AND PERMITS; AND AMENDING SECTION 54-711, IDAHO CODE, TO PROVIDE FOR REGISTRATION AND ISSUANCE OF TEMPORARY PERMITS.

HOUSE BILL NO. 10
BY MR. SPEAKER
Requested by: Department of Health and Welfare
AN ACT

RELATING TO PAYMENTS FOR SKILLED CARE SERVICES; AMENDING SECTION 56-102, IDAHO CODE, TO PROVIDE AN EXCEPTION TO PAYMENT PRINCIPLES FOR THE IDAHO STATE VETERANS HOMES AND STATE HOSPITAL SOUTH AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 11
BY MR. SPEAKER
Requested by: Bureau of Occupational Licenses
AN ACT

RELATING TO THE BOARD OF PSYCHOLOGIST EXAMINERS; AMENDING SECTION 54-2305, IDAHO CODE, TO PROVIDE OTHER DISCIPLINE OPTIONS TO THE BOARD; AMENDING SECTION 54-2312, IDAHO CODE, TO PROVIDE FOR QUALIFICATIONS FOR THE ENDORSEMENT OF LICENSES; AND AMENDING CHAPTER 23, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2312A, IDAHO CODE, TO PROVIDE FOR SENIOR PSYCHOLOGIST LICENSURE.

HOUSE BILL NO. 12
BY MR. SPEAKER
Requested by: Bureau of Occupational Licenses
AN ACT

RELATING TO THE BOARD OF RESIDENTIAL CARE FACILITY ADMINISTRATORS; AMENDING SECTION 54-4210, IDAHO CODE, TO DELETE REFERENCE TO THE INTERSTATE RECIPROCAL ENDORSEMENT OF RESIDENTIAL CARE FACILITY ADMINISTRATOR LICENSES.

HOUSE BILL NO. 13
BY MR. SPEAKER
Requested by: Bureau of Occupational Licenses
AN ACT

RELATING TO THE BOARD OF HEARING AID DEALERS AND FITTERS; AMENDING SECTION 54-2914, IDAHO CODE, TO BROADEN DISCIPLINARY AUTHORITY AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 54-2915, IDAHO CODE, TO PROVIDE THAT MEMBERS WILL BE PAID AN HONORARIUM AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 14
BY MR. SPEAKER
Requested by: Bureau of Occupational Licenses
AN ACT

RELATING TO PROFESSIONAL COUNSELORS FOR INDEPENDENT PRACTICE; AMENDING SECTION 54-3402, IDAHO CODE, TO PROVIDE THAT THE CHAPTER DOES NOT APPLY TO INTERNS IN COUNSELING ACTING UNDER THE DIRECT SUPERVISION OF A LICENSED PROFESSIONAL COUNSELOR; AMENDING SECTION 54-3405, IDAHO CODE, TO REQUIRE THAT AN APPLICANT FOR LICENSURE AS A PROFESSIONAL COUNSELOR MUST BE OF GOOD MORAL CHARACTER; AMENDING SECTION 54-3405A, IDAHO CODE, TO REQUIRE THAT AN APPLICANT FOR LICENSURE AS A PASTORAL COUNSELOR MUST BE OF GOOD MORAL CHARACTER; AMENDING SECTION 54-3405B, IDAHO CODE, TO REQUIRE THAT AN APPLICANT FOR A CONDITIONAL LICENSE MUST BE OF GOOD MORAL CHARACTER; AMENDING SECTION 54-3406, IDAHO CODE, TO DELETE A REFERENCE TO RECIPROCITY AND TO PROVIDE FOR ENDORSEMENT; AMENDING SECTION 54-3407, IDAHO CODE, TO BROADEN THE DISCIPLINARY AUTHORITY OF THE IDAHO STATE COUNSELOR LICENSING BOARD AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 54-3411, IDAHO CODE, TO PROVIDE A LICENSURE FEE FOR ENDORSEMENT.

HOUSE BILL NO. 15
BY MR. SPEAKER
Requested by: Bureau of Occupational Licenses
AN ACT

RELATING TO THE BOARD OF PODIATRY; AMENDING SECTION 54-607, IDAHO CODE, TO INCREASE THE MAXIMUM AMOUNT THE BOARD MAY CHARGE FOR PODIATRY LICENSES; AMENDING SECTION 54-608, IDAHO CODE, TO PROVIDE THAT THE BOARD MAY IMPOSE DISCIPLINE OTHER THAN SUSPENSION, DENIAL, REFUSAL TO RENEW OR REVOCATION OF LICENSE; AND AMENDING SECTION 54-613, IDAHO CODE, TO PROVIDE THAT APPLICANTS LICENSED IN ANOTHER STATE MAY QUALIFY FOR A LICENSE BY ENDORSEMENT UNDER CERTAIN CONDITIONS AND TO DELETE REFERENCES TO WRITTEN, ORAL AND PRACTICAL EXAMINATIONS.

HOUSE BILL NO. 16
BY MR. SPEAKER
Requested by: Idaho State Police
AN ACT

RELATING TO PEACE OFFICERS STANDARDS AND TRAINING; AMENDING SECTION 31-3201B, IDAHO CODE, TO PROVIDE FOR AN INCREASE IN PENALTY ASSESSMENT FUNDS AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 17
BY MR. SPEAKER
Requested by: Department of Correction
AN ACT

RELATING TO THE STATE BOARD OF CORRECTION; AMENDING SECTION 20-214, IDAHO CODE, TO DELETE A REFERENCE TO GUARDS, TO PROVIDE THE STATE BOARD OF CORRECTION WITH POWER AND AUTHORITY TO SPECIFY THE TRAINING OF CERTAIN PERSONS AND TO MAKE A REFERENCE TO THE DEPARTMENT OF CORRECTION.

HOUSE BILL NO. 18
BY MR. SPEAKER
Requested by: Department of Correction
AN ACT

RELATING TO PUBLIC WRITINGS; AMENDING SECTION 9-335, IDAHO CODE, TO BROADEN THE DEFINITION OF LAW ENFORCEMENT AGENCY TO INCLUDE THE IDAHO DEPARTMENT OF CORRECTION AND TO MAKE TECHNICAL CORRECTIONS; AND

AMENDING SECTION 9-340B, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM DISCLOSURE FOR CERTAIN RECORDS OF THE IDAHO DEPARTMENT OF CORRECTION, TO BROADEN THE RECORDS DISCLOSURE EXEMPTION TO INCLUDE SHIFT SUMMARIES, BRIEFINGS OR LOGS, AND TO RESTRICT THE EXEMPTION FOR CERTAIN DOCUMENTS, THE RELEASE OF WHICH COULD JEOPARDIZE THE SAFETY OF CERTAIN PRISONERS OR PERSONS CONFINED.

HOUSE BILL NO. 19
BY MR. SPEAKER
Requested by: Department of Parks and Recreation
AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-1405, IDAHO CODE, TO PROVIDE AUTHORITY TO MAKE AN ARREST WHEN A PERSON IS CHARGED WITH OPERATING A VESSEL UNDER THE INFLUENCE OF ALCOHOL, INTOXICATING BEVERAGES OR DRUGS OR UPON FAILURE TO STOP OR GIVE INFORMATION AFTER AN ACCIDENT CAUSING DAMAGE TO A VESSEL OR OTHER PROPERTY AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 20
BY MR. SPEAKER
Requested by: Department of Juvenile Corrections
AN ACT

RELATING TO THE JUVENILE CORRECTIONS ACT; AMENDING SECTION 20-520, IDAHO CODE, TO PROVIDE A NAME FOR THE PETITION FEE ASSESSED AGAINST JUVENILES ADJUDICATED IN JUVENILE COURT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 20-522, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 20-542, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 21
BY MR. SPEAKER
Requested by: Department of Juvenile Corrections
AN ACT

RELATING TO THE JUVENILE CORRECTIONS ACT; AMENDING SECTION 20-539, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS AND TO CLARIFY THE SOURCE OF MONEY RECEIVED IN THE JUVENILE CORRECTIONS VICTIM RESTITUTION FUND; AND AMENDING CHAPTER 5, TITLE 20, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 20-539A, IDAHO CODE, TO PROVIDE FOR DISTRIBUTION AND REPORTING REQUIREMENTS FOR STATE AND OTHER PUBLIC AND PRIVATE CONTRACT FACILITIES.

HOUSE BILL NO. 22
BY MR. SPEAKER
Requested by: Department of Finance
AN ACT

RELATING TO THE IDAHO SECURITIES ACT; AMENDING SECTION 30-1413, IDAHO CODE, TO PROVIDE THAT THE DIRECTOR MAY DENY, SUSPEND OR REVOKE REGISTRATIONS OF BROKER-DEALERS OR INVESTMENT ADVISERS BASED ON THE ACTIONS OF CONTROL PERSONS, TO PROVIDE THAT ORDERS OF THE NATIONAL ASSOCIATION OF SECURITIES DEALERS OR THE NATIONAL ASSOCIATION OF SECURITIES DEALERS REGULATION, INC., DENYING, SUSPENDING OR REVOKING REGISTRATIONS MAY ACT AS A BASIS FOR DENIAL, SUSPENSION OR REVOCATION OF REGISTRATION BY THE DIRECTOR AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 23
BY MR. SPEAKER
Requested by: Department of Finance
AN ACT

RELATING TO THE IDAHO SECURITIES ACT; AMENDING SECTION 30-1407, IDAHO CODE, TO STRIKE THE REQUIREMENT THAT FINGERPRINTS ACCOMPANY APPLICATIONS FOR REGISTRATION, TO STRIKE THE REQUIREMENT THAT A WRITTEN EXAMINATION BE GIVEN AT LEAST TWICE A YEAR AND TO STRIKE EXCEPTIONS TO THE EXAMINATION REQUIREMENT; AMENDING SECTION 30-1434, IDAHO CODE, TO STRIKE THE EXEMPTION FROM THE SECURITIES ACT FOR SECURITIES ISSUED OR GUARANTEED BY A RAILROAD, OTHER COMMON CARRIER, PUBLIC UTILITY OR HOLDING COMPANY WHICH IS SUBJECT TO THE JURISDICTION OF THE INTERSTATE COMMERCE COMMISSION AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 30-1437, IDAHO CODE, TO PROVIDE THE REGISTRATION FEE SHALL NOT EXCEED FIVE HUNDRED DOLLARS.

HOUSE BILL NO. 24
BY MR. SPEAKER
Requested by: Board of Professional Engineers and Professional Land Surveyors
AN ACT

RELATING TO PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS; AMENDING SECTION 54-1201, IDAHO CODE, TO REQUIRE REGISTRATION OF PERSONS PRACTICING OR OFFERING TO PRACTICE PROFESSIONAL ENGINEERING OR PROFESSIONAL LAND SURVEYING FOR A PROJECT PHYSICALLY LOCATED IN IDAHO; AMENDING SECTION 54-1202, IDAHO CODE, TO REVISE A DEFINITION AND TO PROVIDE A DEFINITION FOR "BUSINESS ENTITY"; AMENDING SECTION 54-1208, IDAHO CODE, TO PROVIDE REFERENCE TO BUSINESS ENTITIES; AMENDING SECTION 54-1213, IDAHO CODE, TO PROVIDE REFERENCE TO BUSINESS ENTITIES; AMENDING SECTION 54-1215, IDAHO CODE, TO PROVIDE THAT CERTAIN DOCUMENTS SHALL BE MARKED AS "PRELIMINARY," "DRAFT" OR "NOT FOR CONSTRUCTION," TO PROVIDE REFERENCE TO BUSINESS ENTITY AND TO DELETE REQUIREMENTS RELATING TO TEMPORARY PERMITS ISSUED TO ENGINEERING REGISTRANTS OF OTHER STATES; AMENDING SECTION 54-1216, IDAHO CODE, TO DELETE REFERENCES TO BIENNIAL RENEWALS AND TO PROVIDE REFERENCES TO BUSINESS ENTITIES; AMENDING SECTION 54-1220, IDAHO CODE, TO ALLOW PARTIES TO BRING CERTAIN CHARGES BASED ON VIOLATIONS OF CHAPTER PROVISIONS OR BOARD RULES AND TO PROVIDE REFERENCES TO BUSINESS ENTITIES; AMENDING SECTION 54-1221, IDAHO CODE, TO PROVIDE REFERENCE TO A BUSINESS ENTITY;

AMENDING SECTION 54-1223, IDAHO CODE, TO DELETE REFERENCE TO EMPLOYEES OF PERSONS PRACTICING UNDER TEMPORARY PERMITS AND TO PROVIDE REFERENCES TO BUSINESS ENTITIES; AND AMENDING SECTION 54-1235, IDAHO CODE, TO PROVIDE REFERENCES TO BUSINESS ENTITIES AND TO PRECLUDE A BUSINESS ENTITY FROM FILING ORGANIZATIONAL PAPERS WITH THE SECRETARY OF STATE UNLESS A CERTIFICATE OF AUTHORIZATION HAS BEEN ISSUED OR THE BOARD HAS WAIVED THE REQUIREMENT.

HOUSE BILL NO. 25
BY MR. SPEAKER
Requested by: Department of Insurance
AN ACT

RELATING TO THE DEPARTMENT OF INSURANCE; AMENDING SECTION 41-228, IDAHO CODE, TO REVISE INSURER EXAMINATION EXPENSES; AMENDING SECTION 41-268, IDAHO CODE, TO PROVIDE THAT THE DIRECTOR MAY USE A PORTION OF THE ANNUAL CONTINUATION FEE TO FUND THE ARSON, FIRE AND FRAUD ACCOUNT AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 41-319, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-1105, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-1416, IDAHO CODE, TO PROVIDE THAT PROPERTY AND CASUALTY RATING ORGANIZATION LICENSES SHALL BE EFFECTIVE FOR ONE YEAR AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-1620, IDAHO CODE, TO PROVIDE THAT WORKER'S COMPENSATION RATING ORGANIZATION LICENSES SHALL BE EFFECTIVE FOR ONE YEAR AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-2805, IDAHO CODE, TO PROVIDE THAT CORPORATIONS SHALL FILE APPROVED ARTICLES OF INCORPORATION WITH THE SECRETARY OF STATE, TO DELETE REFERENCE TO REFUNDS OF UNEARNED FILING FEES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-2810, IDAHO CODE, TO DELETE REFERENCE TO REFUNDS OF APPLICATION FEES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-3410, IDAHO CODE, TO DELETE REFERENCE TO REFUNDS OF APPLICATION FEES; AMENDING SECTION 41-3716, IDAHO CODE, TO REVISE HOSPITAL TRUST EXAMINATION EXPENSES; AMENDING SECTION 41-3911, IDAHO CODE, TO REVISE MANAGED CARE ORGANIZATION EXAMINATION EXPENSES; AMENDING SECTION 41-4013, IDAHO CODE, TO REVISE SELF-FUNDED PLAN EXAMINATION EXPENSES; AMENDING SECTION 41-4935, IDAHO CODE, TO REVISE PETROLEUM CLEAN WATER TRUST FUND EXAMINATION EXPENSES; AND AMENDING SECTION 72-914, IDAHO CODE, TO REVISE STATE INSURANCE FUND EXAMINATION EXPENSES AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 26
BY MR. SPEAKER
Requested by: Department of Finance
AN ACT

RELATING TO THE BUSINESS AND INDUSTRIAL DEVELOPMENT CORPORATION ACT; AMENDING SECTION 26-2706, IDAHO CODE, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF FINANCE MAY REQUIRE A BUSINESS AND INDUSTRIAL DEVELOPMENT CORPORATION TO FILE AN AUDIT REPORT AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 26-2715, IDAHO CODE, TO PROVIDE THAT A BUSINESS AND INDUSTRIAL DEVELOPMENT CORPORATION MAY MAINTAIN AN OFFICE OUTSIDE IDAHO WITH THE APPROVAL OF THE DIRECTOR.

HOUSE BILL NO. 27
BY MR. SPEAKER
Requested by: Bureau of Occupational Licenses
AN ACT

RELATING TO THE REAL ESTATE APPRAISER BOARD; AMENDING SECTION 54-4106, IDAHO CODE, TO PROVIDE THAT THE IDAHO REAL ESTATE APPRAISER BOARD MAY ADOPT RULES RELATING TO THE REGISTRATION AND LIMITATIONS OF REAL ESTATE APPRAISER TRAINEES AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 28
BY MR. SPEAKER
Requested by: Bureau of Occupational Licenses
AN ACT

RELATING TO BARBERS; AMENDING SECTION 54-501, IDAHO CODE, TO PROVIDE PURPOSE OF LICENSURE; AMENDING SECTION 54-502, IDAHO CODE, TO ADD DESIGNATION AND DEFINITION OF "BARBER-STYLIST" AND TO ADD DEFINITION OF "BARBERING"; AMENDING SECTION 54-506, IDAHO CODE, TO PROVIDE QUALIFICATIONS FOR LICENSURE; AMENDING SECTION 54-507, IDAHO CODE, TO REQUIRE LICENSING OF APPROVED BARBER COLLEGES AND TO MODIFY REQUIREMENTS FOR INSTRUCTION; AMENDING SECTION 54-509, IDAHO CODE, TO REQUIRE THAT THE FEE AND A PASSPORT PHOTOGRAPH ACCOMPANY THE APPLICATION FOR EXAMINATION; AMENDING SECTION 54-510, IDAHO CODE, TO PROVIDE FOR EXAMINATION OF BARBER-STYLISTS, TO PROVIDE FOR LICENSURE AND TO CLARIFY EXAMINATION REQUIREMENTS; AMENDING SECTION 54-511, IDAHO CODE, TO PROVIDE FOR ISSUANCE OF REGISTRATION AND LICENSE AS A BARBER OR BARBER-STYLIST; AMENDING SECTION 54-512, IDAHO CODE, TO PROHIBIT PRACTICE AS A BARBER OR BARBER-STYLIST WITHOUT A LICENSE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-514, IDAHO CODE, TO REQUIRE DISPLAY OF LICENSE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-516, IDAHO CODE, TO BROADEN DISCIPLINARY AUTHORITY OF THE BOARD OF BARBER EXAMINERS, TO PROVIDE FOR REFUSAL, REVOCATION OR SUSPENSION OF PERMITS AND LICENSES, TO CLARIFY BASIS FOR DISCIPLINE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-517, IDAHO CODE, TO PROVIDE FOR NOTICE AND HEARING BY THE BOARD OF BARBER EXAMINERS PRIOR TO THE BOARD'S REFUSAL TO ISSUE, RENEW, SUSPEND OR REVOKE A PERMIT OR LICENSE; AMENDING SECTION 54-518, IDAHO CODE, TO PROVIDE FOR PERMIT AND LICENSE FEES, TO PROVIDE AN ORIGINAL LICENSE AND ANNUAL RENEWAL FEE FOR BARBER-STYLISTS AND TO MAKE TECHNICAL CHANGES; AMENDING SECTION 54-519, IDAHO CODE, TO DELETE

REFERENCE TO A FINE FOR MISDEMEANOR CONVICTION AND TO PROHIBIT PRACTICE BY UNLICENSED BARBER-STYLISTS, FRAUDULENT OBTAINMENT OF LICENSES, FAILURE TO DISPLAY LICENSES AND UNLICENSED OPERATION OF A SHOP OR SCHOOL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-521, IDAHO CODE, TO INCREASE BOARD COMPENSATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-527, IDAHO CODE, TO PROVIDE FOR ISSUANCE OF LICENSES TO TEACHERS; AMENDING SECTION 54-528, IDAHO CODE, TO REQUIRE LICENSING OF BARBER TEACHERS AND TO PROVIDE QUALIFICATIONS FOR LICENSING OF TEACHERS OF BARBERING AND BARBER-STYLING; AND AMENDING SECTION 54-530, IDAHO CODE, TO DELETE REFERENCE TO CERTIFICATE OF REGISTRATION.

HOUSE BILL NO. 29
BY MR. SPEAKER
Requested by: Bureau of Occupational Licenses
AN ACT

RELATING TO COSMETOLOGY; AMENDING SECTION 54-801, IDAHO CODE, TO ADD ELECTROLOGY AS A LICENSED DISCIPLINE; AMENDING SECTION 54-802, IDAHO CODE, TO REVISE DEFINITIONS, TO ADD DEFINITIONS FOR "NAIL TECHNOLOGY INSTRUCTOR" AND "ESTHETICS INSTRUCTOR" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-805, IDAHO CODE, TO PROVIDE REQUIREMENTS FOR LICENSURE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-806, IDAHO CODE, TO PROVIDE LICENSURE FOR SCHOOLS AND ESTABLISHMENTS; AMENDING SECTION 54-807, IDAHO CODE, TO PROVIDE REQUIREMENTS FOR PRACTICE OF APPRENTICES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-808, IDAHO CODE, TO PROVIDE REGULATIONS FOR SCHOOLS, TO REQUIRE LICENSING FOR SCHOOLS, TO PROVIDE FOR CURRICULUMS FOR SCHOOLS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-809, IDAHO CODE, TO REQUIRE A PASSPORT PHOTOGRAPH AND ADDRESSES OF CHARACTER REFERENCES TO ACCOMPANY AN APPLICATION FOR EXAMINATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-810, IDAHO CODE, TO DELETE A REFERENCE TO AN ORAL TEST; AMENDING SECTION 54-811, IDAHO CODE, TO PROVIDE FOR ISSUANCE OF A LICENSE; AMENDING SECTION 54-812, IDAHO CODE, TO PROVIDE REQUIREMENTS FOR ENDORSEMENT LICENSURE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-814, IDAHO CODE, TO REQUIRE DISPLAY OF LICENSE; AMENDING SECTION 54-816, IDAHO CODE, TO BROADEN DISCIPLINARY AUTHORITY, TO CLARIFY BASIS FOR DISCIPLINE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-817, IDAHO CODE, TO PROVIDE FOR HEARINGS ON REFUSAL TO RENEW, SUSPENSION OR REVOCATION OF PERMITS; AMENDING SECTION 54-818, IDAHO CODE, TO PROVIDE FOR AN INCREASE IN CERTAIN FEES, TO PROVIDE REFERENCE TO LICENSES AND PERMITS, TO DELETE REFERENCE TO INTERIM CERTIFICATES, TO DELETE AN EXPIRATION DATE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-819, IDAHO CODE, TO PROVIDE CERTAIN PROHIBITED ACTS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 54-827, IDAHO CODE, TO PROVIDE QUALIFICATIONS FOR A PERMIT TO DEMONSTRATE AND TEACH AND TO DELETE TEMPORARY PRACTICE PERMITS.

HOUSE BILL NO. 30
BY MR. SPEAKER
Requested by: Bureau of Occupational Licenses
AN ACT

RELATING TO CREMATORIUMS; AMENDING SECTION 27-306, IDAHO CODE, TO INCREASE APPLICATION AND RENEWAL FEES TO OPERATE A CREMATORY.

HOUSE BILL NO. 31
BY MR. SPEAKER
Requested by: Idaho Commission on Aging
AN ACT

RELATING TO THE COMMISSION ON AGING; AMENDING SECTION 67-5004, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY BY REFERRING TO THE EXECUTIVE OFFICER OF THE COMMISSION ON AGING AS AN ADMINISTRATOR RATHER THAN A DIRECTOR; AND AMENDING SECTION 67-5009, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY BY REFERRING TO THE EXECUTIVE OFFICER OF THE COMMISSION ON AGING AS AN ADMINISTRATOR RATHER THAN A DIRECTOR AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 32
BY MR. SPEAKER
Requested by: Bureau of Occupational Licenses
AN ACT

RELATING TO THE BOARD OF ARCHITECTURAL EXAMINERS; AMENDING SECTION 54-308, IDAHO CODE, TO PROVIDE FOR THE USE OF AN ELECTRONICALLY APPLIED SEAL, TO PROVIDE THAT THE DATE AND ARCHITECT'S SEAL AND SIGNATURE ARE REQUIRED ONLY ON THE TITLE PAGE OF CERTAIN DOCUMENTS, TO PROVIDE THAT ELECTRONICALLY PRODUCED DOCUMENTS DISTRIBUTED FOR INFORMATIONAL USES MAY BE ISSUED WITH ONLY THE ARCHITECT'S SEAL UNDER CERTAIN CONDITIONS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 54-309, IDAHO CODE, TO PROVIDE FOR THE USE OF THE TERM "ARCHITECTURAL INTERN" AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 33
BY MR. SPEAKER
Requested by: Bureau of Occupational Licenses
AN ACT

RELATING TO MORTICIANS, FUNERAL DIRECTORS AND EMBALMERS; AMENDING SECTION 54-1108, IDAHO CODE, TO STRIKE A REFERENCE TO ORAL EXAMINATION; AMENDING SECTION 54-1115, IDAHO CODE, TO INCREASE MAXIMUM FEES, TO STRIKE A REFERENCE TO TIME IN WHICH LICENSES WILL BE ISSUED AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 11, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1115A, IDAHO CODE, TO

PROVIDE FOR ANNUAL RENEWAL, CANCELLATION AND REINSTATEMENT OF LICENSES; AND AMENDING SECTION 54-1116, IDAHO CODE, TO BROADEN DISCIPLINARY AUTHORITY OF THE BOARD OF MORTICIANS.

HOUSE BILL NO. 34
BY MR. SPEAKER
Requested by: Department of Finance
AN ACT

RELATING TO BANK HOLDING COMPANIES; AMENDING SECTION 26-501, IDAHO CODE, TO DEFINE "FINANCIAL HOLDING COMPANIES" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 26-503, IDAHO CODE, TO REQUIRE A FINANCIAL HOLDING COMPANY TO APPLY TO THE DEPARTMENT OF FINANCE FOR APPROVAL TO COMMENCE ACTIVITY OR ACQUIRE A COMPANY; AND AMENDING SECTION 26-505, IDAHO CODE, TO PROVIDE THAT THE DIRECTOR OF FINANCE MAY ASSESS COSTS OF EXAMINATIONS AGAINST BANK HOLDING COMPANIES AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 35
BY MR. SPEAKER
Requested by: Department of Insurance
AN ACT

RELATING TO INSURANCE PRODUCER AND INSURANCE CONSULTANT LICENSING; AMENDING SECTION 9-340B, IDAHO CODE, TO CREATE A PUBLIC RECORDS EXEMPTION FOR RECORDS FURNISHED TO THE DEPARTMENT OF INSURANCE REGARDING TERMINATION OF AN APPOINTMENT, EMPLOYMENT, CONTRACT OR OTHER INSURANCE BUSINESS RELATIONSHIP BETWEEN AN INSURER AND A PRODUCER; REPEALING CHAPTER 10, TITLE 41, IDAHO CODE; AMENDING TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 10, TITLE 41, IDAHO CODE, TO PROVIDE FOR PURPOSE AND SCOPE, TO PROVIDE FOR MEANING OF TERMS, TO PROVIDE FOR DEFINITIONS, TO PROVIDE FOR REQUIREMENT OF LICENSES, TO PROVIDE FOR EXCEPTIONS TO LICENSING, TO PROVIDE FOR APPLICATIONS FOR EXAMINATIONS, TO PROVIDE FOR APPLICATIONS FOR PRODUCER LICENSES, TO PROVIDE FOR PRODUCER LICENSES, TO PROVIDE FOR NONRESIDENT PRODUCER LICENSES, TO PROVIDE FOR SERVICE OF PROCESS FOR NONRESIDENT PRODUCERS AND CONSULTANTS, TO PROVIDE FOR ISSUANCE OF AND REFUSAL TO ISSUE LICENSES, TO PROVIDE FOR EXEMPTION FROM EXAMINATION, TO PROVIDE FOR CONTINUATION AND EXPIRATION OF LICENSES AND FOR CONTINUING EDUCATION, TO PROVIDE FOR NOTIFICATION OF USE OF ASSUMED NAMES, TO PROVIDE FOR TEMPORARY LICENSING, TO PROVIDE FOR ADMINISTRATIVE PENALTIES, SUSPENSIONS, REVOCATIONS AND REFUSALS OF LICENSES, TO PROVIDE FOR COMMISSIONS, TO PROVIDE FOR APPOINTMENTS, TO PROVIDE FOR NOTIFICATION TO DIRECTOR OF TERMINATION, TO PROVIDE FOR RECIPROCITY, TO PROVIDE FOR REPORTING OF ACTIONS, TO PROVIDE THAT INSURERS MUST ACCEPT BUSINESS THROUGH LICENSED PRODUCERS ONLY, TO PROVIDE FOR COUNTERSIGNATURE OF POLICIES AND FOR GRANTING OF POWER OF ATTORNEY, TO PROVIDE FOR REPORTING AND ACCOUNTING FOR PREMIUMS, TO PROVIDE FOR REQUIREMENT OF CONSULTANT LICENSING, TO PROVIDE FOR EXEMPTIONS TO CONSULTANT LICENSING, TO PROVIDE QUALIFICATIONS FOR RESIDENT CONSULTANT LICENSES, TO PROVIDE FOR NONRESIDENT CONSULTANT LICENSES, TO PROVIDE FOR CLASSES OF INSURANCE FOR CONSULTANTS, TO PROVIDE FOR DISCLOSURE BY CONSULTANTS, TO PROVIDE FOR ERRORS AND OMISSIONS INSURANCE, TO PROVIDE THAT THE DIRECTOR MAY PROMULGATE RULES, TO PROVIDE FOR PROCEDURE FOLLOWING SUSPENSION, REVOCATION OR REFUSAL TO CONTINUE A LICENSE AND FOR REINSTATEMENT, TO PROVIDE FOR RETURN OF LICENSES, TO PROVIDE FOR INACTIVE STATUS AND TO PROVIDE THAT THE PROVISIONS OF THE CHAPTER ARE SEVERABLE; AMENDING SECTION 41-1108, IDAHO CODE, TO PROVIDE CORRECT REFERENCES AND CODE CITATIONS; AMENDING SECTION 41-1223, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 41-1315A, IDAHO CODE, TO DELETE A REFERENCE TO A CODE CITATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-3435, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY, TO PROVIDE THAT SERVICE CORPORATIONS MAY FILE APPOINTMENT OF AGENTS OR REPRESENTATIVES, TO PROVIDE A CORRECT CODE CITATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4703, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4933, IDAHO CODE, TO PROVIDE CORRECT CODE CITATIONS; AMENDING SECTION 41-5203, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 41-5501, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 36
BY MR. SPEAKER
Requested by: Division of Financial Management
AN ACT

RELATING TO THE MEAL ALLOWANCE FOR STATE OFFICERS, AGENTS AND EMPLOYEES SET BY THE STATE BOARD OF EXAMINERS; AMENDING SECTION 67-2008, IDAHO CODE, TO PROVIDE FOR AN IN-STATE AND OUTSIDE THE STATE MEAL ALLOWANCE THAT IS NO HIGHER THAN ALLOWED UNDER THE INTERNAL REVENUE CODE AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 37
BY MR. SPEAKER
Requested by: Outfitters and Guides Licensing Board
AN ACT

RELATING TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM; AMENDING SECTION 59-1303, IDAHO CODE, TO PROVIDE THAT THE SUPERVISOR OF ENFORCEMENT AND EDUCATION OF THE OUTFITTERS AND GUIDES LICENSING BOARD QUALIFIES AS A POLICE OFFICER MEMBER FOR RETIREMENT PURPOSES AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 38
BY MR. SPEAKER
Requested by: Public Employee Retirement System of Idaho
AN ACT

RELATING TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM; AMENDING SECTION 59-1308, IDAHO CODE, TO PERMIT ANY MEMBER OF THE PUBLIC EMPLOYEE RETIREMENT SYSTEM TO INITIATE VOLUNTARY CONTRIBUTIONS INTO THE SUPPLEMENTAL PLAN IMMEDIATELY UPON EMPLOYMENT AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 39
BY MR. SPEAKER
Requested by: Public Employee Retirement System of Idaho
AN ACT

RELATING TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM; AMENDING SECTION 59-1316, IDAHO CODE, TO CLARIFY THE INFORMATION THE RETIREMENT BOARD MAY PROVIDE TO A SPOUSE OR FORMER SPOUSE OF A MEMBER.

HOUSE BILL NO. 40
BY MR. SPEAKER
Requested by: Public Employee Retirement System of Idaho
AN ACT

RELATING TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM; AMENDING SECTION 59-1321, IDAHO CODE, TO AUTHORIZE THE RETIREMENT BOARD TO DEFER AND WAIVE THE PAYMENT OF EXCESS COSTS BY CONTRACT WHEN A NONPARTICIPATING POLITICAL SUBDIVISION IS ADMITTED AND REMAINS IN THE PUBLIC EMPLOYEE RETIREMENT SYSTEM FOR AT LEAST TEN YEARS.

HOUSE BILL NO. 41
BY MR. SPEAKER
Requested by: Public Retirement System of Idaho
AN ACT

RELATING TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM; AMENDING SECTION 59-1331, IDAHO CODE, TO PROVIDE THAT ERRONEOUS EMPLOYEE CONTRIBUTIONS MAY BE REFUNDED UPON A DISTRIBUTABLE EVENT; AMENDING SECTION 59-1343, IDAHO CODE, TO AUTHORIZE THE RETIREMENT BOARD TO DETERMINE BY RULE THE APPROPRIATE BENEFIT LEVEL SUBJECT TO COMMUTATION; AMENDING SECTION 59-1352, IDAHO CODE, TO REVISE PUNCTUATION TO CLARIFY THE SCOPE OF IN-SERVICE DISABILITY RETIREMENT FOR GENERAL MEMBERS; AND AMENDING SECTION 59-1396, IDAHO CODE, TO PROVIDE CORRECT CODE CITATIONS.

HOUSE BILL NO. 42
BY MR. SPEAKER
Requested by: Department of Fish and Game
AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-409, IDAHO CODE, TO REMOVE AN AGE RESTRICTION FOR CERTAIN FEES FOR BEAR, DEER OR ELK TAGS FOR PERSONS WHO HOLD A SENIOR RESIDENT COMBINATION LICENSE AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 43
BY MR. SPEAKER
Requested by: Department of Fish and Game
AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-409, IDAHO CODE, TO PROVIDE FOR THE PURCHASE OF AN IDAHO NURSING HOME FACILITY RESIDENT FISHING PERMIT AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 36-416, IDAHO CODE, TO PROVIDE A FEE FOR A NURSING HOME FISHING PERMIT.

HOUSE BILL NO. 44
BY MR. SPEAKER
Requested by: Department of Fish and Game
AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-2107, IDAHO CODE, TO STRIKE A REQUIREMENT THAT EACH NONRESIDENT LICENSEE, PERMITTEE OR TAGHOLDER FILE A BIG GAME HARVEST REPORT WITH THE DIRECTOR OF THE DEPARTMENT OF FISH AND GAME AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 45
BY MR. SPEAKER
Requested by: Outfitters and Guides Licensing Board
AN ACT

RELATING TO THE OUTFITTERS AND GUIDES LICENSING BOARD; AMENDING SECTION 36-2102, IDAHO CODE, TO CHANGE THE DEFINITION OF LICENSE YEAR AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 36-2103, IDAHO CODE, TO PROVIDE AN EXCEPTION FOR A PERSON WHO ONLY FURNISHES A PACK OR SADDLE HORSE, OR OTHER EQUIPMENT, TO A HUNTER OR FISHERMAN AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 36-2107, IDAHO CODE, TO STRIKE THE REQUIREMENT THAT EACH NONRESIDENT LICENSEE, PERMITTEE OR TAGHOLDER REPORT TO THE DEPARTMENT OF FISH AND GAME THE NUMBER OF EACH SPECIES OF BIG GAME TAKEN AND OTHER INFORMATION AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 36-2108, IDAHO CODE, TO CHANGE DATES FOR IMPOSITION OF A PENALTY FOR INCOMPLETE APPLICATIONS.

HOUSE BILL NO. 46
BY MR. SPEAKER
Requested by: Idaho Commission on Aging
AN ACT

RELATING TO THE COMMISSION ON AGING; AMENDING CHAPTER 50, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5012, IDAHO CODE, TO CREATE AN ADULT PROTECTION SERVICES EMERGENCY FUND.

HOUSE BILL NO. 47
BY HORNBECK
AN ACT

RELATING TO DRIVER'S LICENSES, IDENTIFICATION CARDS AND FEES; AMENDING SECTION 49-306, IDAHO CODE, TO INCREASE FEES AND TO PROVIDE

ALLOCATION TO THE EMERGENCY MEDICAL SERVICES ACCOUNT AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 48
BY MR. SPEAKER
Requested by: Idaho State Police
AN ACT

RELATING TO COMPLIANCE REVIEWS OF MOTOR CARRIERS; AMENDING SECTION 67-2901A, IDAHO CODE, TO PROVIDE FOR CIVIL PENALTIES, TO PROVIDE FOR THE RECOVERY OF CIVIL PENALTIES BY THE STATE OF IDAHO AND TO PROVIDE FOR THE DETERMINATION OF CIVIL PENALTY AMOUNTS.

HOUSE BILL NO. 49
BY MR. SPEAKER
Requested by: Division of Military
AN ACT

RELATING TO MILITIA AND MILITARY AFFAIRS; AMENDING CHAPTER 10, TITLE 46, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 46-1018A, IDAHO CODE, TO PROVIDE THAT THE GOVERNOR MAY ENTER INTO A COMPACT ON BEHALF OF THE STATE FOR EMERGENCY MANAGEMENT ASSISTANCE AND TO PROVIDE FOR THE EMERGENCY MANAGEMENT ASSISTANCE COMPACT.

HOUSE BILL NO. 50
BY MR. SPEAKER
Requested by: Division of Military
AN ACT

RELATING TO THE STATE MILITIA; AMENDING SECTION 46-111, IDAHO CODE, TO REVISE THE ELIGIBILITY REQUIREMENTS FOR ADJUTANT GENERAL.

HOUSE BILL NO. 51
BY MR. SPEAKER
Requested by: Division of Military
AN ACT

RELATING TO STATE MILITIA; AMENDING SECTION 46-103, IDAHO CODE, TO REDUCE THE MAXIMUM AGE OF ENLISTED PERSONNEL AND TO REDUCE THE MAXIMUM AGE OF COMMISSIONED OFFICERS.

HOUSE BILL NO. 52
BY MR. SPEAKER
Requested by: Division of Military
AN ACT

RELATING TO THE STATE MILITIA; AMENDING SECTION 46-112, IDAHO CODE, TO PROVIDE ADDITIONAL DUTIES FOR THE ADJUTANT GENERAL.

HOUSE BILL NO. 53
BY MR. SPEAKER
Requested by: Division of Military
AN ACT

RELATING TO THE STATE MILITIA; AMENDING SECTION 46-314, IDAHO CODE, TO EXTEND THE AUTHORITY OF THE ADJUTANT GENERAL TO PROVIDE INCENTIVE PAYMENTS FOR REGISTRATION FEES AND TUITION FOR IDAHO NATIONAL GUARD MEMBERS ATTENDING PRIVATE INSTITUTIONS OF HIGHER EDUCATION IN IDAHO.

HOUSE BILL NO. 54
BY BELL
AN ACT

APPROPRIATING MONEYS TO THE LEGISLATIVE ACCOUNT FROM THE GENERAL FUND FOR RETAINING A CONSULTANT TO STUDY THE EFFECTS OF RESTRUCTURING THE ELECTRIC UTILITY INDUSTRY; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 55
BY DEAL
AN ACT

RELATING TO LAND ACTIVELY DEVOTED TO AGRICULTURE FOR TAXATION PURPOSES; AMENDING SECTION 63-604, IDAHO CODE, TO FURTHER DEFINE "LAND ACTIVELY DEVOTED TO AGRICULTURE" TO INCLUDE LAND PRODUCING NURSERY STOCK AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

Prefiled and printed in accordance with House Rule No. 24, **H 1, H 2, H 3, H 4, H 5, H 6, H 7, H 8, H 9, H 10, H 11, H 12, H 13, H 14, H 15, H 16, H 17, H 18, H 19, H 20, H 21, H 22, H 23, H 24, H 25, H 26, H 27, H 28, H 29, H 30, H 31, H 32, H 33, H 34, H 35, H 36, H 37, H 38, H 39, H 40, H 41, H 42, H 43, H 44, H 45, H 46, H 47, H 48, H 49, H 50, H 51, H 52, H 53, H 54**, and **H 55** were introduced and read the first time by title.

H 1, H 2, H 3, H 4, H 5, H 6, H 7, H 8, H 9, H 10, H 11, H 12, H 13, H 14, and **H 15** were referred to the Health and Welfare Committee.

H 16, H 17, H 18, H 19, H 20, and **H 21** were referred to the Judiciary, Rules, and Administration Committee.

H 22, H 23, H 24, H 25, H 26, H 27, H 28, H 29, H 30, H 31, H 32, H 33, H 34, and **H 35** were referred to the Business Committee.

H 36, H 37, H 38, H 39, H 40, and **H 41** were referred to the State Affairs Committee.

H 42, H 43, H 44, and **H 45** were referred to the Resources and Conservation Committee.

H 46 and **H 54** were referred to the Appropriations Committee.

H 47, H 48, H 49, H 50, H 51, and **H 52** were referred to the Transportation and Defense Committee.

H 53 was referred to the Education Committee.

H 55 was referred to the Revenue and Taxation Committee.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

The committee appointed to notify the Governor that the House was in session returned to the House and reported they had conveyed the message to the Governor and that the Governor sent his greetings and best wishes for a productive session. The committee was thanked and discharged by the Speaker.

The committee appointed to notify the Senate that the House was in session returned to the House and reported that they had conveyed the message to the Senate, and the Senate returned its best wishes for a productive session. The committee was thanked and discharged by the Speaker.

At this time, Senators acting as a committee from the Senate, were escorted into the House Chamber to notify the House of Representatives that the Senate was organized and ready for business. The Speaker thanked the committee.

Mr. Bruneel asked unanimous consent that a committee be appointed to wait upon the Senate and escort the Senators to the House Chamber for the purpose of attending the Joint Session. There being no objection, it was so ordered.

The Speaker appointed Representatives Lake, Stevenson, and Henbest as the committee to wait upon the Senate. The committee was excused.

The committee appointed to wait upon the Senate returned and reported that the Senate was waiting to enter the House Chamber. The Speaker thanked and discharged the committee.

JOINT SESSION

Pursuant to **HCR 3**, the hour of 1 p.m. having arrived, the members of the Senate entered the House Chamber and met in Joint Session with Speaker Newcomb presiding.

Roll call of the House showed 69 members present.
Absent and excused -- Bell. Total -- 1.
Total -- 70.

Roll call of the Senate showed all 35 members present.

Mr. Bruneel asked unanimous consent that one committee be appointed to wait upon the Supreme Court Justices and Appellate Court Judges and one to wait upon the Elected Officials and escort them to the House Chamber. There being no objection, it was so ordered.

The Speaker appointed Senators Darrington and Davis and Representatives Gould and Boe as the committee to wait upon the Supreme Court Justices and Appellate Court Judges and Senators Deide and King-Barrutia, and Representatives Black and Chase as the committee to wait upon the Elected Officials and escort them to the House Chamber. The committees were excused.

Mr. Bruneel asked unanimous consent that the Speaker appoint a committee to wait upon the Governor and escort him to the House Chamber. There being no objection, it was so ordered.

The Speaker appointed Senators Risch and Stennett and Representatives Bruneel and Jaquet as the committee to wait upon the Governor and escort him to the House Chamber. The committee was excused.

The committee appointed by the Speaker escorted the Supreme Court Justices and the Appellate Court Judges to the House Chamber where they were presented to the Joint Session.

The committee appointed by the Speaker escorted the Elected Officials to the House Chamber where they were presented to the Joint Session.

The committee appointed by the Speaker escorted the Governor to the House Chamber.

His Excellency, the Governor of the State of Idaho, Dirk Kempthorne, was introduced by the Speaker and the following State of the State Message was delivered by Governor Kempthorne:

STATE OF THE STATE MESSAGE

Mr. Speaker, Mr. President Pro-Tem, my fellow Constitutional Officers, distinguished members of the Legislature, distinguished members of the Supreme Court, and my fellow citizens of Idaho.

Let me acknowledge a significant anniversary. On this date 50 years ago, Secretary of State, Pete Cenarrusa, took the oath of office in the Idaho House of Representatives.

As Charles Dickens said in *A Tale of Two Cities*, "it is the best of times, and it is the worst of times." He was describing England in the 1700s. This also might appropriately describe Idaho today.

Let me tell you some of the best things that are happening in Idaho. The Federal Reserve Bank of San Francisco ranks us fourth in the nation for job growth. We're projected to outpace the nation's rate of employment growth in each of the next four years. For the first nine months of the past year, the value of Idaho's exports was more than $2.6 billion - a 56-percent increase over the same period a year earlier. The most recent federal figures show that 104 patents were issued for every 100,000 Idahoans - a rate that's three times the national average. The latest figures from Dunn and Bradstreet credit us with having the second highest rate of increase in business starts in the nation.

So it's no wonder, then, that when the nation is measuring up which states are performing, they're keeping an eye on Idaho.

Forbes Magazine ranks Boise as having the fifth best regional economy in the nation. The American Electronics Association ranks Idaho as the seventh fastest growing high-tech state, and Boise as having the second fastest growing small cyber-city in the country.

This summer, the Western Governors' Association will hold their annual conference in Coeur D'Alene. As the new chairman, I chose Coeur d'Alene specifically because I want to show the region and the nation what we already know what an outstanding place northern Idaho truly is.

Next year, we'll get to showcase what a wonderful state capital we have to all 50 governors, when the National Governors' Association holds its annual meeting here in Boise.

We're home of the Humanitarian Hall of Fame, where outstanding people like Rafer Johnson, Chi Chi Rodriguez, Mary Lou Retton, and Kirby Puckett come to Idaho and fall in love with our great state and great people. We had the fourth Humanitarian Bowl where our Boise State Broncos were repeat champions. And parenthetically, 30 percent of the bowl games that were played were in cities where the weather conditions were worse.

The work of our state government is receiving national recognition as well. Our state's web portal, Access Idaho, has been cited by the Council of State Governments as being the best in the nation. Our Commission on Aging's efforts to help more senior citizens stay in the workplace has been recognized as one of the very best in the nation.

Idaho's implementation of welfare reform has just been recognized by the federal government as being the best of all 50 states in helping more people move off of public assistance and into the workforce. And, that brought with it a bonus payment of one and a half million dollars. Our gain-sharing program in PERSI has paid substantial dividends. This month, it will mean an additional benefit check for retirees. For 53,000 public employees in the state, it will provide them with their own personal 401(k) Plan. For all public employees, the average amount for their 401(k) will be about $1,100. For a teacher, the average amount will be roughly $1,600. On top of all of that, we have a budget surplus that stands at more than $300 million.

We can take pride in these accomplishments. But we have many challenges facing us as well. The unemployment rate in 33 counties went up between December of 1999 and December 2000. Five counties are still facing double digit unemployment rates. In one of those counties, Clearwater County, where the Jaype Lumber Mill closed, the unemployment rate last fall ran as high as 22 percent.

Our farm communities are suffering. This year the federal government distributed a record $28 billion in direct payments to the nation's farmers, accounting for half of total farm income. There continues to be increased levels of financial stress for farmers due to low agricultural commodity prices. Dairy producers suffered through one of the worst years in recent memory. For most of the year, prices were $1.00 to $2.00 below break-even standards. Potato prices are down substantially. More than 3,000 acres of beets froze in the ground in the Mini-Cassia area, and bankruptcies are very likely. In the mining industry, in our negotiations to settle on the Coeur d'Alene Basin cleanup, one of the difficulties is that if the federal government gets too tough and demands too much, they'll put the mining companies out of business.

On top of all of that, we face some sobering social statistics. Experts say that if children can't read by the end of the fifth grade, they lose self-confidence and self-esteem, making them more likely to enter the juvenile justice system.

Of the kids that are currently in custody in juvenile corrections, two out of every five require some form of mental health services. Many of these children were child protective cases. Once they reach 10 or 11, and once they start acting out and getting violent, they're much more likely to go out the door of child protective services and walk through the door into the juvenile corrections system.

If you look at the high risk young girls in juvenile corrections, most come from single-parent homes. And one out of every ten births in this state is out of wedlock.

Most girls in juvenile corrections come from homes where alcohol and drug abuse by one or both parents is a way of life. Eight out of every ten of them say substance abuse was a factor in their criminal behavior.

Seventy-five percent of the female inmates in our correctional system have dependent children, hundreds of children whose mothers are behind bars, and there's no father in the picture. And one of the reasons for the growth we've seen in the state's foster care caseload is that more single mothers are being incarcerated.

So with this mosaic of successes and challenges, I present this State of the State.

Let's start with the surplus. In that discussion that we just had about the positive things happening in Idaho, make no mistake, we have created a positive atmosphere that has generated a surplus. This is not a problem. This is a great success story. So let's acknowledge it.

On Wednesday, I will give you the details of my budget proposal. My budget package recognizes where this money came from in the first place. And that's the hard-working Idahoans who pay taxes. Therefore, I will recommend to you tax relief in the amount of $140 million. A portion of that is permanent. A portion of that is one-time. And just as we did this year, if the surplus continues, we can continue to provide significant tax relief next year.

In that $140 million, the categories of tax relief will be individual income tax, corporate tax, investment tax credit enhancements, and broadband connectivity geared toward our rural areas. There will be an increase for senior citizens in the grocery tax credit, and I am recommending that for young families that the childcare tax deduction become a tax credit, and an increase in the allowance on elderly dependent care. We will have for the first time research and development tax credits. It is a well-rounded, inclusive program.

But I believe that just as our President-elect George W. Bush, has indicated, if you suspect a recession, one of the best things you can do is to cut taxes and put it back into the people's pockets so that they can generate the economic activity to create more jobs.

You will also see that a significant portion of this surplus will go toward a much needed backlog of buildings at our institutions of higher learning. A portion of it has to go to supplementals, such as education, health and welfare, corrections, firefighting and other items. But I have remained mindful of keeping the expansion of the base in check.

Let's turn to education, and reading. We can affirm that 86 percent of Idaho's population has a high school diploma, and the national average is 84 percent. However, there's still work to do.

In addition, we also know that from our most recent test scores, only 50 percent of Idaho children are reading at grade level by the third grade. This makes the Reading Initiative critical to Idaho. We know we are making progress because we have defined a benchmark, we've taken a measurement, we have outstanding teachers involved, and there's a synergy out there.

We know the mission. We should lay out further goals. If our third graders are at 50 percent today, we should all agree that one year from now, 60 percent will be reading at grade level. And the following year, 70 percent. Eighty percent the next year. And by the end of 2004, 90 percent of Idaho's third graders will be reading at grade level. And we're going to combine this focus with a renewed emphasis on math.

Just last month, the latest round of international math tests were released by the federal Department of Education. The results, our nation's eighth graders were outperformed by their counterparts in 18 nations. The list of countries ahead of us is very interesting: Singapore, Korea, Taiwan, Hong Kong, Japan, Belgium, The Netherlands, The Slovak Republic, Hungary, Canada, Slovenia, The Russian Federation, Australia, Finland, The Czech Republic, Malaysia, Bulgaria, and Latvia. Seven of these countries are Idaho's top ten export countries. How long are you an equal partner when you're not able to keep up? Because also included are those who would just as soon take over our markets where we're currently providing the technology and the manufacturing.

In Idaho, last year's results from our Direct Math Assessment showed that 55 percent of our eighth graders did not achieve a "satisfactory" rating. That should not be a cause for laying blame because we did raise the bar on standards. But it does serve as a call for action. So we're going to launch the math equivalent of the Reading Initiative as our next phase. And we're going to do it just as aggressively.

I've had numerous meetings with industry leaders, and they are prepared to be partners in this. And I would also request of legislative leadership that you appoint as part of this team effort some of the very same individuals who played a key role in helping develop the Reading Initiative. Dr. Howard will be integral to this, just as she has been with the Reading Initiative.

I've been encouraged by how many math teachers, as well as science teachers, have said to me that they welcome this new emphasis. Ironically, we have a number of our teachers who are teaching this discipline and it was not their major. It wasn't even their minor.

We also know that we're going to need to bring new teachers into this equation because others are retiring. So in concert with industry, I have placed in the budget $6 million, so that we will have the opportunity for signing bonuses. This will enable us to attract and retain excellent candidates in math and other disciplines while also fostering mentoring programs.

We're going to mobilize the talented forces of our education community. We will take this step by step. We will continue our emphasis on reading and math. And we will see our students improve. My goal is to have 90 percent of Idaho eighth graders achieve a "satisfactory rating" by the end of 2004.

National Board Certification will continue. Idaho currently ranks ninth in the nation, with 209 teachers who have received National Board Certification, and another 73 teachers will take the test in the coming year. On a per capita basis, we rank third.

Guess what we're doing? We're providing incentives. We're paying these teachers $2,000 each year for the next five years once they become board-certified. In addition, I have included in this budget a salary increase for teachers.

And the public education budget, for the second year in a row, approaches an historic proportion of increase no matter how you want to factor it.

If you want some good reading at some point, I would encourage you to read this, the list of the innovative grants we've awarded, and look at what the teachers of Idaho can do. They said that if you gave us a few dollars, we can do innovative things. They've been doing it. And guess what? They did it in a classroom where we gave them an additional $500.

I support and I believe in charter schools. In essence, what we have created with this program in schools throughout the state are charter classrooms for $500 each. That's pretty powerful. And here's why it worked: we encouraged innovation without a guaranteed result and without penalizing failure. We said, "Go try it." And that's the atmosphere. And there are other rewards in this budget.

But with rewards go accountability and measurement and consequences. If we don't attain these levels in reading and in math we must be prepared to take further actions. The world is changing rapidly and we need to be able to change and adapt just as rapidly, and these charter classrooms I referenced are a perfect example.

To our credit, in 1999, 97 percent of our schools had Internet access. So let's further encourage innovation among our fine teachers and that entrepreneurial spirit that defines Idaho.

In 2005, we must and will have standards in place for our students. I have had high school students ask me: "Do you believe that there should be exiting standards?" And I tell the students, "Absolutely." If we were to tell them those standards would be applied in six months, that would not be fair. But, if we tell them in junior high to be ready by the time they are a senior in high school, that's fair. And I'm going to suggest to you that we no longer use the term "exiting standards" with regard to these students. These are achievement standards.

A model that I'm suggesting to the State Board of Education is similar to the SAT format, where a student who does not succeed on the first test will have the opportunity to study further and then take it again. In fact, you may have three bites at the apple. And there's no penalty if you take the test again. In fact, maybe you've already passed it, but you'd still like to take it again and improve on your scores. But our students are going to know what's necessary for graduation, and they will have to pass the test to receive their diploma.

Did you know that in the United States today, 1 in 5 high school graduates cannot read their diploma? We will prepare our young people for graduation and, in so doing, for a bright and successful future.

I will use the term "exiting standards" in a different context in a moment.

I referenced earlier the PERSI program and what we did with the employees' share. Now I will tell you what I believe we should do with the employer share in public education.

In K-12 education, we know that there are still life safety issues. Thirty-four million dollars of the employers' share of PERSI gain-sharing should be spent in our K-12 schools on life-safety issues.

I want to complement our State Board of Education. These are outstanding members. They do it at no pay, but they do it with a lot of sacrifice because of their passion for good education. And I'm going to use this occasion to single out one member of that state board, the newest nominee, General Darrell Manning. Someone who has served four governors, he has probably been the head of more departments than any other public servant, and received the only award for Distinguished Service to State Government last year from the National Governors Association. He reflects the type of quality citizens serving our students.

Higher education in Idaho is still one of the most feasible and least expensive educations anywhere in the region. With the exception of Nevada, Idaho's combined tuition and fees are the lowest of any western state. We continue to be one of the best bangs for the education dollar, and we want to continue that.

This Legislature came forward last year with legislation to establish Promise Scholarships. I signed it into law. The only thing missing was the dollars. Not anymore. In my supplemental request, I recommend $3 million, and in the ongoing budget, I recommend $3 million. Now that's an incentive for our kids to do well in school by offering them a $500 bonus at high school graduation to further their schooling in Idaho.

We've also addressed the aspect of recruitment and retention of our professors in higher education in highly competitive fields. I thank the Legislature for supporting my recommendations in this. I can tell you that over the past two years, we've received an overall 2-to-1 return on investment, and in some individual cases, as high as a 4-to-1 in terms of how the universities have been able to leverage the money with outside sources of funds.

Recently, on the northern Idaho legislative tour, you saw proof of this success at the University of Idaho when you visited with the computer security researchers. Those professors have been heavily recruited by other out-of-state universities, and without your support, they might not be there today.

Some of you were also able to visit the new molecular ecology and genomics laboratory that also received support. In partnership with the INEEL, the funds were used there for a distinguished professorship in biotechnology, five graduate students, a PhD-level lab manager, and state-of-the-art equipment to create the only lab of its kind in the state.

I also have met with the faculty senate chairs, and they too have raised the issue of the competitive nature. We all believe in the marketplace. If you have a successful professor who is offered more, then that person may move on. But I ask you, "How long can you say you're going to have the best educators if you see them leave?"

Therefore, for the first time, I'm recommending to you the category of salary equity for faculty at our institutions of higher learning.

So we have our children prepared. We have them through college or professional technical education, and now let's get them to work. That's why all of the committees and task forces I appointed last year have been developing recommendations to improve economic development throughout the state.

I said that in this administration, we'd involve people like they've never been involved before. I thank all of those citizens for their dedicated, outstanding contributions to furthering the State of Idaho.

I appointed a Rural Development Task Force, 65 people from all areas of the state, to suggest how to stimulate the rural economy. They said you can't attract a business if you don't have the roads and sewers. Therefore, they recommended that rural Idaho needs to have state block grants for infrastructure. It's now included in the budget.

They recommended that we increase the Gem Communities Program, which provides economic development training and planning for our rural communities. It's in the budget. They called for a matching program, that we would match dollar for dollar, with local or regional communities in providing economic development assistance. It's in the budget. They recommended a statewide coordinator for grant writing, someone whose sole purpose and sole focus would be on rural Idaho. It's in the budget.

I want to especially thank the chairman of the Rural Development Task Force, Pete O'Neill, and the three co-chairs, Kenlon Johnson, Con Paulos, and Steve Meyer, for their work.

We also created a Science and Technology Advisory Council, chaired by Idaho's first Science and Technology Advisor, Dr. Billy Shipp. Because of the work of this Council, Idaho now has a strategic plan for science and technology. That report will be released later this week. And when you see it, go down the roster of the 28 who served. This is a group of individuals any state would boast of, but they're ours.

The council recommended establishing a non-profit, public-private corporation to oversee the implementation of Idaho's science and technology strategic plan. It's in the budget. They recommended $2.6 million for faculty at our colleges and universities, to increase the number of graduates and provide increased professional education in areas of science, engineering, health professions, and law. That's in the budget. They recommended higher education research focusing on the north Idaho business park, to be matched dollar for dollar from outside of government. That's in the budget. And once again, a public-private partnership will be established.

Our new 16 member Advisory Committee on International Trade, led by Jim Hungleman and Charlie Pottinger, was activated. This committee is working to develop a strategic plan to expand Idaho's trading opportunities. We are making progress.

When I took office, I challenged our Departments of Commerce and Agriculture to double the value of Idaho's exports by the end of 2002. Since January of 1999, we've seen a 61 percent increase in export value, more than a billion dollars.

Let me quote from a recent Kiplinger Letter: "Figure on 8 percent growth in agricultural trade surplus in the year ahead. Result of farm export values rising by $2 billion to $53 billion in 2001, topping the expected value of agricultural imports by around $13 billion. Thank Canada, Mexico, and Asia for the improvement in ag sales."

Guess where our trade missions during the last two years have been? Canada, Mexico, and Asia. Instead of just now showing up on their doorstep, we've already been there. We literally have kicked open the doors in these markets.

We have the finest foods, products, manufactured goods and high-tech equipment of any state in the nation. And other countries are recognizing that.

And since we're talking about agriculture and our farm communities, they must be full partners in our rural recovery. Last year's bankruptcy of AgriBioTech, a $110 million enterprise, ought to be proof enough that the status quo isn't satisfactory. That's why I've appointed a Family Farm Security Task Force, 34 Idahoans, representing a cross-section of our ag community, to review our laws and regulations and determine how best we can improve conditions here at home. In my budget, I will recommend some one-time tax relief to help our farmers and ranchers.

If we are talking about agriculture, we must also discuss the issue of minimum wage for farmworkers. This past summer our Labor Department conducted a survey of farm worker wages. Their findings: less than one percent of farm workers in Idaho receive less than the minimum wage.

Last September, I told the interim committee that the time had come to move forward and enact a minimum wage for farm workers. I came to that conclusion not because of that survey, but because I personally went out and talked with farm workers. I went to their work sites. I was invited into their homes. I listened to them.

The interim committee's recommendation will be before the Legislature this session. The time to act is now, and I renew my call for this proposal to be adopted.

In all of the products we produce, whether it's ag products or high-tech components, we should have as many steps in the processing and manufacturing of the end product taking place within our borders as possible. That's what the Value-Added Task Force is continuing to develop, with Larry Eastland chairing that able team.

Another group of Idahoans I've brought together is the Governor's Coordinating Council for Families and Children. This past year, we held a workshop for people from throughout the state who have a passion for Idaho's families and children. More than 400 people came together and worked for two days to share ideas and set objectives.

From that group, I selected 45 individuals from across the state. These individuals come from a variety of backgrounds and disciplines, including doctors, teachers, clergy, judges, media executives, counselors, parents, and parent advocates. All of these people have dedicated their personal time to make Idaho the best state in the nation to raise a family. They will share success stories from across the state and work to create the foundation for the Generation of the Child.

The well-being of our children, getting them off to a strong, healthy start, is imperative for the state's future. Dr. Jerry Hirschfeld and my wife, Patricia Kempthorne, are guiding this effort with their wonderful passion for kids.

We said we would establish a voluntary statewide immunization registry, so that we can raise the rates of immunization for our youngest children. We've done just that. We took that concept and made it reality in just over a year's time.

Today, IRIS, our Immunization Reminder Information System, is fully operational today and connected statewide. Already, we're surpassing our expectations. Even before IRIS was up and running, we set a goal of having 30,000 Idahoans registered by the end of 2000. Today, more than 47,000 Idahoans are registered in IRIS, more than 370,000 vaccinations have been made, and we're on track to achieve a statewide immunization rate of 90 percent that I called for two years ago.

We're going to build on this success by providing the matching funds so that nearly 50,000 infants and toddlers can be immunized against pneumococcal disease. This disease causes 5 million ear infections a year in kids under age 5, and kids who are immunized are 20 percent less likely to need tubes inserted in their ears because of chronic ear infections.

We're also going to continue our efforts to keep our children away from tobacco. When I stood before you last year, I asked that the Legislature establish a trust fund for our tobacco settlement proceeds. I said that the first call on those dollars ought to be for health advocacy.

I want to commend the Legislature once again for taking swift action to pass the Millennium Fund bill and make it the first piece of legislation I signed into law last year. I also commend the Legislature for ensuring that the first installment, $2.3 million, was dedicated to measures aimed at reducing tobacco use. My budget will continue this effort by proposing expenditures to keep Idahoans, especially our children, from using tobacco in the first place.

We're also committed to addressing the needs of children with serious emotional disturbances.

Many of you are familiar with the so-called "Jeff D." case, a 20-year-old lawsuit that this Administration inherited. Recently,

Judge Winmill suggested that Idaho was not adequately addressing the issue of children's mental health.

To set the record straight, here's what we've been doing.

We've pulled together all of the agencies and groups that have a role in assisting these children and their families, including Health and Welfare, Education, and Juvenile Corrections. We identified what services were needed. We coordinated our efforts.

Last year, we established three demonstration sites in the state to begin developing community-based mental health services, and we have allocated the money to move this effort forward.

Since 1980, funding has continued to increase to today's total of $25 million on services for these children. The budget I will send you Wednesday increases that to more than $31 million. When you combine it with the federal funds that are matched by those state dollars, the total is more than $94 million.

We have a good story to tell. We're doing this not because a court told us to do it, but because we believe it's the right thing to do. It is motivated by our desire to do what's right.

All of these efforts are an investment. It's an investment in our children, because those children then become our adult population and before we know it, they will become the decision makers. If we don't get them off to a healthy and well-educated start, the path for too many young people can become one of incarceration.

In Idaho, we are continuing to fight the increase in the manufacture, trafficking, and use of one of the most devastating drugs we've ever faced, methamphetamine.

I want to thank the Legislature for joining me in this effort to target methamphetamine, because we're making a difference. This past year, we shut down 176 meth labs across the state. Colonel Ed Strickfaden will tell you that our continued success is due to community outreach, public education, and greater collaboration between federal, state, and local law enforcement, all made possible by your support of my meth initiative.

I will not back down from this strong stance against meth. In fact, I propose that we increase the manpower in our state police this year to further our fight.

Let me take this opportunity to thank and salute the men and women who wear the law enforcement badge. This past week, we lost two of our finest in Jerome County while they were serving a drug warrant and defending the state they loved, Corporal James Moulson and Corporal Phillip Anderson. We mourn the loss of two heroes, we grieve with their families, and we honor their service. Whether you are a state trooper, a sheriff, a policeman, or a correctional officer, know that Idaho stands behind you. We will continue to support our law enforcement professionals, and we will hold those who commit crimes fully accountable for their actions.

If we are to be successful in our fight against drugs, we can't fight it on the supply side alone. We have to address the demand side as well, and that means addressing the issue of substance abuse.

On a per capita basis, Idaho now has the fastest growing inmate population of any state in the union. Thirteen percent, compared to the national average of 3.4 percent. Of the 5,000 prisoners in our prison system, 87 percent of them have a substance abuse problem.

Based on the fact that our prison population is growing at its current rate, I have received a recommendation that we should begin a construction program of a new prison every two years for the foreseeable future. I had to consider that very seriously in preparing my budget, but I concluded that if simply warehousing people is our solution, then we as a society have failed.

Therefore, I do not recommend the construction of a new men's prison in this budget. I do, however, recommend that additional beds be constructed at the women's facility in Pocatello, which currently is at full capacity. Every new bed constructed there will be devoted to substance abuse treatment.

Right now, for those inmates who need long-term substance abuse treatment, we can offer it to only 30 percent of the prison population. I will propose to you in the budget that we increase that treatment to 80 percent. We're going to deal with the problem of substance abuse in the prison population and stop the revolving door of returning inmates.

I want to tell a story from when I was at one of our prisons. I was on a pre-set tour, but you couldn't help but see the other cellblocks, and they can't help but see you. On a number of occasions, inmates beckoned me to come in. I asked the warden if we could do so. He said, "It's your call." I did so. I remember going up to one particular prisoner, and without giving you his description, I realized this man could hurt me. But I shook hands with this man. And he said, "I know you're trying to get treatment programs in here, and we want to thank you. Because that's our only hope in life."

In addition to treatment, I am adding a significant component toward education programs in our prison facilities. If people are going to spend time in our prison system, we're going to provide the educational tools to help them help themselves and become more productive members of society before they are released. For example, if you are in our prisons for two years and you need to improve your reading skills, we're going to help. If they choose this path, then we should set expectations for them to achieve. This, ladies and gentlemen, is where we should use the term "exiting standards." We have a captive audience. Let's remember, treatment need not be voluntary to be successful. If they have a substance abuse problem, we're going to help them deal with that problem. If they understand the value of improving their life through education, we're going to help them. Because we know that if we can get to more people while they're on the inside, the chances are far, far better that they won't be making a return visit. The data shows that if you successfully treat a substance abuser, you can reduce your recidivism rate by 30 percent. There are also still thugs and muggers and murderers. Some you cannot rehabilitate. But for those that we can, we will make every effort. What we will emphasize is hope.

Let me also emphasize that prison doesn't have to be the only response to substance abuse treatment. We need to provide alternatives to incarceration. In my budget, I will provide additional funds for community-based treatment programs.

We also have another partner in this effort. This year, Idaho's Judiciary has made access to treatment their number one legislative priority, and I applaud them for that. I support their efforts to expand drug courts to every judicial district.

In a number of counties, they're already providing a promising alternative. Just ask our newest Supreme Court Justice, Dan Eismann, who has left a legacy with his work in this field here in Ada County.

Or take Twin Falls County. To intervene with students who have a history of truancy, Judge Jack Varin has collaborated with the courts, prosecutors, public defenders, elementary schools, and our Health and Welfare Department to establish Attendance Court. By identifying the reasons these kids are skipping school, the Attendance Court team is providing advice, services, and even tough love to get these kids back in the classroom. Judge John Vehlow and other magistrate judges are taking the same concept and implementing it around the state.

In Minidoka County, they have implemented the Parenting Project, which is focused not only on the children who are delinquent or disruptive in school but their parents as well. They've provided training to 68 percent of their teachers. The results? In the first year, student expulsions dropped by 85 percent and juvenile court petitions dropped by 15 percent.

This is why we're going to be successful with this substance abuse initiative. It's because the executive branch is recommending this to the legislative branch, and it's endorsed by the judicial branch. All three branches of government are united in this effort, and united we will be successful.

I hope you agree with me that we can't just look at these negative statistics and say there's nothing we can do about it. We can't say that we are unable to change these negatives to positives.

Now, if you're satisfied with these negative statistics, and you feel that there's nothing we can do about it, then doing nothing is an option. But it isn't free. People have entrusted us with the honor to serve and ensure that this is a positive environment to live and work and raise a family.

My proposed treatment and education investments in the prison system will more than pay for themselves each year by reducing the number of inmates who return to prison. In fact, we can further reduce recidivism through the partnership and cooperation between state agencies, particularly the Department of Correction and the Department of Health and Welfare, along with the Parole Commission and the Judiciary.

It's this type of partnership that my Interagency Substance Abuse Task Force on substance abuse has been working to develop. We have a tremendous opportunity through drug courts, community-based treatment and treatment in the prison system to reduce crime in Idaho and save the Idaho taxpayers millions of dollars.

I am personally committed to the issue of substance abuse. In fact, as chairman of the Western Governors' Association, I have found that prison growth and substance abuse are not just Idaho problems. They are regional and national. That's why I convened substance abuse academies in Nebraska and in Arizona. These will culminate in a Western Drug Policy Summit in Boise, Idaho, in June.

Let me turn to our natural resources. As I do, let me recognize the loss of a dedicated Fish and Game biologist, Michael Gratson, and private pilot Mike Haygens, when their helicopter crashed last month in the Clearwater Basin. Our prayers are with their families and we also pray for the recovery of wildlife technician Matt Lucia who was injured.

I also want to recognize the loss of one of our finest last month when Jack Hemingway passed away. He will truly be missed. As I said at his memorial service in Sun Valley last week, by birthright he inherited a great name, by his own right he enhanced it. He is an Idaho icon.

He lived a life as big as Idaho's outdoors, and in turn he gave his time and talents towards conserving our natural heritage for generations to come, both as a Fish & Game Commissioner and as host of the wildlife show *Incredible Idaho*.

In addition, Jack was the driving force behind conserving one of Idaho's premier trout streams, Silver Creek. He said, "The best moments of my life have been spent here in Idaho fishing, hunting, and exploring her rugged beauty. It has captured my heart, as it did my father's."

Now, in turn, Idaho will honor Jack Hemingway. On October 10th, 2001, we will begin a new tradition. Jack's birth date will become the first annual Jack Hemingway Conservation Day. Each year, the Department of Fish & Game will organize annual events involving Idaho citizens in efforts to enhance our state's outdoor heritage. It will be Jack's legacy to the wildlife and wild places of Idaho.

Every Idahoan knows we are blessed with abundant, beautiful, and precious natural resources that are both the source of our livelihood and our way of life.

We've just concluded a watershed year in natural resources with some truly remarkable accomplishments accompanied by some monstrous challenges.

For the first time ever, despite the years of conflict over salmon recovery, we produced the Four Governors' Agreement. With our neighbors from Washington, Oregon and Montana, we have provided a roadmap for salmon recovery, something I was told "Couldn't be done!" We rose above political differences and geographic boundaries. It was bipartisan. It represented consensus. It respected states' water rights and property rights. It did not call for breaching the lower Snake River dams.

It has empowered the states to set their own priorities for salmon recovery, instead of reacting to federal dictates. The federal government's biological opinion affirmed the majority of our agreement. President-elect Bush has also applauded this effort.

On another resource issue, we demonstrated to our sister states and the federal government how a collaborative process between private landowners, state officials, and federal agencies here in

Idaho created a plan that's now a national model for fighting noxious weeds; the silent and slow-motion equivalent of a wildfire that is destroying millions of acres of lands in the West.

But day in and day out, Idaho's people and land face unrelenting challenges in the form of federal edicts and control:

Wildfire Management
Forest Heath Policy
Grizzly Bear Reintroduction
Roadless Area Lock Ups
Coeur d'Alene Basin Lawsuits
Snake River Basin Adjudication

Now, I'm the first one willing to sit down at the table and try to work these things out. But I'm here to tell you I will also be the first one to go to court to fight for Idaho's states' rights and water rights.

In the wake of the devastating wildfires in the West, current policy and practices went up in smoke. Western governors joined forces and worked with the federal government to fundamentally change the rules of the game on forest health and wildfire management.

It's time to move command and control away from Washington, D.C. and get the decision-making down to where it should be, on the ground and in the hands of the land managers, our national forest supervisors and our state foresters.

Two years ago, I said at this podium that I wouldn't be shy about tapping the Constitutional Defense Fund when our interests were threatened. Can you believe the Clinton Administration proposal to re-introduce flesh-eating grizzly bears into the Selway - Bitterroot Wilderness? Folks, this could be the first land management action in history to result in sure death and injury of citizens.

I met with the Attorney General, the Speaker, and the President Pro Tem and we agree on this issue. We will challenge this blatant confrontation to our state sovereignty in federal court.

Just last week, in its waning days, the Clinton Administration announced its intent to implement its roadless plan, ignoring the bipartisan concerns raised by the Idaho Land Board and many states. We will go to court once again to prevent this misguided and flawed federal policy from taking effect. Attorney General Al Lance and I agree this matter is "ripe" for action.

We also have unfinished business on two fronts; reaching a mediated settlement on the Snake River Basin Adjudication claims, and our efforts to reach a settlement with the federal government on the Coeur d' Alene basin.

I've made significant progress working with all parties to reach settlement in the past year, and I'm committed to resolving both in a manner that provides us with certainty and stability. Just last month, Judge Lodge again urged the Coeur d'Alene Basin parties to agree to settlement.

Our new Office of Species Conservation offers a terrific opportunity to provide an additional vehicle for positive collaboration in the area of national resources.

The issues Idaho faces under the Endangered Species Act are important and complex. Just as we succeeded in coordinating the efforts with our neighboring states on salmon recovery, we can develop a coordinated approach to all endangered species issues in Idaho, one where we speak with one voice. Under the able stewardship of Jim Caswell I'm confident we will do just that.

But let no one assume for a moment that I will not use every resource at my disposal to fight for and protect the interests of this sovereign state and her citizens and her land and her water.

I am keenly aware that in recent weeks, many Idahoans have become aware of the increases of natural gas prices and our traditionally inexpensive electricity. In addition, during these winter months, there has been tremendous pressure to release water to create additional power for transport beyond Idaho's borders.

I certainly support reasonable conservation measures to ensure that inexpensive energy is available to all of Idaho's families. Throughout the West, we have a history of mutual cooperation and support in times of need and difficulties. Idaho will always be a good neighbor.

But let me make this clear, I expect those states that are facing power shortages to provide strong evidence and firm assurances that all measures, such as increased generation and efficiencies in conservation, have been fully implemented. Only then will Idaho consider options to lend support.

In the meantime, I will continue to direct that Idaho's utilities not imperil our future power needs by drafting water in excess of our current needs.

Next month in Portland, I will chair an energy summit of the Western Governors' Association, where we will examine the issues of energy prices and supplies, and seek to identify both short-term and long-term solutions to the energy needs of the West.

In conclusion, we lived through the worst forest fire season in Idaho's recorded history last summer. We saw more than 1.2 million acres go up in flames. The amount of timber burned could have built a total of 100,000 single-family homes.

But despite all of the devastation and destruction the fires caused, as I traveled across the state to places like Salmon, and Burgdorf, Atlanta, and Dixie, I saw this crisis bring out the best in Idaho. People volunteered to help their neighbors - from the folks who staffed the mess tents to the men and women of the Idaho National Guard who worked more than 17,000 days and provided more than 540,000 miles of transportation in this state with only one minor accident. That's incredible.

All of the firefighters, from the local fire districts to the Forest Service and BLM to the folks out at NIFC working 14,16, 18 hour days. They displayed spirit that defines Idaho. The love for their

state. The care for their neighbors and their community. The incredible ethic of hard work. The willingness to give of themselves when they were asked to help.

To the men and women, from smokejumpers to hotshots – at the local, state, and federal level, we thank you. And for many, the service continues, because elements of the Idaho Guard will soon be going to Bosnia.

Ordinary men and women were asked to do extraordinary things. This past year, as never before, Idaho was literally tested by fire. Thanks to those men and women, we passed that test.

This is a state where its unmatched beauty is truly complemented by the unmatched spirit of the people. What an impressive group of citizens that we have the honor of serving. Let us begin this legislative session in that spirit.

Thank you, God bless you, and God bless the great State of Idaho.

The Speaker thanked Governor Kempthorne.

The committee appointed to wait upon the Governor came forward and escorted him to his office and was, on its return, thanked and discharged by the Speaker.

The committee appointed to wait upon the Supreme Court Justices and the Appellate Court Judges came forward and escorted them from the House Chamber and was, on its return, thanked and discharged by the Speaker.

The committee appointed to wait upon the Elected Officials came forward and escorted them from the House Chamber and was, on its return, thanked and discharged by the Speaker.

Mr. Bruneel moved that the Governor's State of the State message be printed in both the House and Senate Journals. Seconded by Mr. Marley.

The question being, "Shall the motion carry?"

Whereupon the Speaker declared the motion carried by voice vote and ordered the State of the State message printed in both the House and Senate Journals.

Mr. Bruneel moved that the Joint Session be dissolved. Seconded by Mr. Marley.

The question being, "Shall the motion carry?"

Whereupon the Speaker declared the motion carried by voice vote and ordered the Joint Session dissolved.

The Senate returned to its Chamber.

There being no objection, the House advanced to the Thirteenth Order of Business.

Miscellaneous and Unfinished Business

The following committees were appointed by the Speaker:

Lincoln Day Committee

Representative Smylie, Chairman
Representative Sellman
Representative Boe

Memorial Committee

Representative Ellsworth, Chairman
Representative Deal
Representative Henbest

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 10:45 a.m., Tuesday, January 9, 2001. Seconded by Mr. Marley. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:26 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

SECOND LEGISLATIVE DAY
TUESDAY, JANUARY, 9, 2001

House of Representatives

The House convened at 10:45 a.m., the Speaker in the Chair.

Roll call showed 60 members present.
Absent and excused -- Bell, Clark, Field(20), Gagner, Hadley, Lake, Meyer, Pischner, Robison, Trail. Total -- 10.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by John Gochnour, Page.

Approval of Journal

January 9, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the First Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

January 9, 2001

Mr. Speaker:

I return herewith **HCR 3** which has passed the Senate.

WOOD, Secretary

HCR 3 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Bruneel moved that the following persons be approved as attaches to serve the House of Representatives for and during the First Regular Session of the Fifty-sixth Idaho Legislature. Seconded by Ms. Jaquet.

Chief Clerk . . . . . Pamm Juker
Assistant Chief Clerk . . . . . Verna M. Goeddertz
Docket Clerk . . . . . Mary Keeler
Journal Clerk . . . . . Shelley Hubbard
Journal Clerk . . . . . Forrest Ludwig
Chaplain . . . . . Jim Hardenbrook
Sergeant at Arms . . . . . Judith K. Christensen
Assistant Sergeant at Arms . . . . . Carl Shell
Robert Golling
Administrative Assistant to the Speaker . . . . . Jeanne Ludwig
Fiscal Assistant to the Speaker . . . . . Terri Franks

Administrative Assistants
Majority Leadership . . . . . Susan Frieders
Minority Leadership . . . . . Vivian Klein

Secretaries to Minority Leadership . . . . . Shauneen Grange
Mary Davis
Lounge Hostess . . . . . Ronda Moore
Assistant Lounge Hostess . . . . . Dawn Heimer

Committee Secretaries:
Agricultural Affairs . . . . . Rose Schulte
Appropriations . . . . . Kathy Ewert
Business . . . . . Mary Lou Molitor
Education . . . . . Karen Daniels
Environmental Affairs . . . . . Jamey Graham
Health and Welfare . . . . . Vicki Sullivan
Commerce and Human Resources . . . . . Katherine Garrett
Judiciary, Rules, and Administration . . . . . Betty A. Baker
Local Government . . . . . Barbara Lee Allumbaugh
Resources and Conservation . . . . . Susan Werlinger
Revenue and Taxation . . . . . Kathryn L. Yost
Assistant Secretary to Revenue and Taxation . . . . Peggy Heady
State Affairs . . . . . Teresa Jones
Transportation and Defense . . . . . Jennifer O'Kief

Doorkeeper/Secretary(4th Floor) . . . . . Susan Forbes
Secretary(Chairmen's Suite) . . . . . Melissa Farnsworth
Secretary(J. R. Williams Bldg) . . . . . Melissa McKibben
Subcommittee Secretary/Receptionist(4th Floor) . . . Janet Bryant

Information Center:
Director . . . . . Sue Burwell
Information Specialist . . . . . Marilyn Buxton
Telephone Operators . . . . . Marjorie L. Annis
Nancy Lee Bilbao
Louise Magill
MaryEllen Pierce
Copy Machine Operators . . . . . Donna Morgan
Thomas Maloney
Tour Guides . . . . . Georgia Golling
Marva Wertz

Pages:

Dustin Allison
Kali Bradstreet
Nicole Craner
Jesse Daniels
Jenna Elmore
Anna Frecker
Lizbeth Geddes
John Gochnour
Nichole Gordon
Darci Graves
James Harrington
Colton Miller
Shannon Oliver
Daniel Rudolph
Lorissa Simmons
Amber Worl

Whereupon the Speaker declared the motion carried by voice vote and administered the oath of office to the above named attaches.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 4, by Bruneel and Jaquet, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Thirteenth Order of Business.

Miscellaneous and Unfinished Business

The following committee assignments were made:

Representative Wood will serve as Chairman of the Transportation and Defense Committee and will fill the vacancy on the Revenue and Taxation Committee.

Representative Wheeler will serve as Chairman of the Resources and Conservation Committee and Representative Wood will serve as Vice Chairman of the Resources and Conservation Committee.

Representative Bedke will replace Representative Wood on the Education Committee. Representative Bedke will also fill the vacancy on the Transportation and Defense Committee.

Representative Bolz will serve on the Commerce and Human Resources Committee.

COMMERCE AND HUMAN RESOURCES (11)
Schaefer, Chairman
Mortensen, Vice Chairman

Ridinger	Marley
Lake	
Trail	
Crow	
McKague	
Bradford	
Swan	
Bolz	

EDUCATION (17)
Tilman, Chairman
Hammond, Vice Chairman

Jones	Boe
Mortensen	Marley
Black	
Kendell	
Trail	
Montgomery	
Sellman	
Bolz	
Bradford	
Higgins	
Swan	
Young	
Bedke	

RESOURCES AND CONSERVATION (18)
Wheeler, Chairman
Wood, Vice Chairman

Field(20)	Robison
Jones	Cuddy
Bell	
Barraclough	
Mader	
Stevenson	
Denney	
Campbell	
Barrett	
Kendell	
Moyle	
Hornbeck	
Eskridge	
Raybould	

REVENUE AND TAXATION (19)
Crow, Chairman
Kellogg, Vice Chairman

Gould	Cuddy
Barrett	Chase
Bruneel	
Ridinger	
Mader	
Moyle	
Field(13)	
Schaefer	
Smith	
Wheeler	
Collins	
Ellis	
Raybould	
Roberts	
Wood	

TRANSPORTATION AND DEFENSE (14)
Wood, Chairman
Ridinger, Vice Chairman

Pomeroy	Cuddy
Kellogg	Shepherd
Bruneel	
Pischner	
Kunz	
McKague	
Hadley	
Smith	
Roberts	
Bedke	

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 10:30 a.m., Wednesday, January 10, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

THIRD LEGISLATIVE DAY
WEDNESDAY, JANUARY 10, 2001

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by James Harrington, Page.

Approval of Journal

January 10, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Second Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

HCR 4 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bruneel to open debate.

The question being, "Shall **HCR 4** be adopted?"

Whereupon the Speaker declared **HCR 4** adopted by voice vote and ordered the resolution transmitted to the Senate.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

January 10, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 3**.

GOULD, Chairman

The Speaker announced he was about to sign enrolled **HCR 3**, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Bruneel asked unanimous consent that a committee be appointed to wait upon the Senate and escort the Senators to the House Chamber for the purpose of attending the Joint Session. There being no objection, it was so ordered.

The Speaker appointed Representatives Deal, Wood, and Robison as the committee to wait upon the Senate. The committee was excused.

The committee appointed to wait upon the Senate returned and reported that the Senate was waiting to enter the House Chambers. The Speaker thanked and discharged the committee.

JOINT SESSION

Pursuant to **HCR 4**, the hour of 11 a.m. having arrived, the members of the Senate entered the House Chamber and met in Joint Session with Speaker Newcomb presiding.

Roll call of the House showed all 70 members present.

Roll call of the Senate showed all 35 members present.

Mr. Bruneel asked unanimous consent that one committee be appointed to wait upon the Supreme Court Justices and one to wait upon the Elected Officials and escort them to the House Chamber. There being no objection, it was so ordered.

The Speaker appointed Senators Richardson and Schroeder and Representatives Field(13) and Boe as the committee to wait upon the Supreme Court Justices and Senators Wheeler and Lee and Representatives Gagner and Cuddy as the committee to wait upon the Elected Officials and escort them to the House Chamber. The committees were excused.

Mr. Bruneel asked unanimous consent that the Speaker appoint a committee to wait upon the Governor and escort him to the House Chamber. There being no objection, it was so ordered.

The Speaker appointed Senators Sandy and Hawkins and Representatives Bell and Marley as the committee to wait upon the Governor and escort him to the House Chamber. The committee was excused.

The committee appointed by the Speaker escorted the Supreme Court Justices to the House Chamber where they were presented to the Joint Session.

The committee appointed by the Speaker escorted the Elected Officials to the House Chamber where they were presented to the Joint Session.

The committee appointed by the Speaker escorted the Governor to the House Chamber.

His Excellency, the Governor of the State of Idaho, Dirk Kempthorne, was introduced by the Speaker and the following Budget Message was delivered by Governor Kempthorne:

BUDGET ADDRESS

Mr. Speaker, Mr. President Pro Tem, Fellow Constitutional Officers, Distinguished members of the Legislature, Distinguished members of the Judiciary, and Fellow Citizens of Idaho.

I am pleased to submit for your consideration the Executive Budget Recommendations for Fiscal Year 2002.

This General Fund budget of nearly $2.1 billion reflects the priorities of this Administration as I put forward on Monday in the State of the State Address. I believe it reflects the priorities of the people of Idaho.

On Monday, I referenced a quote from Charles Dickens' novel, *A Tale of Two Cities.* This budget addresses the measures we as a

state need to take to avoid an economic Tale of Two Idahos, where part of our state is experiencing the best of times, and part of our state is experiencing the worst of times.

First, I think we need to set the stage for what's currently happening in Idaho's economy and what we think will happen in the months ahead.

Most economists will tell you that after years of clear skies, the current forecast calls for a cloudier outlook. Idaho is not immune from the factors that could complicate our economy's journey over the short term, even in areas where there has been relatively smooth sailing. Just look at the volatility of the stock market. Last month, I convened a special meeting of the Land Board because our school endowment fund lost $20 million in just four days.

Our President-elect has even used the "R-word," recession. So I think that as we go into these uncharted waters we need to be prudent. I am determined not to expand the base unreasonably and beyond our future capabilities.

For example, in 1992, for every 1,000 citizens, we had 14.2 state employees. We've seen that ratio continually reduced until 1999, when we were at 13.6 state employees per 1,000 citizens. With this budget, for the third year in a row, we hold the line.

As I said on Monday in my State of the State Address, the first investment I recommend is to put money back in the pockets of the hard-working men and women of Idaho who generated this revenue surplus.

I am recommending to you that we give the individual income taxpayers in this state relief, significant relief, both from the one-time surplus, as well as a permanent reduction in the individual income tax rate.

My recommendation includes $105 million in relief to the individual income tax payers in this state. I will ask you to make permanent the current one-tenth of a percent temporary reduction in the tax rate that was approved last year. We said we would do this if the economy was strong. Because of new projections on what the individual income will be in our state, that one-tenth of a percent permanent reduction in the tax rate will allow taxpayers to keep an additional $14.6 million.

I'm asking you to return to the people, in the form of a one-time rebate, more than 10% of what they paid in individual income taxes. For a couple making between $40,000 and $50,000 a year and filing jointly, they will receive a rebate check in the mail from the state of nearly $400. I'm recommending that we cap the rebates at a maximum of $2,500.

My budget returns $105 million to those who pay individual income taxes. That's significant. I am convinced this will stimulate our economy further.

To this end, I'm proposing tax relief and tax incentives to Idaho businesses totaling well over $22 million.

I'm recommending a $3.4 million permanent cut in the corporate tax rate, taking the rate from 8.0% to 7.8%. This is the first reduction in the corporate tax rate since 1965. It also brings Idaho's corporate tax rate closer to the national average. We're moving in the right direction, and we're going to compete with other states.

What I just proposed for business will help. But let's now target rural Idaho. We have the best investment tax credit in the country, bar none. Now, we're going to make it even better. We're going to aim it specifically at rural Idaho.

I want to make it even better by offering an incentive for companies to invest in rural Idaho, and to help us become better connected as a state through broadband.

All of this talk about the new economy is contingent upon access to broadband, the ability to move video, voice, and data, at the same time and at high speed over a single connection. If you aren't connected, if you don't have access, then I'm afraid the new economy is going to pass you by.

Here's how this proposal would work. Let's say we have a company that's looking at Idaho and they would like to make a significant investment in a facility that includes telecommunications. Right now under current law, they would be entitled to a 3% investment tax credit, which is impressive by itself.

If we provide the opportunity for some of our counties with high unemployment to have additional incentives, then we can show them that instead of 3% they can receive up to 8%. We just got their attention.

Here's what I am recommending. We retain the current 3%. We add an additional 3%, if in fact the proposed investment is for broadband connectivity, and we add an additional investment tax credit based upon the unemployment rate. Any county that has an unemployment rate above 6% qualifies for this. We will hand out to you, county-by-county, a chart showing you this.

Let's say it's a county where the unemployment rate is below this 6% threshold, but where personal income is also low. We will give businesses a choice to use either the unemployment rate, or personal income, to determine whether they qualify. If they do, they'll have an enhanced investment tax credit aimed specifically at the challenges and problems facing that county.

Let's enhance it further. You have a company that has decided to go to some of these rural areas but perhaps they can't use their total investment tax credit in the first year. We will make it transferable. We will let them sell it if they can't use it, gaining an additional cash infusion.

The total cost of this package is estimated to be $10.8 million.

We said we'd provide additional tools to rural Idaho, and here is a significant tool. It's innovative. We're going to be the first state in the nation to provide financial incentives for broadband connectivity. I predict we won't be the only one, but we can be the first.

Now, how about jobs? Last year, we passed a jobs credit proposal for our natural resources industry. I'm recommending that we expand that. Any job. Anywhere in Idaho. Five hundred dollars per job. Total cost: $1.5 million.

In my brief remarks on Monday, I mentioned that on a per capita basis, we're number three in the country in the number of patents issued. That's without any enhancements in research and development.

Right now, 34 states have research and development tax credits. Idaho should become the 35th. So for the first time, I propose a research and development tax credit of 5%.

Industries from agriculture to high tech will benefit, and this will be an incentive to draw new industries to our state.

One of the continuing challenges for this state and many states is access to venture capital. Take Micron. A world leader in DRAM chips. You know where it started? In a garage. Do you know how many garages there are in Idaho?

There's no shortage of good ideas in Idaho. But there is a shortage of capital to invest in those good ideas. Our challenge is to figure out a way to help the Microns, the Extended Systems, the Zilogs, and the AMI's of tomorrow to get their start, and venture capital is the key.

I'm recommending that we offer a $2 million incentive to encourage the creation of more venture capital to be invested in start-up companies.

Our farmers are in dire straits. One of their biggest burdens is the tax they pay on their land and their operating equipment. To give them a helping hand to get through that burden, we're going to provide $5.7 million in one-time payments from the state to help them get through this farm crisis. This tax package helps working Idahoans, offers relief and incentives to Idaho companies, encourages investment in rural Idaho, and will offer hope to our farm communities.

But I also believe that we, as a state, must do everything in our power to support and sustain the basic unit of our society, the family. I am including a total of $6.3 million in tax credits to help families and senior citizens. Of that amount, $1.5 million will go to assist parents with child care costs. I propose taking the current income tax deduction for child care and making it instead a direct tax credit. It will be equal to one-half the credit available on the Federal return. It will be good for any child under age 13 that can be claimed as a dependent. In addition, it will apply to those children who are disabled and will include, in either case, costs incurred to care for a child while the parents work or are looking for work. The benefit of going from a deduction to a credit means more money for working families. As an example, a single parent with two children, by this change, will get nearly $200 to take care of their families. The cost to us to help 25,000 families is $1.5 million

Additionally, for our senior citizens, who have provided us with our heritage, the lifestyle and the values we hold dear, one of the best ways that we can help them is to double their grocery tax credit from $30 to $60, permanently, at a cost of $3.6 million.

While we talk about family responsibility, many adult children find themselves at some point in their lives where they must take care of their parents. This is the right thing to do, and I believe that we need to acknowledge it. We need to provide an additional incentive, because the alternative is that if the family doesn't provide some of the care, then the state must do all of it. Therefore, I'm recommending that we take the existing elderly and disabled tax credit and increase it from $100 to $500. The credit hasn't been increased since its inception in 1981, and we all know what's been happening in the area of health care costs.

This is a broad-based, comprehensive tax relief package that totals $140 million. By providing $40 million in permanent relief, and $100 million in one-time benefits, we will reinvigorate our economy, provide help for families and seniors, and encourage investment throughout the state.

I worked over the summer and throughout the fall on this package with some very talented Idahoans, including Chairman Dolores Crow of the House Revenue and Taxation Committee. I've discussed the details of this package with Chairman Jerry Thorne of the Senate Local Government and Taxation Committee, and I was encouraged by his response. I am asking the Legislature to take up this tax package early. Begin the process, have a healthy debate, and send me a bill I can sign, because this is one of the critical issues that we need to address early in the session.

Let me mention one other tax issue as it relates to community colleges. My budget includes partial property tax replacement for the counties that support community colleges. I have had many discussions on this issue, and I have heard the pleas for property tax relief. But one of the things that continually comes up is that the counties don't want to lose local control. It is my opinion that if the state assumes more than 50% of the funding for community colleges, then it becomes the "majority partner" and has a right to be more involved in decisions. Therefore, I'm recommending $3.2 million in property tax relief that moves the state's share to the 50% level, but not over that percent.

In the meantime, I recommend that the Legislature appoint an interim committee to examine the whole issue of community colleges, and make recommendations on how we make the best use of this significant component of our educational system.

We know there are bills that still need to be paid, our supplementals and transfers for fighting fires, or covering increased Medicaid costs, or prison costs will take almost $62 million right off the top of the projected surplus.

Let me, for a moment, talk about the Budget Stabilization Fund. Last year, I recommended that we put the full amount needed to bring that account up to the 5% goal set in statute by the Legislature. That was not well received. In fact, there was even discussion among some Legislators that we didn't need a Budget Stabilization Fund, or that it should only be 3%. I respectfully disagree. But I got your message.

So this year, I recommend a transfer into the Budget Stabilization Fund of $9.1 million to get us to that 3% mark. I will ask the Legislature to change the statute to allow us to slow the growth of the fund, but still allow us to reach the 5% goal.

We have a number of Permanent Building Fund projects that have been on the drawing board for years. Many of these projects have had to be funded incrementally. These needs have gone unmet

for too long. With the money from the surplus, we can finally get many of these projects off the drawing board and make them a reality.

For example, the Lewis-Clark State College Campus Activity Center. With this budget, it is now completely funded. The College of Southern Idaho Fine Arts Building, completely funded. The University of Idaho Teaching and Learning Center, completely funded. The Boise State University academic building in Canyon County, completely funded. The Idaho State University Classroom and Lab Building, completely funded. North Idaho College's Health/Nursing and Life Science Building, completely funded. Eastern Idaho Technical College Maintenance Building, completely funded. This will launch a massive public works project with construction taking place at every single university and college campus in Idaho.

While a majority of the $69.5 million that I am recommending for capital projects is focused on our various campuses around the state, there are other needs that will also be addressed, including: State Hospital North, The Department of Labor, The Idaho State Police, The Department of Lands, and The State Historical Society. Planning and design of 36 new beds for the Department of Juvenile Corrections. Full funding for a 400 bed addition to the Pocatello Women's Correctional Center, with all new beds devoted to substance abuse treatment.

I'm proposing that we finally clean up the Permanent Building Fund list, address the needs that have gone unmet for years, and build the buildings that we need to better serve the people of Idaho.

As I mentioned on Monday, we know there are still life-safety issues for our K-12 students in our schools. I want to address those needs, and here is how I propose to do so.

We had a very good year in PERSI. Its performance exceeded expectations. This month, we're giving the employees and retirees their portion of the gain-share. Now, I'd like to recommend what we do with the employers' share.

There is currently $34 million in public schools employers' share, and I recommend that that be used to address life-safety needs in our schools this year. That's $34 million that ought to be going directly toward the top priority for our school districts, the safety of our children.

Almost a century ago, construction began on the Statehouse in which we meet today. It is a symbol and a monument to the citizens of Idaho. It is the people's house. Like many states all over the nation, statehouses are having to be renovated. We're no exception. This magnificent structure is in need of repair.

Look at this facility. Would we ever build one with today's dollars as majestic as this one? I doubt it. But our forefathers provided this facility for the people's house. It falls to us as part of our inheritance to become the stewards to make sure this facility lives on for future generations. Look at what we have inherited, and consider what we will pass on. This is our responsibility, it's time for us to step up. Therefore, I recommend $32 million of the anticipated surplus be transferred to the Capitol Commission to help renovate our Capitol Building.

There are two other construction issues that are important, especially to rural Idaho. We have 40 commercial and general aviation airports in this state that currently receive federal funds. This year, we will see a dramatic increase in federal funds for Idaho's airports. We have the potential for $20 million in federal dollars to make safety and capacity improvements at these airports. But that federal money requires a local match. You know as well as I do that many of these airports are in rural communities that simply can't afford to put up the required 10% match.

Once again, in an offer of partnership, I'm recommending that the State become a partner in airport improvements for those communities that can't match these federal funds. Let's not leave any of this federal money on the table. Airport improvements can further stimulate rural economic improvement. Let's embark upon new horizons with this mode of transportation.

I also recommend $3 million in state block grants to help rural areas with infrastructure needs important to attract businesses and create jobs.

In addition, you will see $500,000 in matching funds for economic development assistance, $400,000 to expand the Gem Communities program, and $95,000 to coordinate grant writing that's focused on rural Idaho.

These are the recommendations from the Rural Development Task Force. And when combined with the measures in the tax package and the infrastructure and airport funds, I believe we have a dynamic and impressive arsenal of incentives aimed directly at rural Idaho.

Last year, our education budget reached historic proportions. We funded 99% of the level that the education community asked for. It was a $52 million increase over the previous year's budget.

This year, I'm asking you to again show a strong commitment to Idaho's school children and their teachers. I am recommending an $82 million increase over last year's historic figures.

My budget allows us to make this kind of investment in education at the same time we're giving the largest tax relief package in our state's history.

We continue to make significant contributions to education. This year, we will spend close to $1 billion in grades K-12. With that must come increased accountability. We're raising the bar on our Reading Initiative. We're launching a Math Initiative. We're expanding our Math Accountability to include the fifth, sixth, and seventh grades. Achievement standards will become a reality. The key to these initiatives? Teachers.

Teaching is a noble profession. And to encourage our young folks to become teachers I have included a number of incentives in this budget.

I propose $6 million in the budget to allow signing bonuses, so that we can attract new teachers in subjects like math and science. This includes loan forgiveness for our new teachers who commit to teach for a few years before they go into industry. I'm also recommending funding of $450,000 for the "Grow Your Own Idaho Teacher" program to encourage current employees or volunteers in

our school districts, especially minorities and those who have bilingual skills, to go into teaching. I've included $8.5 million in one-time funds to help purchase current textbooks and classroom supplies. Both have been concerns of educators for many years. I have many teachers tell me they often use their own money to purchase their supplies.

I'm recommending $6 million in General Funds to continue the Community Resource Workers program. Ask teachers and administrators about the value of having personnel in the schools who can help these young people with many of the problems they are experiencing today. This budget includes a pay raise for teachers.

We received a recommendation from the Safe Schools Task Force to increase the number of school counselors to more effectively deal with children with serious emotional disabilities, an issue that's part of the Jeff D. lawsuit. With $3.5 million in ongoing General Funds, an additional 85 counselors statewide will work with children in the public schools who have these disabilities, or who have similar but less intense social or emotional challenges. This is yet another area where we are doing the right thing.

There is $2.8 million for curriculum and other materials for school districts to create their own "safe schools" programs. The Safe Schools Task Force also recommended that districts prepare programs to address safety issues. This would allow each school district to continue and expand efforts related to safe school environments, including character education and "assets-type" programs. One million dollars of this is one-time, and $1.8 million is ongoing.

Once again, we're doing a lot for K-12 education. And, as you review this budget, you will see that this will also be a very good year for higher education.

I've earmarked $2.3 million for a 2% salary equity increase for faculty at all institutions of higher education. This will be in addition to the Change in Employee Compensation, the C.E.C., that I will recommend for all state employees.

I'm asking our colleges and universities to increase the number of graduates in math, science, engineering, law, and health professions.

My budget includes $2.65 million to hire additional faculty and provide increased professional education in these areas.

We will encourage more research at our colleges and universities. I am recommending that we expand the statewide research initiative, by funding $3 million for faculty recruitment and infrastructure in areas of key economic growth in Idaho.

I'm also including $500,000 for the Higher Education Research Council, to supplement research projects at our college and universities.

I have included $2 million for technology and equipment upgrades for classroom and laboratory buildings at all four institutions and I'm asking the college and universities to match that amount from external or internal sources. These tools will allow our universities and colleges to continue to provide a post-secondary education that is one of the best in the country.

After education, the largest share of the budget is Health and Welfare, and the fastest growing part of that budget is Medicaid. Medicaid costs in the current fiscal year have risen 18.5% over the original appropriation and Medicaid costs for FY 2002 are projected to increase an additional 12.5%.

We have seriously looked at ways to contain Medicaid costs, but there are no easy answers. Even if there were easy answers, our current statutes and built-in escalators would inhibit any reforms.

We are not alone. Every state is experiencing this same type of explosive growth in their Medicaid budgets. This is something that whenever governors gather, as I did this past Saturday with President-elect Bush, we all agree we must find a solution.

I am very excited with President-elect Bush's selection of Wisconsin Governor Tommy Thompson as the designated Secretary of Health and Human Services. His success and track record in Wisconsin have been very progressive and I believe that with the new Administration's approach to partnering with states, we will find solutions.

As I said on Monday, we can no longer afford the budgetary impacts associated with drug and alcohol abuse.

But substance abuse is not just about dollars and cents. It is about human lives. It impacts families through domestic violence and child abuse, employers through lost worker wages and productivity, and communities through increased crime.

Last year, I traveled across the state to talk to the law enforcement community about methamphetamine and other illegal drugs. I heard from sheriffs, police chiefs, and probation officers that if we only approach this issue from a law enforcement perspective, we will not make substantial progress in our war on drugs. Make no mistake. We will enforce our laws and we will hold people accountable for their actions. The law enforcement community and I agree we must attack the demand for drugs as well.

It is this common sense approach that I have brought forward in my budget, an additional $8.8 million investment in state funds for substance abuse programs to break the cycle of addiction. Here is how we will spend these new dollars.

We are going to dramatically impact the prison population with substance abuse treatment. I am also proposing $3.9 million to expand the availability of substance abuse and education programs in the state's prison system. This is a critical component. We can treat these people while they are serving their debt to society.

Increased prison treatment is important to stop the revolving prison door. However, we need to recognize that the taxpayers pay $19,000 per year for each of the 5,000 inmates in our prison system. We cannot continue with business as usual. We need to provide alternatives to incarceration.

Drug courts are one solution. By diverting people from prison, drug courts are effective for those people who can be treated in the community. That is why I support the Judiciary's request for $1.5 million to expand drug courts to every judicial district.

We must also shore up the community-based prevention and treatment system for children and adults. We must ensure that the capacity of our community-based system is not diminished this year because of a reduction in available federal funds. Therefore, I am recommending $3 million for the Department of Health and Welfare's treatment system.

Let me assure you that with these investments comes a responsibility to measure our progress. I have recommended $95,000 to create a partnership between the state and our three universities as independent evaluators of our substance abuse programs.

We're going to deal with the prison issue, but the real solution to substance abuse in the long term is this; we need to reach our kids through effective prevention programs so they don't use or abuse drugs and alcohol in the first place. But we cannot ignore the fact that kids are kids. Sometimes they make bad choices. Sometimes they make mistakes. But I know you and I both refuse to give up on them. What some have done may be wrong but we're going to help them make it right. They are our future.

The Judiciary knows what is needed to effectively intervene. They are on the front line and I'm going to partner with them. That's why I am proposing $150,000 to expand the status offender program to address truancy, runaways, and incorrigibility, and $170,000 for youth courts which intervene with kids so they don't end up in the juvenile corrections system.

Yesterday, I attended a memorial service for two young peace officers who paid the ultimate price. These deaths were the result of an attempt to serve a search warrant for drugs.

Bad things can happen to nice people, in nice communities, in nice states. Drugs continue to be the number one issue facing law enforcement in Idaho, especially methamphetamine. I'm asking you to expand my Methamphetamine Initiative to investigate suspected drug manufacturing and trafficking. This investment will make a difference and it will save lives.

The budget includes funds to establish a cyber crime unit within the Idaho State Police. These days, criminals do not keep ledgers or use notebooks. They are using computers. Every major investigation undertaken by the Idaho State Police involves a computer. Whether it is a murder or a drug deal, police need to have the expertise to access information contained in a suspect's computer. This cyber crime unit will be aggressive in going after those who exploit our children through child pornography.

The thin blue line is thin, so I'm recommending a total of six new troopers and six new detectives to deal with these issues, as well as the rising number of accidents on our busy highways, and give them the tools they need to do their jobs.

Let me conclude by talking about our most important asset, our state workforce.

On Monday, we recognized the national awards that Idaho has received this past year for being a leader in state government. The only reason this happens is the outstanding employees that are our state employees. I'll match them up with any state's employees. They're outstanding, and we appreciate them. Our thanks go to all the state employees who serve the State of Idaho. We must recognize we face a new challenge in the competition to attract and keep good employees.

This year, I am recommending a 4.5% salary increase for our state workforce. This includes a 3.5% C.E.C. based on merit, plus an additional 1% for salary competitiveness.

Today, I have outlined my tax relief proposal and my spending plan for the new fiscal year. As stewards of the financial resources that the hard-working men and women of this state place in our care, we have a duty and responsibility to use that money wisely and maximize the benefits of those tax dollars.

Let me quote what I said in both of my previous budget messages about my recommendations, "I leave it in your good care knowing that you will make improvements to it."

I've spent many months looking at all of the needs in our state and having conversations with countless citizens, and with many of you. I've given careful consideration to the many requests that have been submitted.

I believe what I present to you here today is, indeed, a solid base from which to start. The recommendations I make to you will produce results and a greater return on our investment.

Once again, as I have said each of the last two years, "I leave it in your good care knowing that you will make improvements to it."

I wish you well as you begin your important work and want you to know that you have a partner on the 2nd floor, and I stand ready to help you help the people of this great state.

God bless each of you, and God bless the great State of Idaho.

The Speaker thanked Governor Kempthorne.

The committee appointed to wait upon the Governor came forward and escorted him to his office and was, on its return, thanked and discharged by the Speaker.

The committee appointed to wait upon the Supreme Court Justices came forward and escorted them from the House Chamber and was, on its return, thanked and discharged by the Speaker.

The committee appointed to wait upon the Elected Officials came forward and escorted them from the House Chamber and was, on its return, thanked and discharged by the Speaker.

Mr. Bruneel moved that the Governor's Budget Message be printed in both the House and Senate Journals. Seconded by Ms. Jaquet.

The question being, "Shall the motion carry?"

Whereupon the Speaker declared the motion carried by voice vote and ordered the Governor' s Budget Message printed in both the House and Senate Journals.

Mr. Bruneel moved that the Joint Session be dissolved. Seconded by Ms. Jaquet. Motion carried.

The Senate returned to its Chamber.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 11:45 a.m., Thursday, January 11, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:03 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

FOURTH LEGISLATIVE DAY
THURSDAY, JANUARY 11, 2001

House of Representatives

The House convened at 11:45 a.m., the Speaker in the Chair.

Roll call showed 67 members present.
Absent and excused -- Crow, Pearce, Ridinger. Total -- 3.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Kali Bradstreet, Page.

Approval of Journal

January 11, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Third Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

January 11, 2001

Mr. Speaker:
I return herewith **HCR 4** which has passed the Senate.

WOOD, Secretary

HCR 4 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

January 11, 2001

Mr. Speaker:
We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 36, H 37, H 38, H 39, H 40**, and **H 41** and recommend they be referred to the Commerce and Human Resources Committee.

DEAL, Chairman

H 36, H 37, H 38, H 39, H 40, and **H 41** were referred to the Commerce and Human Resources Committee.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 5
BY SMITH

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND DECLARING SEPTEMBER OF EVERY YEAR TO BE PROSTATE CANCER AWARENESS MONTH.

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

WHEREAS, prostate cancer is the most commonly diagnosed form of nonskin cancer and the second leading cause of cancer-related deaths among men; and

WHEREAS, the American Cancer Society reports that there will be an estimated 180,400 new cases of prostate cancer nationally in the year 2001, and approximately 31,900 men will die from prostate cancer in the same year; and

WHEREAS, it is estimated that 800 men in Idaho will be newly diagnosed with prostate cancer in the year 2001, and approximately 100 of these men will die from prostate cancer in the same year; and

WHEREAS, approximately twenty-five percent of prostate cancer occurs in men under the age of 65, during their prime working years, and deaths at any age due to prostate cancer devastate families through lost income, lost partnership and lost support, depriving too many parents, women, children and friends of a man they love; and

WHEREAS, men can reduce their risk of dying from prostate cancer if they follow recommended screening guidelines, including examination by a health care provider, and that increased awareness and use of early detection practices is essential to controlling prostate cancer.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the

House of Representatives and the Senate concurring herein, that every year, September is hereby declared to be "Prostate Cancer Awareness Month" in Idaho and the Legislature calls upon the people of this state to observe the month by learning how to prevent prostate cancer and how to detect it early, and by encouraging all men to be screened for the disease.

HCR 5 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 8 a.m., Friday, January 12, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:52 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

FIFTH LEGISLATIVE DAY
FRIDAY, JANUARY 12, 2001

House of Representatives

The House convened at 8 a.m., Mr. Bruneel in the Chair.

Roll call showed 44 members present.
Absent and excused -- Barraclough, Bedke, Bell, Bieter, Chase, Clark, Crow, Field(20), Gagner, Hadley, Jaquet, Lake, Loertscher, McKague, Meyer, Pearce, Pischner, Pomeroy, Ridinger, Robison, Sali, Schaefer, Shepherd, Stone, Wheeler, Mr. Speaker. Total -- 26.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Daniel Rudolph, Page.

Approval of Journal

January 12, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fourth Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

January 11, 2001

Mr. Speaker:
I return herewith enrolled **HCR 3** which has been signed by the President.

WOOD, Secretary

Enrolled **HCR 3** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Report of Standing Committees

January 12, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 5**.

GOULD, Chairman

HCR 5 was referred to the Health and Welfare Committee.

January 11, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 4**.

GOULD, Chairman

The Acting Speaker announced that enrolled **HCR 4** would be signed by the Speaker, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 11:45 a.m., Monday, January 15, 2001. Seconded by Ms. Henbest. Motion carried.

Whereupon the Acting Speaker declared the House adjourned at 8:09 a.m.

FRANK BRUNEEL, Acting Speaker

ATTEST:
PAMM JUKER, Chief Clerk

EIGHTH LEGISLATIVE DAY
MONDAY, JANUARY 15, 2001

House of Representatives

The House convened at 11:45 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused -- Sali. Total -- 1.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Dustin Allison, Page.

Approval of Journal

January 15, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifth Legislative Day and recommend that same be adopted as corrected. GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

January 12, 2001

Mr. Speaker:

I return herewith enrolled **HCR 4** which has been signed by the President. WOOD, Secretary

Enrolled **HCR 4** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Report of Standing Committees

January 15, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 3** to the Secretary of State at 8:18 a.m., as of this date, January 12, 2001. GOULD, Chairman

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 11 a.m., Tuesday, January 16, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:57 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

NINTH LEGISLATIVE DAY
TUESDAY, JANUARY 16, 2001

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused -- Stevenson. Total -- 1.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Nicole Craner, Page.

Approval of Journal

January 16, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighth Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

Report of Standing Committees

January 16, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 4** to the Secretary of State at 10:03 a.m., as of this date, January 16, 2001.

GOULD, Chairman

January 15, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 17, H 20**, and **H 21** and recommend that they do pass.

GOULD, Chairman

H 17, H 20, and **H 21** were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 56
BY ROBISON, TRAIL, AND BIETER
AN ACT

RELATING TO MINIMUM WAGE LAW; AMENDING SECTION 44-1504, IDAHO CODE, TO PROVIDE APPLICATION OF MINIMUM WAGE LAW TO AGRICULTURAL LABOR BY REMOVING SUCH LABOR FROM THE LIST OF EMPLOYEES EXCEPTED FROM MINIMUM WAGE LAW; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 57
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT

RELATING TO PENALTIES FOR VIOLATING THE SAFE BOATING LAW; AMENDING SECTION 67-7033, IDAHO

CODE, TO REDUCE CERTAIN MISDEMEANOR PENALTIES TO INFRACTIONS FOR PERSONS VIOLATING PROVISIONS OF THE STATE'S SAFE BOATING LAW.

H 56 and **H 57** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

At this time, Ms. Gould introduced Chief Justice Linda Copple-Trout, who spoke briefly to the Members of the House.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 11 a.m., Wednesday, January 17, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:30 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

TENTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 17, 2001

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 68 members present.
Absent and excused -- Bedke, Henbest. Total -- 2.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Amber Worl, Page.

Approval of Journal

January 17, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Ninth Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

January 16, 2001

Mr. Speaker:
I transmit herewith **SJM 101** which has passed the Senate.

WOOD, Secretary

SJM 101 was filed for first reading.

Report of Standing Committees

January 17, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 56** and **H 57**.

GOULD, Chairman

H 56 was referred to the Agricultural Affairs Committee.

H 57 was referred to the Resources and Conservation Committee.

January 16, 2001

Mr. Speaker:
We, your COMMITTEE ON WAYS AND MEANS, report that we have had under consideration **HCR 2** and recommend that it do pass.

KUNZ, Chairman

HCR 2 was filed for second reading.

January 16, 2001

Mr. Speaker:
We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **HCR 5** and recommend that it do pass.

LOERTSCHER, Chairman

HCR 5 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE RESOLUTION NO. 1
BY BRUNEEL AND JAQUET
A HOUSE RESOLUTION
FIXING THE COMPENSATION OF THE EMPLOYEES OF THE HOUSE OF REPRESENTATIVES OF THE FIRST REGULAR SESSION OF THE FIFTY-SIXTH IDAHO LEGISLATURE.

Be It Resolved by the House of Representatives of the State of Idaho:

WHEREAS, House Rule 74 provides that the compensation of the employees of the House of Representatives shall be fixed by resolution of the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives that the compensation of the various officers and employees of the House of Representatives of the First Regular Session of the Fifty-sixth Idaho Legislature be fixed as follows:

Chief Clerk and Parliamentarian	$17.77 hourly
Assistant Chief Clerk	$13.95 hourly
Docket Clerk	$12.67 hourly
Journal Clerk	$12.67 hourly
Chaplain	$17.45 hourly
Sergeant at Arms	$13.95 hourly
Assistant Sergeants at Arms	$10.60 hourly
Administrative Assistant to Majority Leadership	$12.67 hourly
Administrative Assistant to Minority Leadership	$12.67 hourly
Secretaries to Minority Leadership	$10.60 hourly
Secretary to Agricultural Affairs Committee	$10.60 hourly
Secretary to Appropriations Committee	$11.67 hourly
Secretary to Business Committee	$10.60 hourly
Secretary to Education Committee	$11.67 hourly
Secretary to Environmental Affairs Committee	$10.60 hourly
Secretary to Health and Welfare Committee	$10.60 hourly
Secretary to Human Resources Committee	$10.60 hourly
Secretary to Judiciary, Rules, and Administration Committee	$11.67 hourly
Secretary to Local Government Committee	$10.60 hourly
Secretary to Resources and Conservation Committee	$10.60 hourly
Secretary to Revenue and Taxation Committee	$11.67 hourly
Assistant Secretary to Revenue and Taxation Committee	$10.60 hourly
Secretary to State Affairs Committee	$11.67 hourly
Secretary to Transportation and Defense Committee	$10.60 hourly
Subcommittee Secretary	$10.60 hourly
Secretaries/Receptionists	$10.60 hourly
Doorkeeper/Typist	$10.60 hourly
Copy Machine Operators	$10.36 hourly
Chief Lounge Hostess	$10.36 hourly
Assistant Lounge Host	$ 9.69 hourly
Legislative Public Information Center Director	$13.95 hourly
Information Specialist	$10.60 hourly
Telephone Operators	$10.36 hourly
Tour Guide	$10.36 hourly
Pages	$ 5.65 hourly

HOUSE CONCURRENT RESOLUTION NO. 6
BY WAYS AND MEANS COMMITTEE

A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF NATURAL RESOURCE ISSUES.

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

WHEREAS, a number of major water and natural resource related issues are working their way through various forums and are all subjects that require legislative scrutiny; and

WHEREAS, these issues include the effort to negotiate a settlement of the Nez Perce tribal claims in the Snake River Basin Adjudication, the development of the biological opinion by the National Marine Fisheries Service for salmon recovery, the expiration and potential renewal of legislation authorizing the use of 427,000 acre feet of Idaho water for salmon recovery and evolving water rights issues connected to electric utility restructuring; and

WHEREAS, these issues are all events which will have major impacts upon the future of Idaho and the quality of life our citizens enjoy; and

WHEREAS, it would be more efficient, less costly, and foster better relationships to discuss in advance the potential renewal of legislation authorizing the use of 427,000 acre feet of Idaho water for salmon recovery than to have the U.S. Bureau of Reclamation's transfer applications, as referenced in Section 42-1763B, Idaho Code, move forward; and

WHEREAS, the Legislature has also approved a committee to study the subject of electric utility restructuring which is a large subject in and of itself, but is one that needs to be coordinated with the above natural resource issues.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of various natural resource issues including, but not limited to, the effort to negotiate a settlement of the Nez Perce tribal claims in the Snake River Basin Adjudication, the development of the biological opinion by the National Marine Fisheries Service for salmon recovery, the expiration and potential renewal of legislation authorizing the use of 427,000 acre feet of Idaho water for salmon recovery and evolving water rights issues connected to electric utility restructuring. The committee shall consist of ten legislators with five from the Senate and five from the House of Representatives. The Legislative Council shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature. All interested parties, including those protestors and intervenors to the Bureau of Reclamation's 1995 water right transfer applications, shall be afforded the opportunity to provide input to the committee.

BE IT FURTHER RESOLVED that upon agreement by the U.S. Bureau of Reclamation to meet and discuss salmon recovery issues prior to January 1, 2002, and the Bureau of Reclamation's expression of willingness to the Idaho Department of Water Resources that the above-referenced transfer applications be held in abeyance, the committee shall study whether mutually satisfactory legislation can be developed on the issue to present for consideration by the Second Regular Session of the Fifty-sixth Idaho Legislature in the year 2002.

BE IT FURTHER RESOLVED that the cochairmen of this committee shall consult and coordinate with the cochairmen of the committee on Electric Utility Restructuring.

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 Fifty-sixth Idaho Legislature and shall make a report detailing its findings, recommendations and proposed legislation, if any, to the First Regular Session of the Fifty-seventh Idaho Legislature; provided that the committee shall make a report detailing its findings,

recommendations and proposed legislation, if any, regarding the potential renewal of legislation authorizing the use of 427,000 acre feet of Idaho water for salmon recovery to the Second Regular Session of the Fifty-sixth Idaho Legislature.

HR 1 and **HCR 6** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

SJM 101, by Agricultural Affairs Committee, was introduced, read the first time by title, and referred to the Agricultural Affairs Committee.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 58
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO HARD-TO-PLACE CHILDREN; AMENDING SECTION 56-802, IDAHO CODE, TO FURTHER DEFINE "HARD-TO-PLACE CHILD"; AMENDING SECTION 56-804, IDAHO CODE, TO AUTHORIZE DISSEMINATION OF INFORMATION CONCERNING GUARDIANSHIP OF A HARD-TO-PLACE CHILD; AND AMENDING SECTION 56-805, IDAHO CODE, TO GOVERN FINANCIAL AID TO FAMILIES WHO ADOPT OR ACCEPT GUARDIANSHIP OF A HARD-TO-PLACE CHILD AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 59
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO INCOME TAX RELIEF; AMENDING SECTION 63-3024, IDAHO CODE, TO MAKE PERMANENT THE RATES APPLICABLE TO TAXABLE YEAR 2000; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3081, IDAHO CODE, TO PROVIDE A REBATE OF INCOME TAXES PAID BY INDIVIDUALS FOR TAXABLE YEARS BEGINNING IN 1999, TO DETERMINE THE RATE OF THE REBATE, TO SET MAXIMUM AND MINIMUM AMOUNTS, TO PROVIDE PROCEDURES, TO APPROPRIATE MONEYS AND TO AUTHORIZE CONTRACTS; REPEALING SECTION 63-3022D, IDAHO CODE; AMENDING SECTION 63-3022E, IDAHO CODE, TO INCREASE THE DEDUCTION FOR DEPENDENTS SIXTY-FIVE YEARS OF AGE OR OLDER OR PERSONS WITH DEVELOPMENTAL DISABILITIES FROM ONE THOUSAND DOLLARS TO FIVE THOUSAND DOLLARS; AMENDING SECTION 63-3022H, IDAHO CODE, TO ADD CERTAIN INVESTMENTS HELD BY PRIVATE VENTURE CAPITAL COMPANIES FOR A PERIOD OF THREE YEARS TO THE PROPERTY QUALIFYING FOR THE SIXTY PERCENT CAPITAL GAINS DEDUCTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3024A, IDAHO CODE, TO INCREASE THE INCOME TAX CREDIT FOR SALES TAXES PAID BY INDIVIDUALS OVER AGE SIXTY-FIVE YEARS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3025, IDAHO CODE, TO REDUCE THE CORPORATE INCOME TAX RATE FROM EIGHT TO SEVEN AND EIGHT-TENTHS PERCENT; AMENDING SECTION 63-3025A, IDAHO CODE, TO REDUCE THE CORPORATE FRANCHISE TAX RATE FROM EIGHT TO THE RATE OF THE CORPORATE INCOME TAX AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3025D, IDAHO CODE, TO INCREASE THE PAYMENT FOR DEPENDENTS SIXTY-FIVE YEARS OF AGE OR OLDER OR PERSONS WITH DEVELOPMENTAL DISABILITIES FROM ONE HUNDRED DOLLARS TO FIVE HUNDRED DOLLARS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-3029B, IDAHO CODE, TO PROVIDE THAT TAXPAYERS MAKING EXPENDITURES FOR QUALIFIED BROADBAND EQUIPMENT ARE ENTITLED TO THE CREDIT AND TO REVISE PROCEDURES FOR RECAPTURE; AMENDING SECTIONS 63-3029E AND 63-3029F, IDAHO CODE, TO EXPAND THE NEW JOBS CREDIT BY REMOVING THE LIMITATION OF QUALIFYING TAXPAYERS TO REVENUE-PRODUCING ENTERPRISE CREATING VALUE-ADDED NATURAL RESOURCE PRODUCTS; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029G, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR CERTAIN EXPENDITURES RELATING TO RESEARCH AND DEVELOPMENT CONDUCTED IN IDAHO, TO PROVIDE A SUNSET, TO PROVIDE A CARRYOVER OF UNUSED CREDITS, TO PROVIDE DEFINITIONS AND TO PROVIDE PROCEDURES; AMENDING SECTION 63-3029H, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029H, IDAHO CODE, TO PROVIDE A CREDIT FOR EXPENSES FOR HOUSEHOLD AND DEPENDENT CARE; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029I, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR CERTAIN EXPENDITURES RELATING TO HIGH SPEED BROADBAND COMMUNICATIONS ACCESS IN IDAHO, TO PROVIDE A SUNSET, TO PROVIDE A CARRYOVER OF UNUSED CREDITS, TO PROVIDE DEFINITIONS AND TO PROVIDE PROCEDURES; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029J, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR CERTAIN EXPENDITURES RELATING TO INVESTMENT IN AREAS IN IDAHO WITH HIGH UNEMPLOYMENT OR LOW PERSONAL INCOME AT THE ELECTION OF TAXPAYER, TO PROVIDE A SUNSET, TO PROVIDE A CARRYOVER OF UNUSED CREDITS, TO PROVIDE DEFINITIONS AND TO PROVIDE PROCEDURES; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029K, IDAHO CODE, TO PROVIDE A TEN PERCENT INCOME TAX CREDIT FOR INVESTMENTS IN IDAHO PRIVATE VENTURE CAPITAL COMPANIES, TO PROVIDE A SUNSET, TO PROVIDE A CARRYOVER OF UNUSED CREDITS, TO PROVIDE DEFINITIONS AND TO PROVIDE PROCEDURES; REPEALING SECTIONS 63-3029E AND 63-3029F, IDAHO CODE; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029E, IDAHO CODE, TO PROVIDE DEFINITIONS AND CONSTRUCTIONS OF TERMS; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029F,

IDAHO CODE, TO PROVIDE SPECIAL CREDITS TO THE INCOME TAX FOR NEW EMPLOYEES FOR AN ENTERPRISE THAT PRODUCES, ASSEMBLES, FABRICATES OR PROCESSES NATURAL RESOURCE PRODUCTS; PROVIDING FOR NONSEVERABILITY OF CERTAIN PROVISIONS OF THIS ACT; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION FOR CERTAIN PROVISIONS OF THIS ACT AND PROVIDING EFFECTIVE DATES.

HOUSE BILL NO. 60
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO CHILD CARE LICENSING; AMENDING SECTIONS 16-1623, 33-1002B AND 33-1404, IDAHO CODE, TO STRIKE REFERENCE TO GROUP HOMES; AMENDING SECTION 36-401, IDAHO CODE, TO STRIKE REFERENCE TO GROUP HOMES AND TO EDIT REFERENCE TO CHILDREN'S RESIDENTIAL CARE FACILITIES; AMENDING SECTION 39-1202, IDAHO CODE, TO FURTHER DEFINE TERMS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-1205, IDAHO CODE, TO STRIKE REFERENCE TO GROUP HOMES, TO EDIT REFERENCE TO CHILDREN'S RESIDENTIAL CARE FACILITIES AND TO DELETE JUVENILE DETENTION CENTERS; REPEALING SECTION 39-1208, IDAHO CODE; AMENDING SECTIONS 39-1210 AND 39-1211, IDAHO CODE, TO STRIKE REFERENCE TO GROUP HOMES, TO EDIT REFERENCE TO CHILDREN'S RESIDENTIAL CARE FACILITIES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-1213, IDAHO CODE, TO STRIKE REFERENCE TO GROUP HOMES, TO EDIT REFERENCE TO CHILDREN'S RESIDENTIAL CARE FACILITIES, TO PROVIDE ADDITIONAL AUTHORITY TO THE BOARD FOR PROVISION OF CONTINUED CARE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTIONS 39-1214, 39-1216, 39-1217, 39-1220, 39-1221 AND 39-1222, IDAHO CODE, TO STRIKE REFERENCE TO GROUP HOMES AND TO EDIT REFERENCE TO CHILDREN'S RESIDENTIAL CARE FACILITIES.

H 58, H 59, and **H 60** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 17, by Mr. Speaker, requested by Department of Correction, was read the second time by title and filed for third reading.

H 20 and **H 21**, by Mr. Speaker, requested by Department of Juvenile Corrections, were read the second time by title and filed for third reading.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 11:30 a.m., Thursday, January 18, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:21 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

ELEVENTH LEGISLATIVE DAY
THURSDAY, JANUARY 18, 2001

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused -- Sali. Total -- 1.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Anna Frecker, Page.

Approval of Journal

January 18, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Tenth Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

Report of Standing Committees

January 18, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HR 1, HCR 6, H 58, H 59**, and **H 60**.

GOULD, Chairman

HR 1 and **HCR 6** were filed for second reading.

H 58 and **H 60** were referred to the Health and Welfare Committee.

H 59 was referred to the Revenue and Taxation Committee.

January 18, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 55** and recommend that it do pass.

CROW, Chairman

H 55 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **HR 1** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **HR 1** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Black, Boe, Gould, Mader, Sali, Tilman. Total -- 6.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **HR 1** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Bell to open debate.

The question being, "Shall **HR 1** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Black, Boe, Gould, Sali, Tilman. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **HR 1** passed the House. Title was approved and the resolution was filed in the Office of the Chief Clerk.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 61
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO CRIMES BY PERSONS IN CUSTODY; AMENDING CHAPTER 9, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-915B, IDAHO CODE, TO PROVIDE PENALTIES FOR PROPELLING BODILY FLUID OR WASTE AT CERTAIN PERSONS.

HOUSE BILL NO. 62
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO PUBLIC RECORDS; AMENDING SECTION 9-340B, IDAHO CODE, TO PROVIDE AN ADDITIONAL EXEMPTION FOR RECORDS OF A PRISONER OR FORMER PRISONER UNDER CONDITIONS SPECIFIED; AND AMENDING SECTION 9-342, IDAHO CODE, TO LIMIT ACCESS TO RECORDS OF AN AGENCY FORMERLY HAVING HAD CUSTODY OF A PRISONER.

HOUSE BILL NO. 63
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO INJURY TO CHILDREN; AMENDING SECTION 18-1501, IDAHO CODE, TO PROVIDE PENALTIES FOR CERTAIN ADDITIONAL CIRCUMSTANCES CAUSING ENDANGERMENT OR INJURY TO A CHILD.

HOUSE BILL NO. 64
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO ADMINISTRATION OF COUNTY JAILS; AMENDING SECTION 20-619, IDAHO CODE, TO INCREASE THE FEE A COUNTY JAIL MAY CHARGE TO NONINDIGENT INMATES FOR SEEING MEDICAL PERSONNEL.

HOUSE BILL NO. 65
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO CRIMINAL OFFENSES; AMENDING SECTION 18-915, IDAHO CODE, TO PROVIDE PUNISHMENT

FOR ASSAULT OR BATTERY COMMITTED AGAINST CERTAIN CURRENT OR FORMER OFFICERS OF THE COURT AND LAW ENFORCEMENT OFFICERS.

HOUSE BILL NO. 66
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE MILITARY DIVISION FOR FISCAL YEAR 2001; DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS TO THE HAZARDOUS SUBSTANCE EMERGENCY RESPONSE FUND; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 67
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO THE STATE AERONAUTICS FUND; AMENDING SECTION 21-211, IDAHO CODE, TO PROVIDE THAT INTEREST EARNED ON INVESTMENT OF IDLE MONEYS IN THE FUND SHALL BE PAID TO THE FUND.

H 61, H 62, H 63, H 64, H 65, H 66, and **H 67** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 2, by Bell, was read the second time by title and filed for third reading.

HCR 5, by Smith, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 17 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Sellman to open debate.

The question being, "Shall **H 17** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total --63.

NAYS -- Barrett, Campbell, Crow, Higgins, McKague. Total -- 5.

Absent and excused -- Black, Sali. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 17** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 20 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **H 20** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 68.

NAYS -- Bradford. Total -- 1.

Absent and excused -- Sali. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 20** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 21 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Young to open debate.

The question being, "Shall **H 21** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 67.

NAYS -- Bradford, Henbest. Total -- 2.

Absent and excused -- Sali. Total -- 1.

Total – 70.

Whereupon the Speaker declared **H 21** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 8 a.m., Friday, January 19, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 12 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

TWELFTH LEGISLATIVE DAY
FRIDAY, JANUARY 19, 2001

House of Representatives

The House convened at 8 a.m., Mr. Bruneel in the Chair.

Roll call showed 62 members present.
Absent and excused -- Crow, Gould, McKague, Pearce, Ridinger, Schaefer, Tilman, Mr. Speaker. Total -- 8.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Shannon Oliver, Page.

Approval of Journal

January 19, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eleventh Legislative Day and recommend that same be adopted as corrected.

FIELD(13), Vice Chairman

Mrs. Field(13) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

Report of Standing Committees

January 19, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 61, H 62, H 63, H 64, H 65, H 66**, and **H 67**.

FIELD(13), Vice Chairman

H 61, H 62, H 63, H 64, and **H 65** were referred to the Judiciary, Rules, and Administration Committee.

H 67 was referred to the Revenue and Taxation Committee.

H 66 was filed for second reading.

January 18, 2001

Mr. Speaker:
We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **SJM 101** and recommend that it do pass.

JONES, Chairman

SJM 101 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 68
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2001; AUTHORIZING THE STATE CONTROLLER TO TRANSFER MONEYS TO THE PEST CONTROL DEFICIENCY FUND; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 69
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF LANDS FOR FISCAL YEAR 2001; AUTHORIZING THE STATE CONTROLLER TO TRANSFER MONEYS TO THE FIRE SUPPRESSION DEFICIENCY FUND; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 70
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO LICENSING REQUIREMENTS FOR PESTICIDE DEALERS; AMENDING SECTION 22-3406, IDAHO CODE, TO REQUIRE THAT AN APPLICANT FOR A PESTICIDE DEALER'S LICENSE WHO SELLS RESTRICTED-USE PESTICIDES MUST OBTAIN A PROFESSIONAL APPLICATOR'S LICENSE IN ADDITION TO MEETING OTHER EXISTING REQUIREMENTS.

HOUSE BILL NO. 71
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO MINIMUM WAGE LAW; AMENDING SECTION 44-1503, IDAHO CODE, TO DEFINE "AGRICULTURE" AND "MAN-DAY" AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 44-1504,

IDAHO CODE, TO PROVIDE FOR THE APPLICATION OF MINIMUM WAGE LAW TO AGRICULTURAL LABOR AND TO PROVIDE EXEMPTIONS FROM MINIMUM WAGE LAW; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 72
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO THE DEPARTMENT OF AGRICULTURE; AMENDING SECTION 71-402, IDAHO CODE, TO DELETE THE PROHIBITION AGAINST ISSUING WEIGHMASTER LICENSES TO APPLICANTS WHO HAVE BEEN CONVICTED OF ANY FELONY WITHIN FIVE YEARS OR HAVE PAID ANY FINE OR COMPLETED ANY SENTENCE OF CONFINEMENT FOR ANY FELONY WITHIN FIVE YEARS.

HOUSE BILL NO. 73
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO THE DEPARTMENT OF AGRICULTURE; AMENDING SECTION 22-107, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE MAY DEVELOP AND IMPLEMENT SERVICES RELATING TO HAZARD CONTROLS, GOOD MANUFACTURING PRACTICES, FOOD SAFETY MANUALS FOR PACKHOUSE OPERATIONS, SANITATION STANDARDS AND OPERATING PROCEDURES FOR PRODUCERS AND PACKERS AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 74
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO THE DEPARTMENT OF AGRICULTURE; REPEALING CHAPTER 11, TITLE 22, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 426, LAWS OF 1990; REPEALING SECTIONS 22-2203, 22-2204, 22-2205, 22-2206 AND 22-2213, IDAHO CODE; AND AMENDING TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 22, TITLE 22, IDAHO CODE, GOVERNING SOIL AND PLANT AMENDMENTS, TO PROVIDE A TITLE, TO PROVIDE FOR ADMINISTRATION BY THE DEPARTMENT OF AGRICULTURE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR ADOPTION OF RULES, TO PROVIDE FOR REGISTRATION OF PRODUCTS, TO PROVIDE FOR SUBMISSION OF FORMULAS, TO REQUIRE LABELS WITH CERTAIN INFORMATION, TO REQUIRE PAYMENT OF TONNAGE FEES, TO REQUIRE TONNAGE REPORTS, TO PROVIDE FOR INSPECTION, SAMPLING AND ANALYSIS, TO PROVIDE A PENALTY FOR SHORT WEIGHTS, TO PROVIDE PENALTIES FOR DEFICIENT ANALYSIS, TO PROVIDE FOR ASSESSMENT OF PENALTIES, TO PROHIBIT MISBRANDING, TO PROHIBIT ADULTERATION, TO PROVIDE FOR PUBLICATION OF INFORMATION, TO PROVIDE FOR ISSUANCE AND ENFORCEMENT OF STOP-SALE ORDERS, TO PROVIDE VIOLATIONS, TO PROVIDE REMEDIES FOR VIOLATIONS, TO PROVIDE FOR DISPOSITION OF MONEYS RECEIVED, TO PROVIDE FOR COOPERATION WITH OTHER GOVERNMENT AGENCIES, TO PROVIDE THAT ENACTMENT DOES NOT AFFECT EXISTING LIABILITY, TO PROVIDE THAT THE CHAPTER DOES NOT APPLY TO WHOLESALE TRANSACTIONS, TO PROVIDE SEVERABILITY AND TO PROVIDE FOR STATEMENTS OF UNIFORM INTERPRETATION AND POLICY.

HOUSE BILL NO. 75
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO THE DEPARTMENT OF AGRICULTURE; AMENDING SECTION 22-602, IDAHO CODE, TO REFER TO THE IDAHO STATE DEPARTMENT OF AGRICULTURE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-603, IDAHO CODE, TO PROVIDE DEFINITIONS AND REFERENCES TO OTHER PUBLICATIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-604, IDAHO CODE, TO ADD SUBJECT AREAS FOR THE ADOPTION OF RULES; AMENDING SECTION 22-605, IDAHO CODE, TO PROVIDE THAT CERTAIN FEES ARE NONREFUNDABLE, TO PROVIDE THAT A DISTRIBUTOR DOES NOT HAVE TO REGISTER A FERTILIZER ALREADY REGISTERED IF THE LABEL IS UNCHANGED, AND TO CLARIFY THAT A PENALTY APPLIES PER PRODUCT; AMENDING SECTION 22-610, IDAHO CODE, TO CORRECT A CODE REFERENCE; AMENDING SECTION 22-613, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AMENDING SECTION 22-616, IDAHO CODE, TO PROVIDE THAT STOP SALE ORDERS MAY BE ISSUED AND ENFORCED AGAINST DISTRIBUTORS; AMENDING SECTION 22-619, IDAHO CODE, TO INCREASE CIVIL PENALTIES TO A MAXIMUM OF TEN THOUSAND DOLLARS; AND AMENDING CHAPTER 6, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-625, IDAHO CODE, TO PROVIDE FOR STATEMENTS OF UNIFORM INTERPRETATION AND POLICY.

HOUSE BILL NO. 76
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO THE DEPARTMENT OF AGRICULTURE; AMENDING SECTION 22-2004, IDAHO CODE, TO INCREASE THE MAXIMUM CIVIL PENALTY FOR VIOLATIONS OF STATUTES AND RULES GOVERNING QUARANTINES TO TEN THOUSAND DOLLARS AND TO MAKE A TECHNICAL CORRECTION.

H 68, H 69, H 70, H 71, H 72, H 73, H 74, H 75, and **H 76** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 6, by Ways and Means Committee, was read the second time by title and filed for third reading.

H 55, by Deal, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

HCR 2 was read the third time at length and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **HCR 2** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Collins, Cuddy, Deal, Denney, Ellis, Eskridge, Field(13), Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Montgomery, Mortensen, Moss, Moyle, Raybould, Roberts, Sali, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Trail, Wheeler, Wood, Young. Total -- 52.

NAYS -- None.

Absent and excused -- Bell, Clark, Crow, Ellsworth, Field(20), Gagner, Gould, Hadley, McKague, Meyer, Pearce, Pischner, Pomeroy, Ridinger, Robison, Schaefer, Tilman, Mr. Speaker. Total -- 18.

Total -- 70.

Whereupon the Acting Speaker declared **HCR 2** adopted and ordered the resolution transmitted to the Senate.

HCR 5 was read the third time at length and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Smith to open debate.

The question being, "Shall **HCR 5** be adopted?"

Whereupon the Acting Speaker declared **HCR 5** adopted by voice vote and ordered the resolution transmitted to the Senate.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **SJM 101** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **SJM 101** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Collins, Cuddy, Deal, Denney, Ellis, Eskridge, Field(13), Hammond, Harwood, Henbest, Higgins, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Montgomery, Mortensen, Moss, Moyle, Raybould, Roberts, Sali, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Trail, Wood, Young. Total -- 50.

NAYS -- None.

Absent and excused -- Bell, Clark, Crow, Ellsworth, Field(20), Gagner, Gould, Hadley, Hornbeck, McKague, Meyer, Pearce, Pischner, Pomeroy, Ridinger, Robison, Schaefer, Tilman, Wheeler, Mr. Speaker. Total -- 20.

Total -- 70.

Whereupon the Acting Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **SJM 101** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Lake to open debate.

The question being, "Shall **SJM 101** be adopted?"

Whereupon the Acting Speaker declared **SJM 101** adopted by voice vote and ordered the memorial returned to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 11 a.m., Monday, January 22, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Acting Speaker declared the House adjourned at 8:31 a.m.

FRANK BRUNEEL, Acting Speaker

ATTEST:
PAMM JUKER, Chief Clerk

FIFTEENTH LEGISLATIVE DAY
MONDAY, JANUARY 22, 2001

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Jenna Elmore, Page.

Approval of Journal

January 22, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twelfth Legislative Day and recommend that same be adopted as corrected. GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

January 2, 2001

The Honorable Bruce Newcomb
Speaker of the House
Idaho Legislature

Dear Mr. Speaker:

As required in Section, 57-1601, *Idaho Code*, I am transmitting the attached report of the Governor's Emergency Fund for the period July 1, 1999 through December 31, 2000.

Sincerely,
/s/ Dirk Kempthorne
Governor

GOVERNOR'S EMERGENCY FUND
FUND 0230
FOR FISCAL YEARS 2000 AND 2001

	Receipts	Disbursements	Balance
Balance as of July 1, 1999			**$192,344.48**
No activity year-to-date in fiscal year 2000			
Balance as of June 30, 2000			**$192,344.48**
No activity year-to-date in fiscal year 2001			
Balance as of December 31, 2000			**$192,344.48**

Report of Standing Committees

January 22, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 68, H 69, H 70, H 71, H 72, H 73, H 74, H 75**, and **H 76**.

GOULD, Chairman

H 70, H 71, H 72, H 73, H 74, H 75, and **H 76** were referred to the Agricultural Affairs Committee.

H 68 and **H 69** were filed for second reading.

January 18, 2001

Mr. Speaker:

We, your COMMITTEE ON APPROPRIATIONS, report that we have had under consideration **H 54** and recommend that it do pass.

BELL, Chairman

H 54 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 77
BY CHASE AND ROBISON
AN ACT

RELATING TO CERTAIN CREDITS AND REFUNDS AND SALES AND USE TAX; AMENDING SECTION 63-3619, IDAHO CODE, TO REDUCE THE RATE OF SALES TAX ON CERTAIN FOOD SOLD FOR HUMAN CONSUMPTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3621, IDAHO CODE, TO REDUCE THE RATE OF USE TAX ON CERTAIN FOOD SOLD FOR HUMAN CONSUMPTION; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE FOR AN INCREASE IN THE PERCENTAGE OF APPROPRIATED FUNDS DISTRIBUTED TO THE REVENUE SHARING ACCOUNT AND TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION 63-3024A, IDAHO CODE; AMENDING SECTION 63-3029F, IDAHO CODE, TO DELETE A CODE REFERENCE; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 78
BY CHASE
AN ACT

RELATING TO CERTAIN CREDITS AND REFUNDS AND SALES AND USE TAX; REPEALING SECTION 63-3024A, IDAHO CODE; AMENDING SECTION 63-3619, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM SALES TAX FOR CERTAIN FOOD SOLD FOR HUMAN CONSUMPTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3621, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM USE TAX FOR CERTAIN FOOD SOLD FOR HUMAN CONSUMPTION; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE FOR AN INCREASE IN THE PERCENTAGE OF APPROPRIATED FUNDS DISTRIBUTED TO THE REVENUE SHARING ACCOUNT AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-3029F, IDAHO CODE, TO DELETE A CODE REFERENCE; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 79
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO RESORT COUNTY LOCAL OPTION SALES OR USE TAX; AMENDING SECTION 63-2604, IDAHO CODE, TO CLARIFY THE MONEYS TO BE DISTRIBUTED THROUGH THE COUNTY PROPERTY TAX RELIEF FUND; AND AMENDING SECTION 63-2605, IDAHO CODE, TO REQUIRE DISCONTINUATION OF AN APPROVED TAX IF THE PURPOSE OR PURPOSES ARE MET.

HOUSE BILL NO. 80
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO INCOME TAX CREDITS; AMENDING SECTION 63-3029A, IDAHO CODE, TO INCREASE THE DOLLAR AMOUNT LIMITATION ON CERTAIN INDIVIDUAL AND CORPORATE CHARITABLE CONTRIBUTIONS AND TO MAKE TECHNICAL CORRECTIONS; AND PROVIDING AN EFFECTIVE DATE.

H 77, H 78, H 79, and **H 80** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 66, by Appropriations Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

HCR 6 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wheeler to open debate.

The question being, "Shall **HCR 6** be adopted?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Gould, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 60.
NAYS -- None.
Absent and excused -- Bell, Clark, Field(13), Field(20), Gagner, Hadley, Lake, Meyer, Pischner, Robison. Total -- 10.
Total -- 70.

Whereupon the Speaker declared **HCR 6** adopted and ordered the resolution transmitted to the Senate.

H 55 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **H 55** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Gould, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 61.
NAYS -- Stevenson. Total -- 1.
Absent and excused -- Bell, Clark, Field(13), Field(20), Gagner, Hadley, Meyer, Pischner. Total -- 8.
Total -- 70.

Whereupon the Speaker declared **H 55** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 11 a.m., Tuesday, January 23, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:20 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

SIXTEENTH LEGISLATIVE DAY
TUESDAY, JANUARY 23, 2001

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Associate Pastor Don Hardenbrook.

The Pledge of Allegiance was led by Darci Graves, Page.

Approval of Journal

January 23, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifteenth Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

January 22, 2001

Mr. Speaker:
I transmit herewith enrolled **SJM 101** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **SJM 101** and, when so signed, ordered it returned to the Senate.

Report of Standing Committees

January 23, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 77, H 78, H 79**, and **H 80**.

GOULD, Chairman

H 77, H 78, H 79, and **H 80** were referred to the Revenue and Taxation Committee.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 81
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2001; AUTHORIZING TWO ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 82
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF SELF-GOVERNING AGENCIES FOR FISCAL YEAR 2001; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 83
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF INSURANCE FOR FISCAL YEAR 2001; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 84
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS FOR THE IDAHO COMMISSION ON THE ARTS FOR FISCAL YEAR 2001; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 85
BY ROBISON AND SHEPHERD
AN ACT

RELATING TO CERTAIN CREDITS AND REFUNDS AND SALES AND USE TAX; AMENDING SECTION 63-3024A, IDAHO CODE, TO ELIMINATE INCOME TAX CREDITS, REFUNDS AND PAYMENTS FROM THE REFUND FUND FOR CERTAIN RESIDENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3619, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM SALES TAX FOR CERTAIN FOOD SOLD FOR HUMAN CONSUMPTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-3621, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM USE TAX FOR CERTAIN FOOD SOLD FOR HUMAN CONSUMPTION; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE FOR AN INCREASE IN THE PERCENTAGE OF APPROPRIATED FUNDS DISTRIBUTED TO THE REVENUE SHARING ACCOUNT AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-3619, IDAHO CODE, AS AMENDED IN SECTION 2 OF THIS ACT, TO IMPOSE A THREE PERCENT SALES TAX ON CERTAIN FOOD SOLD FOR HUMAN CONSUMPTION; AMENDING SECTION 63-3621, IDAHO CODE, AS AMENDED IN SECTION 3 OF THIS ACT, TO IMPOSE A THREE PERCENT USE TAX ON CERTAIN FOOD SOLD FOR HUMAN CONSUMPTION; AMENDING SECTION 63-3638, IDAHO CODE, AS AMENDED IN SECTION 4 OF THIS ACT, TO DECREASE THE PERCENTAGE OF APPROPRIATED FUNDS DISTRIBUTED TO THE REVENUE SHARING ACCOUNT; DECLARING AN EMERGENCY, PROVIDING FOR RETROACTIVE APPLICATION AND PROVIDING EFFECTIVE DATES.

H 81, H 82, H 83, H 84, and **H 85** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 68 and **H 69**, by Appropriations Committee, were read the second time by title and filed for third reading.

H 54, by Bell, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 66 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(20) to open debate.

The question being, "Shall **H 66** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **H 66** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 11 a.m., Wednesday, January 24, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:21 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

SEVENTEENTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 24, 2001

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 52 members present.
Absent and excused -- Bedke, Bieter, Black, Boe, Bolz, Bradford, Hammond, Higgins, Kendell, Loertscher, Marley, Montgomery, Mortensen, Sellman, Swan, Tilman, Trail, Young. Total -- 18.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Lorissa Simmons, Page.

Approval of Journal

January 24, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixteenth Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Field(13). Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

Report of Standing Committees

January 24, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 81, H 82, H 83, H 84**, and **H 85**.

GOULD, Chairman

H 85 was referred to the Revenue and Taxation Committee.

H 81, H 82, H 83, and **H 84** were filed for second reading.

January 23, 2001

Mr. Speaker:
We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **H 42** and **H 43** and recommend that they do pass.

WHEELER, Chairman

H 42 and **H 43** were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 86
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT
RELATING TO WATER RIGHTS DECISIONS; PROVIDING A STATEMENT OF LEGISLATIVE INTENT; AMENDING CHAPTER 14, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-1401D, IDAHO CODE, TO PROVIDE THAT COURT REVIEW OF AN ACTION BY THE DEPARTMENT OF WATER RESOURCES SUBJECT TO JUDICIAL REVIEW OR DECLARATORY JUDGMENT UNDER THE PROVISIONS OF CHAPTER 52, TITLE 67, IDAHO CODE, SHALL NOT BE HEARD IN ANY WATER RIGHTS ADJUDICATION PROCEEDING COMMENCED UNDER THE PROVISIONS OF CHAPTER 14, TITLE 42, IDAHO CODE; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 87
BY REVENUE AND TAXATION COMMITTEE
AN ACT
RELATING TO CAPITAL GAINS; AMENDING SECTION 63-3022H, IDAHO CODE, TO INCREASE THE PERCENTAGE OF THE NET CAPITAL GAIN OVER A TWO TAXABLE YEAR PERIOD FROM THE SALE OR EXCHANGE OF QUALIFIED PROPERTY WHICH SHALL BE A DEDUCTION IN DETERMINING TAXABLE INCOME AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 88
BY REVENUE AND TAXATION COMMITTEE
AN ACT
RELATING TO CAPITAL GAINS; AMENDING SECTION 63-3022H, IDAHO CODE, TO INCREASE THE PERCENTAGE OF THE NET CAPITAL GAIN FROM THE SALE OR EXCHANGE OF QUALIFIED PROPERTY WHICH SHALL BE A DEDUCTION IN DETERMINING TAXABLE INCOME AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

H 86, H 87, and **H 88** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Bruneel asked unanimous consent that all bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 11 a.m., Thursday, January 25, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:12 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

EIGHTEENTH LEGISLATIVE DAY
THURSDAY, JANUARY 25, 2001

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 68 members present.
Absent and excused -- Crow, Kellogg. Total -- 2.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by John Gochnour, Page.

Approval of Journal

January 25, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventeenth Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

Report of Standing Committees

January 25, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 86, H 87**, and **H 88**.

GOULD, Chairman

H 86 was referred to the Resources and Conservation Committee.

H 87 and **H 88** were referred to the Revenue and Taxation Committee.

January 24, 2001

Mr. Speaker:
We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 12** and recommend that it do pass.

SALI, Vice Chairman

H 12 was filed for second reading.

January 24, 2001

Mr. Speaker:
We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 13** and **H 15** and report them back with amendments attached to be placed on General Orders for consideration.

SALI, Vice Chairman

H 13 and **H 15** were placed on General Orders for consideration.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 89
BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO LICENSING OF FARM LABOR CONTRACTORS; AMENDING TITLE 44, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 16, TITLE 44, IDAHO CODE, TO PROVIDE APPLICABILITY, TO PROVIDE DEFINITIONS, TO PROVIDE FOR LICENSING OF FARM LABOR CONTRACTORS, TO PROVIDE AN APPLICATION PROCESS AND QUALIFICATIONS FOR ISSUANCE OF A LICENSE, TO PROVIDE REQUIREMENTS FOR A SURETY BOND OR SECURITY, TO PROVIDE CLAIMS FOR WAGES OR FOR ACTIONS UPON THE SURETY BOND OR SECURITY, TO PROVIDE GROUNDS FOR DENYING A LICENSE, TO PROVIDE FOR REVOCATION, SUSPENSION, REFUSAL TO ISSUE AND REFUSAL TO RENEW A LICENSE, TO SPECIFY INFORMATION TO BE CONTAINED ON THE LICENSE, TO PROVIDE FOR EXPIRATION AND RENEWAL OF LICENSES, TO PROVIDE DUTIES OF FARM LABOR CONTRACTORS, TO SPECIFY PROHIBITED ACTS BY FARM LABOR CONTRACTORS, TO PROVIDE FOR ASSESSMENT OF CIVIL PENALTIES AND DUE PROCESS, TO PROVIDE

FOR CIVIL ACTIONS, TO PROVIDE FOR SERVICE OF PROCESS ON AN UNLICENSED CONTRACTOR, TO PROHIBIT RETALIATION AGAINST AN AGRICULTURAL EMPLOYEE, TO PROVIDE FOR INJUNCTIONS, TO SPECIFY VIOLATIONS AND TO PROVIDE PENALTIES AND TO PROVIDE FOR ADOPTION OF ADMINISTRATIVE RULES; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 90
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO THE IDAHO BOARD OF VETERINARY MEDICINE; AMENDING SECTION 54-2103, IDAHO CODE, TO FURTHER DEFINE TERMS AND TO DELETE A TERM; AMENDING SECTION 54-2104, IDAHO CODE, TO REVISE EXCEPTIONS TO THE REQUIREMENT OF A LICENSE OR VALID TEMPORARY PERMIT TO PRACTICE VETERINARY MEDICINE; AMENDING SECTION 54-2105, IDAHO CODE, TO REVISE THE QUALIFICATIONS OF MEMBERS OF THE BOARD, TO REVISE REMOVAL OF BOARD MEMBERS AND TO REVISE POWERS OF THE BOARD; AMENDING SECTION 54-2107, IDAHO CODE, TO REVISE LICENSE APPLICATION REQUIREMENTS; AMENDING SECTION 54-2110, IDAHO CODE, TO REVISE QUALIFICATIONS FOR LICENSURE WITHOUT THE CLINICAL COMPETENCY TEST; AMENDING SECTION 54-2111, IDAHO CODE, TO REVISE QUALIFICATIONS FOR ISSUANCE OF A TEMPORARY PERMIT AND TO PROVIDE REFERENCE TO A UNITED STATES DEPARTMENT OF AGRICULTURE VETERINARY SERVICES MEMORANDUM; AMENDING SECTION 54-2112, IDAHO CODE, TO PROVIDE REFERENCE TO CERTIFICATIONS, TO PROVIDE FOR REINSTATEMENT OF LICENSES AND TO PROVIDE REFERENCE TO CERTIFIED VETERINARY TECHNICIANS AND CERTIFIED EUTHANASIA TECHNICIANS AND AGENCIES; AMENDING SECTION 54-2114, IDAHO CODE, TO PROVIDE CORRECT CODE CITATIONS; AMENDING SECTION 54-2115, IDAHO CODE, TO PROVIDE THE BOARD WITH FURTHER DISCIPLINARY OPTIONS AND TO REVISE GROUNDS FOR DISCIPLINE; AND AMENDING SECTION 54-2118, IDAHO CODE, TO PROVIDE FOR THE RECOVERY OF PARALEGAL FEES, TO PROVIDE FOR APPEAL OF A CIVIL PENALTY WITHIN TWENTY-EIGHT DAYS, TO PROVIDE FOR A FINE BASED UPON WITHHELD JUDGMENT, AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 91
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO TAXES IMPOSED UPON WHEAT; AMENDING SECTION 22-3315, IDAHO CODE, TO AUTHORIZE THE IDAHO WHEAT COMMISSION TO ESTABLISH THE RATE OF TAX TO BE IMPOSED NOT TO EXCEED THE EXISTING RATE AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 92
BY LOCAL GOVERNMENT COMMITTEE
AN ACT

RELATING TO LOCAL LAND USE PLANNING AND SUBDIVISIONS; AMENDING SECTION 50-1301, IDAHO CODE, TO PROVIDE A RESTRICTION ON ANY DEFINITION ADOPTED BY A CITY OR COUNTY IN LIEU OF THE DEFINITION OF "SUBDIVISION" AS PROVIDED BY STATE LAW, TO PROVIDE A REMEDY FOR ANY PROVISION OF A LOCAL ORDINANCE WHICH IS CONTRARY TO STATE LAW AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6513, IDAHO CODE, TO CLARIFY THE TERM "SUBDIVISION DEVELOPMENT" AND TO PROVIDE A REMEDY FOR ANY PROVISION OF A LOCAL ORDINANCE WHICH IS CONTRARY TO STATE LAW; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 93
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF JUVENILE CORRECTIONS FOR FISCAL YEAR 2001; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 94
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE ATTORNEY GENERAL FOR FISCAL YEAR 2001; PROVIDING ONE ADDITIONAL FULL-TIME POSITION FOR FISCAL YEAR 2001; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 95
BY APPROPRIATIONS COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION FOR THE IDAHO STATE POLICE; AMENDING SECTION 1, CHAPTER 388, LAWS OF 2000; AND DECLARING AN EMERGENCY.

H 89, H 90, H 91, H 92, H 93, H 94, and **H 95** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 81, H 82, H 83, and **H 84**, by Appropriations Committee, were read the second time by title and filed for third reading.

H 42 and **H 43**, by Mr. Speaker, requested by Department of Fish and Game, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 68 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Pomeroy to open debate.

The question being, "Shall **H 68** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Callister, Campbell, Chase, Clark, Collins, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck,

Jaquet, Jones, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Bruneel, Crow, Cuddy, Kellogg, Tilman. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 68** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 69 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 69** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Trail, Wheeler, Young, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Crow, Kellogg, Tilman, Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 69** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 54 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **H 54** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Trail, Wheeler, Young, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Crow, Kellogg, Tilman, Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 54** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 8 a.m., Friday, January 26, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:35 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

NINETEENTH LEGISLATIVE DAY
FRIDAY, JANUARY 26, 2001

House of Representatives

The House convened at 8 a.m., the Speaker in the Chair.

Roll call showed 63 members present.

Absent and excused -- Bieter, Bradford, Crow, McKague, Pearce, Schaefer, Tilman. Total -- 7.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by James Harrington, Page.

Approval of Journal

January 26, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighteenth Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

January 25, 2001

Mr. Speaker:

I transmit herewith **S 1018, S 1019**, and **S 1015** which have passed the Senate.

WOOD, Secretary

S 1018, S 1019, and **S 1015** were filed for first reading.

Report of Standing Committees

January 26, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 89, H 90, H 91, H 92, H 93, H 94**, and **H 95**.

GOULD, Chairman

H 89, H 90, and **H 91** were referred to the Agricultural Affairs Committee.

H 92 was referred to the Local Government Committee.

H 93, H 94, and **H 95** were filed for second reading.

January 25, 2001

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **H 36** and recommend that it do pass.

SCHAEFER, Chairman

H 36 was filed for second reading.

January 25, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 61, H 62, H 64**, and **H 65** and recommend that they do pass.

GOULD, Chairman

H 61, H 62, H 64, and **H 65** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE JOINT MEMORIAL NO. 1
BY STATE AFFAIRS COMMITTEE
A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Fifty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the Founding Fathers, through deliberation and compromise, devised the Electoral College to answer the nation's need for an effective voting mechanism in the presidential selection process; and

WHEREAS, the Electoral College, as provided for in the Constitution of the United States, provides for a proper system of checks and balances in the election of presidents and vice presidents; and

WHEREAS, the Electoral College prevents any one region of the nation from dominating a presidential election; and

WHEREAS, the Electoral College ensures that the interests of the voters of every state, including smaller and rural states, are represented in a presidential election; and

WHEREAS, the Electoral College ensures that the will of the majority is carried out while guaranteeing that the voices of this nation's minorities are heard; and

WHEREAS, the Electoral College is based upon republican principles which provide the foundation for this nation's constitutional system; and

WHEREAS, any attempt to modify the current Electoral College would jeopardize a secure system which has been effective for over two hundred years in providing for a peaceful transition of presidential power.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that no amendments or other modifications be made to the Electoral College system and that the Electoral College be continued in its present form for all future presidential elections.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

HOUSE CONCURRENT RESOLUTION NO. 7
BY WAYS AND MEANS 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 ISSUES SURROUNDING REGULATION OF THE TELECOMMUNICATIONS INDUSTRY.

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

WHEREAS, as a result of changes in technology and law, telecommunications markets are evolving from a monopoly environment toward a competitive environment; and

WHEREAS, the federal Telecommunications Act of 1996 was intended to reduce the level of regulation and remove barriers to competition in all telecommunications markets so that consumers could benefit from greater choice, lower prices and more rapid deployment of new technologies and advanced services; and

WHEREAS, the idea was that consumers would benefit if territorial and line-of-business restrictions and incumbent local exchange companies (ILECs) were allowed to offer local service outside their traditional boundaries as well as inter-exchange and cable television services, if cable television providers were allowed to offer telephone service and if inter-exchange companies (IXCs) were allowed to offer local service; and further, more competition was expected from wireless providers, and former competitive access providers were expected to transform themselves into competitive local exchange companies (CLECs) and offer a variety of services; and

WHEREAS, removing legal and administrative barriers to entry, however, doesn't necessarily make markets competitive, and

while competition is emerging in local access markets, it is far from being fully developed, especially for residential customers; and

WHEREAS, relatively few households have a legitimate alternative to the ILEC for local access while competition in the intra-LATA toll market is growing and equal access rules that require customers be allowed to designate someone other than their ILEC as the primary inter-LATA carriers probably will enhance the level of competition in those markets; and

WHEREAS, while there is competition in inter-LATA toll markets, the level of competition in those markets should increase considerably once the business operating companies (BOCs) are able to offer that service; and while competition in most local and intra-LATA markets is in its early stages of development, the ILECs still serve the vast majority of access lines, their network facilities and services serve as linchpins and entrants must obtain a variety of services from them; and

WHEREAS, state public utilities commissions have a crucial and indispensable role in managing and facilitating the transition toward competition. The role and function of public utilities commissions are undergoing a transition from retail state regulation, whether the traditional rate-of-return or cost-of-service regulations or incentive and/or price-cap regulation, towards market regulations, with commissions taking on a referee function which includes setting rules of the game, imposing penalties and protecting consumers; and

WHEREAS, the Public Utilities Commission's role in this matter is especially important in telecommunications because the ILECs networks are likely to serve as linchpin networks as we evolve toward the intermeshed networks or "networks of networks" model and entrants into the market are in the position of purchasing services from and interconnecting with established ILECs with whom they must compete for retail customers' business; and

WHEREAS, the regulation of the telecommunications industry is one of the most important public policy issues facing a state with diverse urban and rural populations like Idaho's.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of issues surrounding the regulation of the telecommunications industry to include, but not be limited to, encouraging statewide development of wideband, fiberoptics, strengthening communications in rural Idaho and promoting e-commerce and Internet technology. 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 advisors of the committee may be appointed by the cochairs of the committee who are appointed by the Legislative Council. Nonlegislative advisors shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges, regarding the committee's recommendations or proposed legislation.

BE IT FURTHER RESOLVED that the committee shall report its findings, recommendations and proposed legislation, if any, to the Second Regular Session of the Fifty-sixth Idaho Legislature.

HJM 1 and **HCR 7** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 96
BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE REGULATION OF TELEPHONE CORPORATION BASIC LOCAL EXCHANGE RATES; AMENDING SECTION 62-622, IDAHO CODE, TO MODIFY THE PROCEDURE FOR ESTABLISHING THE MAXIMUM RATE TO BE CHARGED FOR BASIC LOCAL EXCHANGE SERVICE AND FOR NONRECURRING CHARGES FOR SERVICES RELATED THERETO BY INCUMBENT TELEPHONE CORPORATIONS, TO AUTHORIZE REALIGNMENT OF PRICES BETWEEN RESIDENTIAL AND SMALL BUSINESS SERVICES UPON A FINDING BY THE PUBLIC UTILITIES COMMISSION THAT SUCH REALIGNMENT IS NOT CONTRARY TO THE PUBLIC INTEREST AND IS REVENUE NEUTRAL TO THE TELEPHONE CORPORATION, AND TO PROVIDE THAT ESTABLISHMENT OF MAXIMUM ALLOWABLE BASIC LOCAL EXCHANGE RATES PURSUANT TO THIS ACT SHALL BE IN LIEU OF FURTHER RATE REGULATION EXCEPT AS PROVIDED IN THIS ACT.

HOUSE BILL NO. 97
BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO PROFESSIONAL EMPLOYERS; AMENDING SECTION 44-2405, IDAHO CODE, TO CLARIFY THAT BENEFIT AND WELFARE PLANS MAINTAINED BY PROFESSIONAL EMPLOYERS ARE NOT SUBJECT TO REGULATION UNDER TITLE 41, IDAHO CODE; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 98
BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO THE INDUSTRIAL COMMISSION; AMENDING SECTION 72-517, IDAHO CODE, TO ALLOW THE INDUSTRIAL COMMISSION TO PROVIDE INFORMATION THAT IS OTHERWISE EXEMPT FROM DISCLOSURE UNDER THE PUBLIC RECORDS ACT TO OTHER GOVERNMENT AGENCIES TO ASSIST THOSE AGENCIES IN THE DISCHARGE OF THEIR DUTIES, TO PROVIDE PROCEDURES AND TO PROVIDE FOR A FEE.

HOUSE BILL NO. 99
BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-408, IDAHO CODE, TO PROVIDE FOR THE ESTABLISHMENT OF A SPECIAL HUNT FOR MOOSE, TO PRESCRIBE A TIME FOR THE HUNT, TO REQUIRE THAT PARTICIPANTS HOLD A VALID HUNTING LICENSE AND TAG AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 100
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO DISTRIBUTION OF SESSION LAWS; AMENDING SECTION 67-906, IDAHO CODE, TO PROVIDE THAT SESSION LAWS SHALL BE DISTRIBUTED IN ACCORDANCE WITH THE LIST MAINTAINED BY THE SECRETARY OF STATE; AMENDING SECTION 67-907, IDAHO CODE, TO PROVIDE THAT BOOKS DISTRIBUTED TO OFFICERS IN THIS STATE, EXCEPT LEGISLATIVE OFFICERS, ARE THE PROPERTY OF THE STATE AND MUST BE DELIVERED TO SUCCESSORS IN OFFICE; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 101
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO LIQUOR LAW ENFORCEMENT; AMENDING SECTION 23-1038, IDAHO CODE, TO REQUIRE THAT HEARINGS PURSUANT TO LIQUOR LAW VIOLATION SHALL BE HELD IN THE COUNTY WHERE THE ALLEGED VIOLATION OCCURRED AND TO MAKE A TECHNICAL CORRECTION.

H 96, H 97, H 98, H 99, H 100, and **H 101** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1018 and **S 1019**, by Commerce and Human Resources Committee, were introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

S 1015, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 12, by Mr. Speaker, requested by Bureau of Occupational Licenses, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Bruneel asked unanimous consent that all bills on the Third Reading Calendar retain their places until Monday, January 29, 2001. There being no objection, it was so ordered.

Mr. Bruneel asked unamimous consent that the filing deadline for personal bills be extended until Monday, January 29, 2001. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 11:15 a.m., Monday, January 29, 2001. Seconded by Ms. Henbest. Motion carried.

Whereupon the Speaker declared the House adjourned at 8:12 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

TWENTY-SECOND LEGISLATIVE DAY
MONDAY, JANUARY 29, 2001

House of Representatives

The House convened at 11:15 a.m., the Speaker in the Chair.

Roll call showed 67 members present.
Absent and excused -- Black, Cuddy, Sellman. Total -- 3.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Kali Bradstreet, Page.

Approval of Journal

January 29, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Nineteenth Legislative Day and recommend that same be adopted as corrected. GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that George H. Swan, State Representative, District 23, House Seat B, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Randy Hansen, of Twin Falls, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Randy Hansen, Acting State Representative, District 23, House Seat B, State of Idaho, for a term commencing on January 29, 2001, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

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 23rd day of January in the year of our Lord two thousand and one, and of the Independence of the United States of America, the two hundred and twenty-fifth year.

/s/ DIRK A. KEMPTHORNE
Governor
/s/ PETE T. CENARRUSA
Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mr. Hansen.

January 26, 2001

Mr. Speaker:

I return herewith **HCR 2** and **HCR 6** which have passed the Senate.

WOOD, Secretary

HCR 2 and **HCR 6** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

January 29, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HJM 1, HCR 7, H 96, H 97, H 98, H 99, H 100**, and **H 101**.

GOULD, Chairman

HJM 1, HCR 7, and **H 96** were referred to the State Affairs Committee.

H 97 and **H 98** were referred to the Commerce and Human Resources Committee.

H 99 was referred to the Resources and Conservation Committee.

H 101 was referred to the Judiciary, Rules, and Administration Committee.

H 100 was filed for second reading.

January 29, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 67** and recommend that it do pass.

CROW, Chairman

H 67 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 8
BY BOE

A CONCURRENT RESOLUTION COMMENDING STACY DRAGILA FOR HER SUPERIOR CONDUCT AND FOR HER ACCOMPLISHMENTS AT THE 2000 SUMMER OLYMPICS IN SYDNEY, AUSTRALIA AND COMMENDING DAVE NIELSEN, HER COACH.

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

WHEREAS, Stacy Dragila is a resident of Pocatello, working toward a Master's Degree in Health Education at Idaho State University where she graduated in 1995 with a degree in physical education/health education; and

WHEREAS, Stacy Dragila excelled as a hurdler and heptathlete during high school and first participated in pole vaulting in 1993 while attending Idaho State University; and

WHEREAS, Stacy Dragila held five school and venue records at Idaho State University and still ranks in the school's top 10 in 13 outdoor events; and

WHEREAS, Stacy Dragila was inducted into Idaho State University's Ring of Honor in 1999. The Ring of Honor is designed to honor people who have brought pride and the national spotlight to the state of Idaho; and

WHEREAS, Stacy Dragila has consistently been a top ranked performer in the pole vault and heptathlon and owns the world indoor and outdoor records for the women's pole vault. Stacy Dragila captured the official world record by clearing 15 feet 2 1/4 inches at the Olympic trials in Sacramento, California. Unofficial records report Stacy Dragila clearing 15 feet 3 inches at the Pocatello Downtown Street Vault and 15 feet 5 inches at the Santa Barbara Beach Vault in July and August, 2000; and

WHEREAS, on September 25, 2000, Stacy Dragila won a gold medal in the women's pole vault at the 2000 Summer Olympics, clearing 15 feet 1 inch; and

WHEREAS, Dave Nielsen, Idaho State University's Head Track and Field Coach, first recruited Stacy Dragila as a heptathlete for Idaho State University and later introduced her to pole vaulting, encouraging her participation in the event. Dave Nielsen has continued as Stacy Dragila's mentor, coach and friend, inspiring her throughout her career and at the 2000 Summer Olympics and has been named the United States Olympic Committee's "Track and Field Developmental Coach of the Year" as well as the "Nike Elite Track and Field Coach of the Year"; and

WHEREAS, Stacy Dragila participates in the Big Brothers/Big Sisters program and works as an assistant coach with the Idaho State University track team, concentrating on the vault and heptathlon; and

WHEREAS, Stacy Dragila has been featured in "USA Today," "Sports Illustrated" and "ESPN The Magazine" and has appeared on NBC's "Today Show" and in commercials for GMC and VISA, both of which aired during the Super Bowl; and

WHEREAS, Stacy Dragila has climbed to the top of her profession with exemplary strength, focus and determination and is a positive role model for us all.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we recognize and honor Dave Nielsen for his excellence in coaching and for the role he played in the Olympic victory of Stacy Dragila as well as the honor bestowed on him in being named the United

States Olympic Committee's "Track and Field Developmental Coach of the Year" and the "Nike Elite Track and Field Coach of the Year."

NOW, THEREFORE, BE IT FURTHER RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we recognize and honor Stacy Dragila for her superior attitude and conduct, her medal winning performance at the 2000 Summer Olympics at Sydney, Australia, and for the pride she brings to Idaho and America.

HCR 8 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 102
BY TRAIL
AN ACT

RELATING TO THE FREE EXERCISE OF RELIGION; AMENDING SECTION 73-402, IDAHO CODE, TO PROVIDE THAT THE PROVISIONS OF CHAPTER 4, TITLE 73, IDAHO CODE, SHALL NOT ELIMINATE NOR ESTABLISH A DEFENSE TO A CIVIL ACTION OR CRIMINAL PROSECUTION UNDER STATE OR FEDERAL CIVIL RIGHTS LAWS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 103
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO CONTROLLED SUBSTANCES; AMENDING SECTION 37-2711, IDAHO CODE, TO ADD THE DRUG CARISOPRODOL TO SCHEDULE IV CONTROLLED SUBSTANCES.

HOUSE BILL NO. 104
BY SALI
AN ACT

RELATING TO CERTAIN CREDITS AND REFUNDS AND SALES AND USE TAX; AMENDING SECTION 63-3024A, IDAHO CODE, TO INCREASE INCOME TAX CREDITS, REFUNDS AND PAYMENTS FROM THE REFUND FUND FOR CERTAIN RESIDENTS AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 63-3024A, IDAHO CODE; AMENDING SECTION 63-3029F, IDAHO CODE, TO STRIKE A CODE REFERENCE; AMENDING SECTION 63-3619, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM SALES TAX FOR CERTAIN FOOD SOLD FOR HUMAN CONSUMPTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3621, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM USE TAX FOR CERTAIN FOOD SOLD FOR HUMAN CONSUMPTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE FOR AN INCREASE IN THE PERCENTAGE OF APPROPRIATED FUNDS DISTRIBUTED TO THE REVENUE SHARING ACCOUNT AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING FOR RETROACTIVE APPLICATION AND PROVIDING EFFECTIVE DATES.

HOUSE BILL NO. 105
BY SALI
AN ACT

RELATING TO CERTAIN CREDITS AND REFUNDS AND SALES AND USE TAX; AMENDING SECTION 63-3024A, IDAHO CODE, TO INCREASE INCOME TAX CREDITS, REFUNDS AND PAYMENTS FROM THE REFUND FUND FOR CERTAIN RESIDENTS AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 63-3024A, IDAHO CODE; AMENDING SECTION 63-3029F, IDAHO CODE, TO STRIKE A CODE REFERENCE; AMENDING SECTION 63-3619, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM SALES TAX FOR CERTAIN FOOD SOLD FOR HUMAN CONSUMPTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3621, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM USE TAX FOR CERTAIN FOOD SOLD FOR HUMAN CONSUMPTION; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE FOR AN INCREASE IN THE PERCENTAGE OF APPROPRIATED FUNDS DISTRIBUTED TO THE REVENUE SHARING ACCOUNT AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING FOR RETROACTIVE APPLICATION, AND PROVIDING EFFECTIVE DATES.

HOUSE BILL NO. 106
BY CHASE
AN ACT

RELATING TO CERTAIN CREDITS AND REFUNDS AND SALES AND USE TAX; REPEALING SECTION 63-3024A, IDAHO CODE; AMENDING SECTION 63-3619, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM SALES TAX FOR CERTAIN FOOD SOLD FOR HUMAN CONSUMPTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3621, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM USE TAX FOR CERTAIN FOOD SOLD FOR HUMAN CONSUMPTION; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE FOR AN INCREASE IN THE PERCENTAGE OF APPROPRIATED FUNDS DISTRIBUTED TO THE REVENUE SHARING ACCOUNT AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-3029F, IDAHO CODE, TO DELETE A CODE REFERENCE; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 107
BY BIETER
AN ACT

RELATING TO EXEMPTIONS FROM TAXATION; AMENDING SECTION 63-602D, IDAHO CODE, TO REQUIRE INFORMATION REGARDING CHARITY CARE AND NET PROFITS IN REPORTS FROM CERTAIN HOSPITALS EXEMPT FROM PROPERTY TAXATION AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 108
BY BIETER
AN ACT

RELATING TO OFFENSES ON HIGHWAYS; AMENDING SECTION 49-709, IDAHO CODE, TO PROVIDE THAT A PERSON DOES NOT COMMIT THE OFFENSE OF UNLAWFUL SOLICITATION ON A HIGHWAY IF THE

PERSON IS A FIREFIGHTER OR A VOLUNTEER FIREFIGHTER SOLICITING DONATIONS FOR A CHARITABLE PROGRAM.

HOUSE BILL NO. 109
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO TAXES ON CIGARETTES; REPEALING SECTION 63-2521, IDAHO CODE; AND AMENDING CHAPTER 25, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-2521, IDAHO CODE, TO PROVIDE FOR PAYMENTS OF REFUNDS OF CIGARETTE TAXES.

HOUSE BILL NO. 110
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO INCOME TAX; AMENDING SECTION 63-3022H, IDAHO CODE, TO PROVIDE A TECHNICAL CLARIFICATION RELATING TO THE AMOUNT OF CAPITAL GAIN, TO CLARIFY THAT THE REQUIRED HOLDING PERIOD DOES NOT INCLUDE THE HOLDING PERIOD OF NONQUALIFIED PROPERTY EXCHANGED FOR QUALIFIED PROPERTY, TO CLARIFY THE TREATMENT OF PROPERTY OBTAINED BY A BENEFICIARY OF AN ESTATE OR TRUST AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

HOUSE BILL NO. 111
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO EXTENSIONS OF TIME TO FILE INCOME TAX RETURNS; AMENDING SECTION 63-3033, IDAHO CODE, TO ELIMINATE THE REQUIREMENT TO MAKE ESTIMATED PAYMENTS OF LESS THAN FIFTY DOLLARS AND TO CLARIFY THE PENALTY FOR UNDERPAYMENT OF ESTIMATED TAXES; PROVIDING AN EFFECTIVE DATE AND PROVIDING APPLICATION.

HOUSE BILL NO. 112
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO ELECTRONICALLY FILED TAX RETURNS; AMENDING SECTION 63-115, IDAHO CODE, TO PROVIDE A NONREFUNDABLE CREDIT AGAINST TAXES FOR ELECTRONICALLY FILING A TAX RETURN WITH THE STATE TAX COMMISSION; PROVIDING AN EFFECTIVE DATE AND PROVIDING APPLICATION.

HOUSE BILL NO. 113
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO SALES TAXES; AMENDING SECTION 63-3626, IDAHO CODE, TO UPDATE AND CLARIFY THE TIME AND MANNER FOR OBTAINING REFUNDS OF OVERPAYMENTS OF SALES OR USE TAXES, TO PROVIDE PROCEDURES AND TO MAKE A TECHNICAL CORRECTION.

H 102, H 103, H 104, H 105, H 106, H 107, H 108, H 109, H 110, H 111, H 112, and **H 113** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 93, H 94, and **H 95**, by Appropriations Committee, were read the second time by title and filed for third reading.

H 36, by Mr. Speaker, requested by Division of Financial Management, was read the second time by title and filed for third reading.

H 61, H 62, H 64, and **H 65**, by Judiciary, Rules, and Administration Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 81 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Pischner to open debate.

The question being, "Shall **H 81** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Deal, Denney, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Robison, Schaefer, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 61.

NAYS -- Barrett, Ellis, Langford, Loertscher, Roberts, Sali. Total -- 6.

Absent and excused -- Black, Cuddy, Sellman. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 81** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 82 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hadley to open debate.

The question being, "Shall **H 82** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner,

Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Black, Cuddy, Sellman. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 82** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 83 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Meyer to open debate.

The question being, "Shall **H 83** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- Langford, Sali. Total -- 2.

Absent and excused -- Black, Cuddy, Sellman. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 83** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 84 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Robison to open debate.

The question being, "Shall **H 84** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Deal, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Robison, Schaefer, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 61.

NAYS -- McKague, Meyer, Roberts, Sali, Wood. Total -- 5.

Absent and excused -- Black, Cuddy, Denney, Sellman. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 84** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 42 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Raybould to open debate.

The question being, "Shall **H 42** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 64.

NAYS -- Lake, Mader, McKague. Total -- 3.

Absent and excused -- Black, Cuddy, Sellman. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 42** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 43 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McKague to open debate.

The question being, "Shall **H 43** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Black, Crow, Cuddy, Montgomery, Sellman. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 43** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 12 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ellis to open debate.

The question being, "Shall **H 12** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Crow, Deal,

Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- Campbell. Total -- 1.

Absent and excused -- Black, Cuddy, Moyle, Sellman. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 12** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 11:30 a.m., Tuesday, January 30, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:52 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

TWENTY-THIRD LEGISLATIVE DAY
TUESDAY, JANUARY 30, 2001

House of Representatives

The House convened at 11:30 a.m., Mr. Bruneel in the Chair.

Roll call showed 69 members present.
Absent and excused -- Mr. Speaker. Total -- 1.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Daniel Rudolph, Page.

Approval of Journal

January 30, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-second Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

January 29, 2001

Mr. Speaker:

I transmit herewith **SCR 102** which has passed the Senate.

WOOD, Secretary

SCR 102 was filed for first reading.

January 29, 2001

Mr. Speaker:

I return herewith **H 66** which has passed the Senate.

WOOD, Secretary

H 66 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

January 30, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 8, H 102, H 103, H 104, H 105, H 106, H 107, H 108, H 109, H 110, H 111, H 112**, and **H 113**.

GOULD, Chairman

H 102 and **H 108** were referred to the Judiciary, Rules, and Administration Committee.

H 103 was referred to the Health and Welfare Committee.

H 104, H 105, H 106, and **H 107** were held at the Desk.

H 109, H 110, H 111, H 112, and **H 113** were referred to the Revenue and Taxation Committee.

HCR 8 was filed for second reading.

January 30, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 2** and **HCR 6**.

GOULD, Chairman

The Acting Speaker announced that enrolled **HCR 2** and **HCR 6** would be signed by the Speaker, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 9
BY REVENUE AND TAXATION 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 PROPERTY TAX LAWS AFFECTING THE ASSESSMENT,

APPORTIONMENT AND TAXATION OF THE PROPERTY OF ALL BUSINESSES OR OTHER TAXPAYERS ENGAGED IN THE ELECTRONIC TRANSMISSION OF INFORMATION.

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

WHEREAS, the technology by which various digital and electronic information and communications is rapidly changing with the expectation that the means by which different services such as telephone, Internet access and cable television will soon converge and be delivered by the same means; and

WHEREAS, the property tax laws of this state require the property of telephone, cable television, mobile communications and other communications and information transmission businesses be assessed by the use of different appraisal methods and apportionment techniques that cannot be applied if these different technologies converge; and

WHEREAS, there is a need for the Idaho legislature to determine the proper policies and assessment techniques to apply to the converged technologies to avoid confusion and litigation adversely affecting taxpayers and assessment officials, including county assessors and the State Tax Commission.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of property tax laws affecting the assessment, apportionment and taxation of the property of all businesses or other taxpayers engaged in the electronic transmission of information including, but not limited to, local and long distance telephone and mobile telephone services, television and Internet. 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 report its findings, recommendations and proposed legislation, if any, to the Second Regular Session of the Fifty-sixth Idaho Legislature.

HCR 9 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

SCR 102, by State Affairs Committee, was introduced, read the first time by title, and filed for second reading.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 114
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT

RELATING TO WATER RIGHTS DECISIONS; PROVIDING A STATEMENT OF LEGISLATIVE INTENT; AMENDING CHAPTER 14, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-1401D, IDAHO CODE, TO PROVIDE THAT COURT REVIEW OF AN ACTION BY THE DEPARTMENT OF WATER RESOURCES SUBJECT TO JUDICIAL REVIEW OR DECLARATORY JUDGMENT UNDER THE PROVISIONS OF CHAPTER 52, TITLE 67, IDAHO CODE, SHALL NOT BE HEARD IN ANY WATER RIGHTS ADJUDICATION PROCEEDING COMMENCED UNDER THE PROVISIONS OF CHAPTER 14, TITLE 42, IDAHO CODE; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 115
BY WAYS AND MEANS COMMITTEE
AN ACT

RELATING TO STANDARD WALKWAYS FOR RAILROADS; AMENDING TITLE 62, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 5, TITLE 62, IDAHO CODE, TO PROVIDE FOR THE APPLICABILITY OF THE STANDARD WALKWAYS FOR RAILROADS ACT, TO DEFINE TERMS, TO PROVIDE FOR SURFACE OF WALKWAYS, TO PROVIDE FOR SLOPE, TO PROVIDE WALKWAY STANDARD NO. 1 BETWEEN YARDS AND SWITCHES, TO PROVIDE WALKWAY STANDARD NO. 2 FOR YARDS, CAR SPOTTING AREAS AND REGULAR CREW CHANGE POINTS, TO PROVIDE WALKWAY STANDARD NO. 3 FOR SWITCHES, TO PROVIDE WALKWAY STANDARD NO. 4 FOR DERAILS, TO PROVIDE FOR ACCESS WALKWAYS, TO PROVIDE FOR WALKWAYS ON STRUCTURES, TO PROVIDE FOR WALKWAYS IN TUNNELS, TO PROVIDE FOR HANDRAILS, TO PROVIDE FOR WALKWAYS ON CURVES, AND TO PROVIDE FOR WALKWAYS FOR TRACKSIDE WARNING DEVICES.

HOUSE BILL NO. 116
BY TRAIL
AN ACT

RELATING TO NONPUBLIC PERSONAL INFORMATION; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 6, TITLE 48, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 48-603F, IDAHO CODE, TO REQUIRE NOTIFICATION UPON REQUEST REGARDING THE RELEASE OF NONPUBLIC PERSONAL HEALTH OR FINANCIAL INFORMATION, TO PROVIDE FOR A SHARING OF COMPENSATION, TO PROVIDE DEFINITIONS AND TO PROVIDE APPLICATION.

HOUSE BILL NO. 117
BY TRAIL
AN ACT

RELATING TO THE FREE EXERCISE OF RELIGION; REPEALING CHAPTER 4, TITLE 73, IDAHO CODE; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 118
BY TRAIL
AN ACT

RELATING TO LEVY AND APPORTIONMENT OF TAXES; AMENDING CHAPTER 8, TITLE 63, BY THE ADDITION OF A NEW SECTION 63-803A, IDAHO CODE, TO PROVIDE FOR STATE GUARANTEED SCHOOL SUPPORT AND TO PROVIDE FOR A PROCEDURE IN CALCULATING TAX LEVIES FOR SUPPLEMENTAL, PLANT FACILITIES

AND BOND FUNDS OF SCHOOL DISTRICTS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 119
BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO SALES TAX DISTRIBUTION; AMENDING SECTION 63-3638, IDAHO CODE, TO CLARIFY THE TIME AND METHOD OF CERTAIN DISTRIBUTIONS AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

HOUSE BILL NO. 120
BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO REFUNDS OF INCOME TAXES; AMENDING SECTION 63-3035, IDAHO CODE, TO STRIKE PROVISIONS RELATING TO THE TIME WITHIN WHICH TO CLAIM REFUNDS FROM WITHHOLDING, RELATING TO REFUNDS OF LESS THAN WHOLE DOLLAR AMOUNTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3035A, IDAHO CODE, TO STRIKE PROVISIONS RELATING TO THE TIME WITHIN WHICH TO CLAIM REFUNDS FROM WITHHOLDING OF LOTTERY WINNINGS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3036A, IDAHO CODE, TO CHANGE A CROSS REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 63-3072, IDAHO CODE, TO PROVIDE THE TIME WITHIN WHICH TO CLAIM REFUNDS FROM WITHHOLDING AND TO PROVIDE PROCEDURES.

HOUSE BILL NO. 121
BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO THE IDAHO INCOME TAX ACT; AMENDING SECTION 63-3022, IDAHO CODE, TO CLARIFY THE ADJUSTMENT TO TAXABLE INCOME INCLUDING ADJUSTMENTS FOR TAXES PAID OTHER STATES, FOR NET OPERATING LOSSES OF TRUSTS AND ESTATES AND FOR CERTAIN LUMP SUM DISTRIBUTIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-3022C, IDAHO CODE, TO CORRECT A REFERENCE TO THE DIVISION OF ENVIRONMENTAL QUALITY; AMENDING SECTION 63-3022K, IDAHO CODE, TO STRIKE REDUNDANT LANGUAGE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-3022L, IDAHO CODE, TO CLARIFY THE ELECTION TO PAY TAX OF CERTAIN PARTNERS, SHAREHOLDERS OR MEMBERS OF A CORPORATION, PARTNERSHIP OR TRUST; AMENDING SECTION 63-3022O, IDAHO CODE, TO CORRECT A CROSS REFERENCE; AMENDING SECTION 63-3029B, IDAHO CODE, TO COORDINATE THE INVESTMENT TAX CREDIT WITH OTHER CREDITS; AMENDING SECTION 63-3029F, IDAHO CODE, TO INCREASE THE LIMITATION ON THE NEW JOBS CREDIT AND TO COORDINATE THE CREDIT WITH OTHER CREDITS; AMENDING SECTION 63-3046, IDAHO CODE, TO REMOVE INCONSISTENCIES BETWEEN PROVISIONS RELATING TO PENALTIES; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE FOR SECTIONS 1 THROUGH 7, AND DECLARING AN EMERGENCY FOR SECTION 8 OF THIS ACT.

HOUSE BILL NO. 122
BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO THE USE TAX; AMENDING SECTION 63-3621, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM TAXATION FOR CERTAIN PERSONALLY OWNED MOTOR VEHICLES.

HOUSE BILL NO. 123
BY TRAIL

AN ACT

RELATING TO CHILD CARE FACILITIES; AMENDING SECTION 39-1101, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1102, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTIONS 39-1103, 39-1104 AND 39-1105, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1106, IDAHO CODE, TO PROVIDE THAT BASIC DAY CARE LICENSES SHALL BE BASED ON FACILITY SIZE, TO PROVIDE THAT THE DEPARTMENT SHALL ISSUE DAY CARE LICENSES FOR A SPECIFIC NUMBER OF CHILDREN BASED ON CERTAIN FACTORS, TO PROVIDE THAT THE DEPARTMENT MAY ISSUE A DAY CARE LICENSE TO CARE FOR FEWER CHILDREN THAN THE FACILITY'S MAXIMUM CAPACITY AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1107, IDAHO CODE, TO REVISE APPLICABLE LICENSE FEES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-1108, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1109, IDAHO CODE, TO DELETE LANGUAGE RELATING TO SEPARATE STANDARDS FOR GROUP DAY CARE FACILITIES, TO PROVIDE THAT DAY CARE FACILITIES MAY COMBINE CHILDREN OF DIFFERENT AGE GROUPS UNDER CERTAIN CONDITIONS, TO PROVIDE THAT ONLY ADULTS IN DIRECT SUPERVISION OF THE CHILDREN SHALL COUNT AS STAFF FOR PURPOSES OF COMPUTING A CHILD-STAFF RATIO AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1110, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1111, IDAHO CODE, TO DELETE A CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 39-1114, IDAHO CODE; AMENDING SECTION 39-1115, IDAHO CODE, TO DELETE LANGUAGE RELATING TO THE PUNISHMENT FOR OPERATING A GROUP DAY CARE FACILITY WITHOUT A CERTIFICATE AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1116, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1117, IDAHO CODE, TO DELETE REFERENCES TO CERTIFICATES AND GROUP DAY CARE FACILITIES AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1118, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 39-1119, IDAHO CODE, TO REVISE TRAINING REQUIREMENTS AND TO PROVIDE CORRECT TERMINOLOGY.

H 114, H 115, H 116, H 117, H 118, H 119, H 120, H 121, H 122, and **H 123** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 100, by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

H 67, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Denney asked unanimous consent that all bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 11:15 a.m., Wednesday, January 31, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Acting Speaker declared the House adjourned at 12:10 p.m.

FRANK BRUNEEL, Acting Speaker

ATTEST:
PAMM JUKER, Chief Clerk

TWENTY-FOURTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 31, 2001

House of Representatives

The House convened at 11:15 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Don Hardenbrook.

The Pledge of Allegiance was led by James Harrington, Page.

Approval of Journal

January 31, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-third Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that Scott Bedke, State Representative, District 25, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Marjorie M. Woodhouse, of Oakley, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Marjorie M. Woodhouse, Acting State Representative, District 25, State of Idaho, for a term commencing on January 31, 2001, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

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 23rd day of January in the year of our Lord two thousand and one, and of the Independence of the United States of America, the two hundred and twenty-fifth year.

/s/ DIRK A. KEMPTHORNE
Governor
/s/ PETE T. CENARRUSA
Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mrs. Woodhouse.

January 30, 2001

Mr. Speaker:
I return herewith **HCR 5** which has passed the Senate.

WOOD, Secretary

HCR 5 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

January 31, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 9, H 114, H 115, H 116, H 117, H 118, H 119, H 120, H 121, H 122**, and **H 123**.

GOULD, Chairman

HCR 9 was referred to the Ways and Means Committee.

H 115 and **H 116** were referred to the Transportation and Defense Committee.

H 117 was referred to the Judiciary, Rules, and Administration Committee.

H 118 was held at the Desk.

H 119, H 120, H 121, and **H 122** were referred to the Revenue and Taxation Committee.

H 123 was referred to the Health and Welfare Committee.

H 114 was filed for second reading.

January 31, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 66**.

GOULD, Chairman

The Speaker announced he was about to sign enrolled **H 66**, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

January 30, 2001

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 71** and recommend that it do pass.

JONES, Chairman

H 71 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 10
BY REVENUE AND TAXATION COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF THE PROCESS OF TAXATION OF RESIDENTIAL REAL PROPERTY AND APPRAISAL METHODOLOGIES UTILIZED BY THE FORTY-FOUR COUNTY ASSESSORS.

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

WHEREAS, Idaho has a constitutional and statutory process of property taxation for residential real property which is appearing to deviate from county to county; and

WHEREAS, there appear to be different results from county to county of deriving market value on similar pieces of residential real property; and

WHEREAS, the statutes which prescribe and direct the process for taxation of residential real property in this state were adopted in 1913 and were recodified in 1994 and 1995; and

WHEREAS, there appears to be a need for training of various personnel employed by or contracting with the various county assessors to ensure that they are utilizing similar techniques so that residential real property is valued in a like manner statewide.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of the process of the taxation of residential real property and appraisal methodologies utilized by the various county assessors and the training available to them from the State Tax Commission and other sources to ensure a fair and accurate appraisal of like pieces of property on a consistent statewide basis. 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 report its findings, recommendations and proposed legislation, if any, to the Second Regular Session of the Fifty-sixth Idaho Legislature.

HCR 10 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 124
BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO REGISTRATION OF AIRCRAFT; AMENDING SECTION 21-114, IDAHO CODE, TO PROVIDE THAT AIRCRAFT SHALL ONLY BE REGISTERED PRIOR TO OR DURING THE CURRENT ANNUAL REGISTRATION YEAR, AND THAT THERE SHALL BE NO REGISTRATION OF AIRCRAFT FOR ANY REGISTRATION PERIOD WHICH IS PRIOR TO THE CURRENT REGISTRATION YEAR AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 125
BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION/STATE DEPARTMENT OF EDUCATION FOR FISCAL YEAR 2001; PROVIDING TWO ADDITIONAL FULL-TIME POSITIONS FOR FISCAL YEAR 2001; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 126
BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE STATE TAX COMMISSION; AMENDING THE APPROPRIATION MADE IN SECTION 1, CHAPTER 405, LAWS OF 2000; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 127
BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO TELECOMMUNICATIONS; AMENDING CHAPTER 6, TITLE 62, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 62-625, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO DEFINE A TERM, TO PROVIDE AUTHORITY TO THE PUBLIC UTILITIES COMMISSION TO ESTABLISH BY RULE MINIMUM TELECOMMUNICATIONS SERVICE QUALITY STANDARDS, TO AUTHORIZE THE COMMISSION TO ESTABLISH BY RULE REPORTING PROCEDURES AND DETERMINE CIRCUMSTANCES WHEN THE SERVICE QUALITY STANDARDS SHOULD NOT APPLY AND TO AUTHORIZE THE COMMISSION TO ASSESS ADMINISTRATIVE PENALTIES BY RULE FOR FAILURE TO MEET MINIMUM TELECOMMUNICATIONS SERVICE QUALITY STANDARDS.

HOUSE BILL NO. 128
BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO OFFICE LOCATIONS FOR STATE GOVERNMENT; AMENDING SECTION 22-1203, IDAHO CODE, TO PROVIDE THAT THE EXECUTIVE OFFICE OF THE POTATO COMMISSION IS ESTABLISHED IN ADA COUNTY; AMENDING SECTION 22-2540, IDAHO CODE, TO DELETE REFERENCE TO BOISE AS THE PLACE WHERE THE DISTRICT COURT GIVES NOTICE TO THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE; AMENDING SECTION 22-2913, IDAHO CODE, TO PROVIDE THAT THE EXECUTIVE OFFICE OF THE BEAN COMMISSION IS ESTABLISHED IN ADA COUNTY; AMENDING SECTION 22-3424, IDAHO CODE, TO DELETE REFERENCE TO THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE RECEIVING NOTICE AT BOISE; AMENDING SECTION 22-4103, IDAHO CODE, TO PROVIDE THAT THE AGRICULTURAL LABOR BOARD SHALL HAVE ITS PRINCIPAL OFFICE IN ADA COUNTY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 23-202, IDAHO CODE, TO PROVIDE THAT THE PRINCIPAL PLACE OF BUSINESS OF THE STATE LIQUOR DISPENSARY SHALL BE IN ADA COUNTY; AMENDING SECTION 25-2510, IDAHO CODE, TO PROVIDE FOR RETURN OF BALLOTS TO THE MAIN OFFICE OF THE DEPARTMENT OF AGRICULTURE; AMENDING SECTION 33-102, IDAHO CODE, TO PROVIDE THAT THE OFFICE OF THE STATE BOARD OF EDUCATION SHALL BE LOCATED IN ADA COUNTY; AMENDING SECTION 33-118A, IDAHO CODE, TO DELETE REFERENCE TO CURRICULAR MATERIALS BEING MAINTAINED BY THE DEPARTMENT OF EDUCATION IN BOISE; AMENDING SECTION 36-101, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT OF FISH AND GAME'S PRINCIPAL OFFICE SHALL BE IN ADA COUNTY; AMENDING SECTION 36-102, IDAHO CODE, TO PROVIDE THAT THE PRINCIPAL OFFICE OF THE FISH AND GAME COMMISSION SHALL BE IN ADA COUNTY; AMENDING SECTION 36-104, IDAHO CODE, TO DELETE REFERENCE TO OFFICES BEING IN THE CITY OF BOISE; AMENDING SECTION 40-307, IDAHO CODE, TO PROVIDE THAT PERMANENT OFFICES OF THE TRANSPORTATION BOARD SHALL BE IN ADA COUNTY; AMENDING SECTION 40-2402, IDAHO CODE, TO PROVIDE THAT THE LOCAL HIGHWAY TECHNICAL ASSISTANCE COUNCIL SHALL MAINTAIN OFFICES IN ADA COUNTY; AMENDING SECTION 41-1041, IDAHO CODE, TO DELETE REFERENCE TO EXAMINATIONS BEING AVAILABLE AT BOISE; AMENDING SECTION 41-1046, IDAHO CODE, TO DELETE REFERENCE TO THE DIRECTOR OF THE DEPARTMENT OF INSURANCE HAVING AN OFFICE IN BOISE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 42-1733, IDAHO CODE, TO PROVIDE THAT THE PRINCIPAL OFFICE OF THE WATER RESOURCE BOARD SHALL BE IN ADA COUNTY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 42-2011, IDAHO CODE, TO DELETE REFERENCE TO THE DEPARTMENT OF WATER RESOURCES HAVING AN OFFICE IN THE CAPITOL AT BOISE CITY; AMENDING SECTION 43-401, IDAHO CODE, TO DELETE REFERENCE TO A REPORT OF THE DEPARTMENT OF WATER RESOURCES BEING AVAILABLE AT THEIR OFFICE AT THE STATE CAPITOL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-202, IDAHO CODE, TO PROVIDE THAT CERTAIN FORMS BE AVAILABLE AT THE IDAHO TRANSPORTATION DEPARTMENT IN ADA COUNTY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-205, IDAHO CODE, TO PROVIDE THAT THE BOARD OF ACCOUNTANCY SHALL HAVE ITS PRINCIPAL OFFICE IN ADA COUNTY; AMENDING SECTION 54-1906, IDAHO CODE, TO PROVIDE THAT THE PRINCIPAL PLACE OF BUSINESS OF THE PUBLIC WORKS CONTRACTORS BOARD SHALL BE IN ADA COUNTY; AMENDING SECTION 54-1913, IDAHO CODE, TO DELETE REFERENCE TO THE PUBLIC WORKS CONTRACTORS BOARD MAINTAINING AN OFFICE IN BOISE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 58-106, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT OF LANDS SHALL MAINTAIN A CENTRAL OFFICE IN ADA COUNTY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 58-314, IDAHO CODE, TO PROVIDE THAT STATE LAND SALES BE HELD IN ADA COUNTY UNLESS OTHERWISE DIRECTED BY THE STATE BOARD OF LAND COMMISSIONERS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 61-208, IDAHO CODE, TO PROVIDE THAT THE PUBLIC UTILITIES COMMISSION SHALL MAINTAIN ITS OFFICE IN ADA COUNTY; AMENDING SECTION 61-1205, IDAHO CODE, TO PROVIDE THAT THE NORTHWEST POWER PLANNING COUNCIL SHALL HAVE ITS OFFICES IN ADA COUNTY; AMENDING SECTION 63-101, IDAHO CODE, TO PROVIDE THAT THE STATE TAX COMMISSION SHALL HAVE AN OFFICE IN ADA COUNTY; AMENDING SECTION 63-2518, IDAHO CODE, TO PROVIDE THAT THE STATE TAX COMMISSION HAS THE AUTHORITY TO CITE ANY PERSON TO APPEAR BEFORE IT IN ITS ADA COUNTY OFFICE; AMENDING SECTION 63-3807, IDAHO CODE, TO PROVIDE THAT THE BOARD OF TAX APPEALS SHALL HAVE ITS PRINCIPAL OFFICE IN ADA COUNTY; AMENDING SECTION 63-3810, IDAHO CODE, TO PROVIDE THAT A REHEARING BY THE TAX APPEALS BOARD WILL BE CONDUCTED IN ADA COUNTY; AMENDING SECTION 67-1502, IDAHO CODE, TO PROVIDE THAT THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL BE IN ADA COUNTY; AMENDING SECTION 67-1703, IDAHO CODE, TO PROVIDE THAT THE COMMISSIONERS ON UNIFORM STATE LAWS SHALL MEET IN ADA COUNTY; AMENDING SECTION 67-2502, IDAHO CODE, TO PROVIDE THAT EACH DEPARTMENT SHALL MAINTAIN A CENTRAL

OFFICE IN ADA COUNTY AND MAY MAINTAIN OFFICES AT OTHER PLACES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-5718, IDAHO CODE, TO DELETE REFERENCE TO BOISE FOR THE LOCATION OF THE DIVISION OF PURCHASING AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-5906, IDAHO CODE, TO PROVIDE THAT THE HUMAN RIGHTS COMMISSION SHALL MAINTAIN AN OFFICE IN ADA COUNTY AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 72-509, IDAHO CODE, TO PROVIDE THAT THE PRINCIPAL OFFICE OF THE INDUSTRIAL COMMISSION SHALL BE IN ADA COUNTY.

H 124, H 125, H 126, H 127, and **H 128** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 8, by Boe, was read the second time by title and filed for third reading.

SCR 102, by State Affairs, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Bruneel moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Chase. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Denney in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

January 31, 2001

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 15** and report it back without recommendation, amended as follows:

HOUSE AMENDMENT TO H 15

AMENDMENTS TO THE BILL

On page 1 of the printed bill, delete lines 36 through 41; on page 2, delete lines 1 through 15; and in line 16, delete "SECTION 3" and insert: "SECTION 2".

CORRECTIONS TO TITLE

On page 1, delete lines 4 and 5; and in line 6, delete "OF LICENSE;".

We have also had under consideration **H 13**, report progress and beg leave to sit again.

DENNEY, Chairman

Mr. Denney moved that the report be adopted. Seconded by Mr. Bruneel.

Whereupon the Speaker declared the report adopted.

H 15, as amended, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

H 13 was retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 93 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **H 93** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke(Woodhouse), Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- Chase, Sali. Total -- 2.

Absent and excused -- Crow, Jaquet. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 93** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 94 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **H 94** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Field(13), Field(20), Gagner, Gould,

Hadley, Hammond, Harwood, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 60.

NAYS -- Bedke(Woodhouse), Campbell, Chase, Eskridge, Henbest, Langford, Sali, Schaefer, Tilman. Total -- 9.

Absent and excused -- Jaquet. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 94** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 95 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 95** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke(Woodhouse), Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Deal, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- Bradford, Cuddy, Kendell, Sali. Total -- 4.

Absent and excused -- Denney. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 95** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 36 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Marley to open debate.

The question being, "Shall **H 36** pass?"

Roll call resulted as follows:

AYES -- Bell, Bieter, Black, Boe, Bolz, Campbell, Chase, Collins, Crow, Cuddy, Deal, Denney, Eskridge, Field(13), Gould, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Pischner, Pomeroy, Ridinger, Robison, Schaefer, Sellman, Shepherd, Smith, Stevenson, Stone, Trail, Young, Mr. Speaker. Total -- 44.

NAYS -- Barraclough, Barrett, Bedke(Woodhouse), Bradford, Bruneel, Callister, Clark, Ellis, Ellsworth, Field(20), Gagner, Hammond, Kendell, Kunz, Lake, Langford, Moyle, Pearce, Raybould, Roberts, Sali, Smylie, Swan(Hansen), Tilman, Wheeler, Wood. Total -- 26.

Total -- 70.

Whereupon the Speaker declared **H 36** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 61 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Young to open debate.

The question being, "Shall **H 61** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 63.

NAYS -- Bedke(Woodhouse), Campbell, Hornbeck, Loertscher, Moyle, Robison, Tilman. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 61** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 62 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sali to open debate.

The question being, "Shall **H 62** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke(Woodhouse), Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Pischner. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 62** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 64 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bieter to open debate.

The question being, "Shall **H 64** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke(Woodhouse), Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond,

Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **H 64** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Ms. Gould asked unanimous consent that **H 65** retain its place on the Third Reading Calendar until Monday, February 5, 2001. There being no objection, it was so ordered.

H 100 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Gould to open debate.

The question being, "Shall **H 100** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke(Woodhouse), Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 69.
NAYS -- None.
Absent and excused -- Jaquet. Total -- 1.
Total -- 70.

Whereupon the Speaker declared **H 100** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 67 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood to open debate.

The question being, "Shall **H 67** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke(Woodhouse), Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 69.
NAYS -- None.
Absent and excused -- Gould. Total -- 1.
Total -- 70.

Whereupon the Speaker declared **H 67** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 11:15 a.m., Thursday, February 1, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:07 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

TWENTY-FIFTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 1, 2001

House of Representatives

The House convened at 11:15 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused -- Gould. Total -- 1.
Total -- 70.

Prayer was offered by Associate Pastor Don Hardenbrook.

The Pledge of Allegiance was led by Jesse Daniels, Page.

Approval of Journal

February 1, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-fourth Legislative Day and recommend that same be adopted as corrected.

FIELD(13), Vice Chairman

Mrs. Field(13) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

January 31, 2001

Mr. Speaker:
I return herewith enrolled **HCR 2** and **HCR 6** which have been signed by the President.

WOOD, Secretary

Enrolled **HCR 2** and **HCR 6** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Report of Standing Committees

February 1, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 10, H 124, H 125, H 126, H 127, H 128**, and House amendments to **H 15**.

FIELD(13), Vice Chairman

HCR 10 was referred to the Revenue and Taxation Committee.

H 124 was referred to the Transportation and Defense Committee.

H 127 and **H 128** were referred to the State Affairs Committee.

H 125 and **H 126** were filed for second reading.

H 104, H 105, H 106, and **H 107**, held at the Desk January 30, 2001, were referred to the Revenue and Taxation Committee.

H 118, held at the Desk January 31, 2001, was referred to the Revenue and Taxation Committee.

February 1, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 5**.

FIELD(13), Vice Chairman

The Speaker announced he was about to sign enrolled **HCR 5**, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 1, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 15**, as amended.

FIELD(13), Vice Chairman

H 15, as amended, was filed for first reading of engrossed bills.

January 31, 2001

Mr. Speaker:

We, your COMMITTEE ON WAYS AND MEANS, report that we have had under consideration **HCR 9** and recommend it be referred to the Revenue and Taxation Committee.

KUNZ, Chairman

HCR 9 was referred to the Revenue and Taxation Committee.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 11
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN RULES OF THE IDAHO STATE POLICE GOVERNING ALCOHOL BEVERAGE CONTROL AND RELATING TO THE DEFINITION OF A RESTAURANT.

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 governing alcohol beverage control and relating to the definition of a restaurant 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 Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that all of the changes made in certain rules of the Idaho State Police governing alcohol beverage control and relating to the definition of a restaurant, adopted as pending rules under Docket number 11-0501-0001, be, and the same are hereby rejected and declared null, void and of no force and effect.

HCR 11 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 129
BY BUSINESS COMMITTEE

AN ACT

RELATING TO THE DIVISION OF BUILDING SAFETY; AMENDING SECTION 67-2601, IDAHO CODE, TO PROVIDE THAT THE DIVISION OF BUILDING SAFETY SHALL INCLUDE THE PUBLIC WORKS CONTRACTOR LICENSING BUREAU.

HOUSE BILL NO. 130
BY BUSINESS COMMITTEE

AN ACT

RELATING TO COMPENSATION OF STATUTORILY CREATED BOARDS; AMENDING SECTION 39-4106, IDAHO CODE, TO INCREASE THE COMPENSATION FOR THE IDAHO BUILDING CODE ADVISORY BOARD; AMENDING SECTION 44-2104, IDAHO CODE, TO CHANGE THE PAYMENT FOR THE MANUFACTURED HOME ADVISORY BOARD FROM COMPENSATION TO AN HONORARIUM AND TO INCREASE THE AMOUNT; AMENDING SECTION 54-1006, IDAHO CODE, TO INCREASE THE COMPENSATION

FOR THE IDAHO ELECTRICAL BOARD; AND AMENDING SECTION 54-2605, IDAHO CODE, TO INCREASE THE COMPENSATION FOR THE IDAHO PLUMBING BOARD.

HOUSE BILL NO. 131
BY BUSINESS COMMITTEE
AN ACT

RELATING TO MANUFACTURED HOME INSTALLATION; AMENDING THE CHAPTER HEADING FOR CHAPTER 22, TITLE 44, IDAHO CODE; AMENDING SECTION 44-2201, IDAHO CODE, TO PROVIDE REFERENCE TO THE MANUFACTURED HOME INSTALLATION STANDARD, TO DELETE THE REQUIREMENT THAT A COPY OF THE MANUFACTURER'S SPECIFICATIONS BE IN THE HOME, TO DELETE THE REQUIREMENT THAT A COPY OF THE STATE SETUP REQUIREMENTS BE INCLUDED WITH THE HOME AND TO DELETE THE REQUIREMENT THAT A HOMEOWNER OR PARK OWNER ENSURE THAT CERTAIN GROUND PROVIDES A PROPER BASE AND DRAINAGE FOR A MOBILE OR MANUFACTURED HOME; AMENDING SECTION 44-2202, IDAHO CODE, TO PROVIDE REFERENCES TO THE IDAHO MANUFACTURED HOME INSTALLATION STANDARD; REPEALING SECTIONS 44-2203, 44-2204 AND 44-2205, IDAHO CODE; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 132
BY BUSINESS COMMITTEE
AN ACT

RELATING TO LIENS; AMENDING SECTION 45-501, IDAHO CODE, TO DELETE REFERENCE TO UNSECURED AND TO FURTHER DEFINE THE TERM "FURNISHING MATERIAL"; AMENDING SECTION 45-504, IDAHO CODE, TO CLARIFY THAT PERSONS WHO RENT, LEASE OR OTHERWISE SUPPLY EQUIPMENT, MATERIALS OR FIXTURES FOR THE IMPROVEMENT OF A LOT HAVE A LIEN; AMENDING SECTION 45-505, IDAHO CODE, TO PROVIDE THAT THE RENTING, LEASING OR OTHERWISE SUPPLYING OF EQUIPMENT, MATERIALS OR FIXTURES SHALL AUTHORIZE A LIEN UPON LAND, TO PROVIDE FOR AGENTS OF LANDOWNERS AND TO CLARIFY THE INTEREST SUBJECT TO A LIEN UPON LAND; AMENDING SECTION 45-506, IDAHO CODE, TO PROVIDE WHEN LIENS SHALL BE ON EQUAL FOOTING WITH OTHER LIEN CLAIMS AND TO PROVIDE APPLICATION TO RENTED OR LEASED EQUIPMENT, MATERIALS OR FIXTURES; AMENDING SECTION 45-507, IDAHO CODE, TO REVISE PROCEDURES FOR A PERSON CLAIMING A LIEN; AMENDING SECTION 45-512, IDAHO CODE, TO PROVIDE THAT THE TERM "MATERIALMEN" INCLUDES PERSONS FURNISHING, RENTING OR LEASING EQUIPMENT, MATERIALS OR FIXTURES; AND AMENDING SECTION 45-515, IDAHO CODE, TO PROVIDE FOR APPLICATION TO EQUIPMENT, MATERIALS OR FIXTURES RENTED OR LEASED IN A PERSONAL ACTION TO RECOVER A DEBT.

HOUSE BILL NO. 133
BY BUSINESS COMMITTEE
AN ACT

RELATING TO CORPORATIONS; AMENDING SECTION 30-1-722, IDAHO CODE, TO REVISE MEANS BY WHICH A SHAREHOLDER MAY VOTE HIS SHARES BY PROXY; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 134
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE
AN ACT

RELATING TO PROTECTION OF PERSONS UNDER A DISABILITY; AMENDING SECTION 15-5-602, IDAHO CODE, TO CLARIFY THAT MEMBERS OF A BOARD OF COMMUNITY GUARDIAN SHALL BE APPOINTED BY THE BOARD OF COUNTY COMMISSIONERS THAT CREATED THE BOARD OF COMMUNITY GUARDIAN, TO EXTEND TERMS OF MEMBERS OF A BOARD OF COMMUNITY GUARDIAN, TO ALLOW A MEMBER OF A BOARD OF COMMUNITY GUARDIAN TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 135
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE
AN ACT

RELATING TO LASER POINTERS; AMENDING CHAPTER 9, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-923, IDAHO CODE, TO PROVIDE FOR CERTAIN UNLAWFUL USES OF LASER POINTERS, TO PROVIDE FOR PUNISHMENT AND TO DEFINE "LASER POINTER."

HOUSE BILL NO. 136
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE
AN ACT

RELATING TO SALARIES OF LAW CLERKS; AMENDING CHAPTER 11, TITLE 1, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 1-1110, IDAHO CODE, TO PROVIDE FOR APPOINTMENT AND SALARIES OF LAW CLERKS.

HOUSE BILL NO. 137
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO SALES TAX EXEMPTIONS; AMENDING SECTION 63-3622O, IDAHO CODE, TO PROVIDE A SALES TAX EXEMPTION FOR PURCHASES BY MUSEUMS AND TO DEFINE THE TERM "MUSEUM."

HOUSE BILL NO. 138
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO SALES TAX EXEMPTIONS; AMENDING SECTION 63-3622O, IDAHO CODE, TO PROVIDE A SALES TAX EXEMPTION FOR ADMISSIONS TO AND PURCHASES BY MUSEUMS AND TO DEFINE THE TERM "MUSEUM."

H 129, H 130, H 131, H 132, H 133, H 134, H 135, H 136, H 137, and **H 138** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

First Reading of Engrossed Bills

H 15, as amended, by Mr. Speaker, requested by Bureau of Occupational Licenses, was introduced, read the first time by title and filed for second reading.

Second Reading of Bills and Joint Resolutions

H 114, by Resources and Conservation Committee, was read the second time by title and filed for third reading.

H 71, by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

HCR 8 was read the third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Boe to open debate.

The question being, "Shall **HCR 8** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke(Woodhouse), Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Deal, Gould, Hammond, Tilman. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **HCR 8** adopted and ordered the resolution transmitted to the Senate.

SCR 102 was read the third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Bell and Mr. Stevenson to open debate.

The question being, "Shall **SCR 102** be adopted?"

Whereupon the Speaker declared **SCR 102** adopted by voice vote and ordered the resolution returned to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 8 a.m., Friday, February 2, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:47 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

TWENTY-SIXTH LEGISLATIVE DAY
FRIDAY, FEBRUARY 2, 2001

House of Representatives

The House convened at 8 a.m., the Speaker in the Chair.

Roll call showed 54 members present.

Absent and excused -- Bell, Clark, Crow, Cuddy, Denney, Eskridge, Gould, Higgins, Jones, Pomeroy, Sali, Schaefer, Stevenson, Swan(Hansen), Wheeler, Wood. Total -- 16.

Total -- 70.

Prayer was offered by Associate Pastor Don Hardenbrook.

The Pledge of Allegiance was led by Colton Miller, Page.

Approval of Journal

February 2, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-fifth Legislative Day and recommend that same be adopted as corrected.

FIELD(13), Vice Chairman

Mrs. Field(13) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

February 1, 2001

Mr. Speaker:

I return herewith enrolled **H 66** which has been signed by the President.

WOOD, Secretary

Enrolled **H 66** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 1, 2001

Mr. Speaker:

I transmit herewith **S 1020, S 1024, S 1034**, and **S 1005** which have passed the Senate.

WOOD, Secretary

S 1020, S 1024, S 1034, and **S 1005** were filed for first reading.

Report of Standing Committees

February 2, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 11, H 129, H 130, H 131, H 132, H 133, H 134, H 135, H 136**, and **H 138**.

FIELD(13), Vice Chairman

H 129, H 130, H 131, H 132, and **H 133** were referred to the Business Committee.

H 134, H 135, and **H 136** were referred to the Judiciary, Rules, and Administration Committee.

H 138 was referred to the Revenue and Taxation Committee.

HCR 11 was filed for second reading.

February 2, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have not printed **H 137**.

FIELD(13), Vice Chairman

H 137 was filed in the Office of the Chief Clerk.

February 2, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 2** and **HCR 6** to the Secretary of State at 11:27 a.m., as of this date, February 1, 2001.

FIELD(13), Vice Chairman

February 1, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 63** and recommend that it do pass.

FIELD(13), Vice Chairman

H 63 was filed for second reading.

February 2, 2001

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **H 37, H 38, H 39, H 40**, and **H 41** and recommend that they do pass.

SCHAEFER, Chairman

H 37, H 38, H 39, H 40, and **H 41** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 12
BY COMMERCE AND HUMAN RESOURCES COMMITTEE

A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS OF SUPPORT AND APPRECIATION FOR STATE EMPLOYEES AND STATING LEGISLATIVE POLICY CONCERNING THE CHANGE IN EMPLOYEE COMPENSATION FOR STATE EMPLOYEES FOR FISCAL YEAR 2002.

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

WHEREAS, the Legislature recognizes the significant contribution made by our dedicated state employees in serving the citizens of Idaho; and

WHEREAS, the Legislature has by law provided that the Governor and Division of Human Resources report to the Legislature their recommendations for proposed pay policies, together with the estimated costs thereof; and

WHEREAS, the Legislature has received and reviewed the report of the Governor dated January 10, 2001, and the report of the Division of Human Resources dated October 1, 2000.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that:

1. Recommendation No. 1 of the Division of Human Resources and concurred in by the Chief Executive that the state compensation schedule be expanded in accordance with the recommendation of the Administrator of the Division of Human Resources is hereby adopted.
2. Recommendation No. 2 of the Chief Executive to provide a 4.5% increase that is distributed according to performance and compensation guidelines is hereby adopted with the following modifications:
   a. Of the 4.5% salary increase, agencies are first directed to provide a thirty-six cents per hour merit increase to all employees who have achieved performance standards.
   b. Agencies are then directed to distribute the balance of the 4.5% salary increase for performance related increases and agency specific compensation issues.
3. The Joint Finance-Appropriations Committee is directed to appropriate an amount not to exceed $20.2 million from the General Fund to fund these recommendations for state agencies, colleges and universities.
4. For those agencies funded in total or in part from non-General Fund money, the Joint Finance-Appropriations Committee is directed to appropriate in as nearly as possible the same manner as for General Fund funded agencies.
5. The effective date of implementation of these salary adjustments shall be June 10, 2001.

BE IT FURTHER RESOLVED that appropriation measures to fund nonclassified employees be prepared in as nearly as possible the same manner as for classified employees.

HCR 12 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 139
BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE ADDITION OF POINTS TO COMPETITIVE EXAMINATION RATINGS FOR DISABLED VETERANS; AMENDING SECTION 65-506, IDAHO CODE, TO PROVIDE THAT VETERANS PREFERENCE POINTS SHALL BE USED BY DISABLED VETERANS FOR INITIAL AND FUTURE APPOINTMENTS; AND AMENDING SECTION 65-507, IDAHO CODE, TO PROVIDE A DEFINITION FOR DISABLED VETERAN AND TO DELETE THE DEFINITION FOR DISABLED WAR VETERAN.

HOUSE BILL NO. 140
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE STATE VETERANS HOMES; AMENDING SECTION 65-202, IDAHO CODE, TO REVISE THE POWERS AND DUTIES OF THE ADMINISTRATOR OF THE DIVISION OF VETERANS SERVICES; AMENDING SECTION 65-203, IDAHO CODE, TO REVISE THE DEFINITION OF VETERAN AND TO PROVIDE A DEFINITION OF WARTIME VETERAN; AMENDING SECTION 66-901, IDAHO CODE, TO PROVIDE THAT MALE AND FEMALE VETERANS DISCHARGED UNDER HONORABLE CONDITIONS SHALL BE ELIGIBLE FOR ADMISSION TO THE STATE'S VETERANS HOMES AND TO DELETE ELIGIBILITY FOR ADMISSION TO THE STATE'S VETERANS HOMES FOR MEMBERS OF THE STATE NATIONAL GUARD DISABLED WHILE IN THE LINE OF DUTY WHO DID NOT REFUSE MILITARY DUTY ON ACCOUNT OF CONSCIENTIOUS OBJECTION.

HOUSE BILL NO. 141
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE DIVISION OF VETERANS SERVICES; AMENDING SECTION 65-107, IDAHO CODE, TO PROVIDE THAT BENEFITS PAID BY THE FEDERAL DEPARTMENT OF VETERANS AFFAIRS FOR BURIAL AND PLOT ALLOWANCE FOR PERSONS INTERRED AT THE STATE VETERANS CEMETERY SHALL BE DEPOSITED IN THE VETERANS CEMETERY MAINTENANCE FUND; AMENDING SECTION 65-202, IDAHO CODE, TO REVISE THE POWERS AND DUTIES OF THE ADMINISTRATOR OF THE DIVISION OF VETERANS SERVICES; AMENDING SECTION 65-204, IDAHO CODE, TO PROVIDE RULEMAKING AUTHORITY TO THE ADMINISTRATOR FOR ESTABLISHING STANDARDS AND CRITERIA FOR INTERMENT AT THE STATE VETERANS CEMETERY; AND REPEALING SECTION 65-205, IDAHO CODE.

HOUSE BILL NO. 142
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE ELECTRIC SUPPLIER STABILIZATION ACT; REPEALING CHAPTER 1, LAWS OF THE FIRST EXTRAORDINARY SESSION OF 2000; TO PROVIDE A STATEMENT OF INTENT; AMENDING SECTION 61-332, IDAHO CODE, TO CLARIFY THE PURPOSES OF THE ELECTRIC SUPPLIER STABILIZATION ACT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 61-332A, IDAHO CODE, TO REVISE DEFINITIONS, TO DELETE A REFERENCE TO OBSOLETE MATERIAL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 61-332B, IDAHO CODE, TO REQUIRE APPROVAL OF THE PUBLIC UTILITIES COMMISSION FOR TRANSFERRING CONSUMERS; AMENDING SECTION 61-332C, IDAHO CODE, TO PROVIDE PROVISIONS FOR SELECTING AN ELECTRIC SUPPLIER FOR NEW ELECTRIC SERVICE ENTRANCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 3, TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 61-332D, IDAHO CODE, TO SUPERVISE WHEELING SERVICES; AMENDING SECTION 61-333, IDAHO CODE, TO REQUIRE ELECTRIC SERVICE TERRITORY CONTRACTS TO BE FILED WITH AND APPROVED BY THE PUBLIC UTILITIES COMMISSION, TO PROVIDE FOR NOTICE AND HEARING REGARDING CONTRACT APPROVAL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 61-334, IDAHO CODE, TO PROVIDE THAT THE PUBLIC UTILITIES COMMISSION HAS CERTAIN AUTHORITY OVER ELECTRIC SUPPLIERS, TO PROVIDE FOR APPLICATION OF PUBLIC UTILITIES LAW AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 61-334A, IDAHO CODE; AMENDING SECTION 61-334B, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE FOR FILING A COMPLAINT WITH THE PUBLIC UTILITIES COMMISSION, TO PROVIDE FOR NOTICE AND HEARINGS, TO PROVIDE REMEDIES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 3, TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 61-334B, IDAHO CODE, TO PROVIDE COMMISSION SUPERVISION AND AUTHORITY; AMENDING CHAPTER 3, TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 61-334C, IDAHO CODE, TO PROVIDE ELECTRIC SUPPLIER IMMUNITY; AMENDING SECTION 30-3-14, IDAHO CODE, TO PROVIDE THAT ANY MEMBER OF A COOPERATIVE ASSOCIATION THAT PROVIDES ELECTRIC SERVICE MAY APPLY TO THE DISTRICT COURT OF THE COUNTY WHERE THE MEMBER'S SERVICE ENTRANCE IS LOCATED FOR A DETERMINATION THAT THE COOPERATIVE ASSOCIATION'S CHARGES FOR ELECTRIC SERVICE TO THAT MEMBER ARE FAIR, JUST AND REASONABLE AND ARE NOT DISCRIMINATORY OR PREFERENTIAL AND TO PROVIDE CIRCUMSTANCES WHEN THE COURT WILL REMAND THE MATTER TO THE COOPERATIVE ASSOCIATION; AMENDING SECTION 50-325, IDAHO CODE, TO PROVIDE THAT ANY CONSUMER OF A MUNICIPAL ELECTRIC SYSTEM MAY APPLY TO THE DISTRICT COURT OF THE COUNTY WHERE THE CONSUMER'S SERVICE ENTRANCE IS LOCATED FOR A DETERMINATION THAT THE MUNICIPALITY'S CHARGES FOR ELECTRIC SERVICE TO THAT CONSUMER ARE FAIR, JUST AND REASONABLE AND NOT DISCRIMINATORY OR PREFERENTIAL, TO PROVIDE CIRCUMSTANCES WHEN THE COURT WILL REMAND THE MATTER TO THE MUNICIPALITY AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 143
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO SALES TAX EXEMPTIONS; AMENDING SECTION 63-3622GG, IDAHO CODE, TO EXEMPT FROM SALES AND USE TAXES THE SALE, LEASE, PURCHASE OR USE OF REPAIR AND REPLACEMENT MATERIALS AND PARTS FOR REMODELING, REPAIR OR MAINTENANCE OF AIRCRAFT AND TO PROVIDE THAT SUCH EXEMPTION DOES NOT INCLUDE CERTAIN TOOLS AND EQUIPMENT.

H 139, H 140, H 141, H 142, and **H 143** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1020, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

S 1024, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

S 1034, by Finance Committee, was introduced, read the first time by title, and referred to the Appropriations Committee.

S 1005, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 125 and **H 126**, by Appropriations Committee, were read the second time by title and filed for third reading.

H 15, as amended, by Mr. Speaker, requested by Bureau of Occupational Licenses, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Bruneel asked unanimous consent that **H 114** retain its place on the Third Reading Calendar until Monday, February 5, 2001. There being no objection, it was so ordered.

Mr. Bruneel asked unanimous consent that **H 71** retain its place on the Third Reading Calendar until Tuesday, February 6, 2001. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 11:15 a.m., Monday, February 5, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 8:15 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

TWENTY-NINTH LEGISLATIVE DAY
MONDAY, FEBRUARY 5, 2001

House of Representatives

The House convened at 11:15 a.m., Mr. Bruneel in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Nicole Craner, Page.

Approval of Journal

February 5, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-sixth Legislative Day and recommend that same be adopted as corrected. GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

February 2, 2001

Mr. Speaker:

I return herewith enrolled **HCR 5** which has been signed by the President. WOOD, Secretary

Enrolled **HCR 5** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

February 2, 2001

Mr. Speaker:

I transmit herewith **SCR 101, S 1006, S 1007, S 1008, S 1009, S 1010**, and **S 1011** which have passed the Senate.

WOOD, Secretary

SCR 101, S 1006, S 1007, S 1008, S 1009, S 1010, and **S 1011** were filed for first reading.

Report of Standing Committees

February 5, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 12, H 139, H 140, H 141, H 142**, and **H 143**. GOULD, Chairman

HCR 12 was referred to the Commerce and Human Resources Committee.

H 139, H 140, H 141, and **H 142** were referred to the State Affairs Committee.

H 143 was referred to the Revenue and Taxation Committee.

February 5, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 66** to the Governor at 8:30 a.m., as of this date, February 2, 2001.

GOULD, Chairman

February 5, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 109, H 110, H 111**, and **H 112** and recommend that they do pass.

CROW, Chairman

H 109, H 110, H 111, and **H 112** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

SCR 101, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 144
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO TELEPHONE SOLICITATIONS; AMENDING CHAPTER 10, TITLE 48, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 48-1003B, IDAHO CODE, TO PROVIDE DEFINITIONS AND TO REQUIRE CONSENT TO CHARGE A CONSUMER'S ACCOUNT.

HOUSE BILL NO. 145
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO MUNICIPAL ELECTION LAWS; REPEALING SECTIONS 50-426, 50-433, 50-434 AND 50-435, IDAHO CODE; AMENDING SECTION 50-402, IDAHO CODE, TO FURTHER DEFINE A TERM; AMENDING SECTION 50-408, IDAHO CODE, TO PROVIDE FOR DESIGNATION OF POLLING PLACES; AMENDING SECTION 50-409, IDAHO CODE, TO GOVERN APPOINTMENT AND COMPENSATION OF ELECTION JUDGES AND CLERKS; AMENDING SECTION 50-427, IDAHO CODE, TO GOVERN THE METHOD OF CORRECTING THE ELECTION REGISTER; AMENDING SECTION 50-428, IDAHO CODE, TO PROVIDE FOR MAINTENANCE OF THE ELECTION RECORD AND POLL BOOK; AMENDING SECTION 50-430, IDAHO CODE, TO PROVIDE FOR DECLARATION OF CANDIDACY; AMENDING SECTION 50-431, IDAHO CODE, TO PROVIDE THE FORM FOR DECLARATION OF CANDIDACY; AMENDING SECTION 50-432, IDAHO CODE, TO PROVIDE THE METHOD OF FILING DECLARATION OF CANDIDACY AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 4, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-433, IDAHO CODE, TO REQUIRE A DECLARATION OF INTENT FOR WRITE-IN CANDIDATES; AMENDING CHAPTER 4, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-434, IDAHO CODE, TO PROVIDE THAT NO ELECTION IS REQUIRED UNDER CERTAIN CONDITIONS; AMENDING SECTION 50-436, IDAHO CODE, TO GOVERN NOTICE OF ELECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-439, IDAHO CODE, TO PROVIDE PREPARATION AND CONTENTS OF THE BALLOT; AMENDING CHAPTER 4, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-439A, IDAHO CODE, TO GOVERN THE ORDER OF CANDIDATE NAMES ON THE BALLOT; AMENDING SECTION 50-440, IDAHO CODE, TO GOVERN THE PREPARATION OF SAMPLE BALLOTS; AMENDING SECTION 50-445, IDAHO CODE, TO PROVIDE FOR ISSUANCE OF ABSENTEE BALLOTS; AMENDING SECTION 50-447, IDAHO CODE, TO GOVERN THE RETURN OF ABSENTEE BALLOTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 50-448, IDAHO CODE, TO AUTHORIZE THE CITY CLERK TO PROVIDE ABSENT ELECTOR'S VOTING PLACES; AMENDING SECTION 50-452, IDAHO CODE, TO DEFINE A COMBINATION ELECTION RECORD AND POLL BOOK AND OPERATION; AMENDING SECTION 50-459, IDAHO CODE, TO PROVIDE THE MANNER OF VOTING; AND AMENDING CHAPTER 4, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-479, IDAHO CODE, TO SPECIFY THE TIME FOR RECORDS RETENTION.

HOUSE BILL NO. 146
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO ELECTIONS; AMENDING SECTION 34-408, IDAHO CODE, TO CLARIFY THAT ELECTION DAY REGISTRATION IS ALLOWED AT AN ABSENTEE POLLING PLACE; AMENDING SECTION 34-416, IDAHO CODE, TO STRIKE REQUIREMENTS FOR A DUPLICATE REGISTRATION CARD; AMENDING SECTION 31-871, IDAHO CODE, TO PROVIDE THAT ELECTION BALLOTS AND TALLY BOOKS ARE TEMPORARY RECORDS; AND REPEALING SECTION 34-409, IDAHO CODE.

HOUSE BILL NO. 147
BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT

RELATING TO STATE MILITIA; AMENDING SECTION 46-1107, IDAHO CODE, TO PROVIDE THAT CERTAIN MEMBERS MAY DEMAND TRIAL BY COURT-MARTIAL IN LIEU OF NONJUDICIAL PUNISHMENT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 46-1108, IDAHO CODE, TO STRIKE A REFERENCE TO NOTICE OF DECLARED EMERGENCY, TO BROADEN THE AUTHORITY OF COMMANDING OFFICERS TO ARREST CERTAIN MEMBERS OF THE IDAHO MILITARY, TO PROVIDE FOR A PROCEDURE FOLLOWING ARREST, TO STRIKE REFERENCE TO PROBABLE CAUSE FINDING THAT THE MEMBER RECEIVED ADEQUATE NOTICE OF DECLARED EMERGENCY, TO PROVIDE FOR ISSUANCE AND SERVICE OF WARRANTS, TO PROVIDE FOR ISSUANCE OF ARREST WARRANTS BY CONVENING AUTHORITIES FOR PARTICULAR MILITARY PERSONNEL TO CERTAIN LAW ENFORCEMENT OFFICERS, TO PROVIDE FOR ARREST AND INCARCERATION AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 46-1124, IDAHO CODE, TO PROVIDE FOR RULES OF PROCEDURE AND TO PROVIDE THAT ENFORCEMENT OF THE IDAHO CODE OF MILITARY JUSTICE SHALL CONFORM AS NEARLY AS PRACTICABLE TO SPECIFIED RULES AND CASE PRECEDENT.

HOUSE BILL NO. 148
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO ELECTRONIC FUNDS TRANSFER; AMENDING SECTION 67-2026, IDAHO CODE, TO PROVIDE THAT NO INDIVIDUAL SHALL BE REQUIRED TO MAKE PAYMENT BY ELECTRONIC FUNDS TRANSFER REGARDLESS OF THE AMOUNT PAID OR PAYABLE WHEN THE TAXES, FEES OR AMOUNTS ARE PAYABLE PURSUANT TO THE IDAHO INCOME TAX ACT AND TO DEFINE "INDIVIDUAL"; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 149
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO INCOME TAX CREDITS FOR CHARITABLE CONTRIBUTIONS; AMENDING SECTION 63-3029C, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR CHARITABLE CONTRIBUTIONS MADE TO GEM YOUTH SERVICES OR ITS FOUNDATION; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 150
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO PROPERTY TAX RELIEF; AMENDING SECTION 63-602G, IDAHO CODE, TO REVISE REQUIREMENTS FOR GRANTING OF PROPERTY TAX EXEMPTION, TO PROVIDE REFERENCE TO BENEFICIARIES, PARTNERS, MEMBERS AND SHAREHOLDERS, TO PROVIDE CORRECT TERMINOLOGY, TO PROVIDE CORRECT CODE CITATIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-701, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-702, IDAHO CODE, TO REVISE EXCEPTIONS TO THE CLAIMANT'S PERSONAL RIGHT TO FILE CLAIMS; AMENDING SECTION 63-703, IDAHO CODE, TO REVISE PROCEDURES FOR FILING CLAIMS; AMENDING SECTION 63-704, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-706, IDAHO CODE, TO PROVIDE REFERENCE TO PERSONS OR ENTITIES ACTING ON A CLAIMANT'S BEHALF; AMENDING SECTION 63-707, IDAHO CODE, TO DELETE REFERENCE TO HOUSEHOLD INCOME, TO DELETE REQUIREMENT OF SIGNATURE BY A CLAIMANT ON EACH APPROVED CLAIMS FORM, TO PROVIDE REFERENCE TO CLAIMANT'S SPOUSE AND TO PROVIDE REFERENCE TO PERSONS OR ENTITIES ACTING ON BEHALF OF CLAIMANTS; AMENDING SECTION 63-711, IDAHO CODE, TO PROVIDE REFERENCE TO PERSONS OR ENTITIES ACTING ON BEHALF OF APPLICANTS AND OTHER PERSONS, TO PROVIDE FOR POWER OF ATTORNEY AND TO MAKE A TECHNICAL CORRECTION; AND PROVIDING AN EFFECTIVE DATE.

H 144, H 145, H 146, H 147, H 148, H 149, and **H 150** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1006, S 1007, S 1008, S 1009, S 1010, and **S 1011**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 11 and **H 63**, by Judiciary, Rules, and Administration Committee, were read the second time by title and filed for third reading.

H 37, by Mr. Speaker, requested by Outfitters and Guides Licensing Board, was read the second time by title and filed for third reading.

H 38, H 39, H 40, and **H 41**, by Mr. Speaker, requested by Public Employee Retirement System of Idaho, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Ms. Gould asked unanimous consent that **H 65** be returned to the Judiciary, Rules, and Administration Committee. There being no objection, it was so ordered.

H 114 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Wood to open debate.

The question being, "Shall **H 114** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 68.

NAYS -- None.

Absent and excused -- Crow, Mr. Speaker. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 114** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 125 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Bell to open debate.

At this time, the Speaker took the chair.

The question being, "Shall **H 125** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner,

Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **H 125** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 126 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(20) to open debate.

The question being, "Shall **H 126** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 69.
NAYS -- McKague. Total -- 1.
Total -- 70.

Whereupon the Speaker declared **H 126** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 15, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bradford to open debate.

The question being, "Shall **H 15**, as amended, pass?"

Roll call resulted as follows:
AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 66.
NAYS -- Barrett, Kellogg, McKague. Total -- 3.
Absent and excused -- Stone. Total -- 1.
Total -- 70.

Whereupon the Speaker declared **H 15**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 11:15 a.m., Tuesday, February 6, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:47 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

THIRTIETH LEGISLATIVE DAY
TUESDAY, FEBRUARY 6, 2001

House of Representatives

The House convened at 11:15 a.m., Mr. Bruneel in the Chair.

Roll call showed 69 members present.
Absent and excused -- Marley. Total -- 1.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Amber Worl, Page.

Approval of Journal

February 6, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-ninth Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

February 5, 2001

Mr. Speaker:
I transmit herewith enrolled **SCR 102** for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced that enrolled **SCR 102** would be signed by the Speaker, and, when so signed, ordered it returned to the Senate.

February 5, 2001

Mr. Speaker:
I transmit herewith **SCR 103** which has passed the Senate.

WOOD, Secretary

SCR 103 was filed for first reading.

Report of Standing Committees

February 6, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 144, H 145, H 146, H 147, H 148, H 149**, and **H 150**.

GOULD, Chairman

H 144, H 145, and **H 146** were referred to the State Affairs Committee.

H 147 was referred to the Transportation and Defense Committee.

H 148, H 149, and **H 150** were referred to the Revenue and Taxation Committee.

February 6, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 5** to the Secretary of State at 11:50 a.m., as of this date, February 5, 2001.

GOULD, Chairman

February 5, 2001

Mr. Speaker:

We, your COMMITTEE ON APPROPRIATIONS, report that we have had under consideration **S 1034** and recommend that it do pass.

BELL, Chairman

S 1034 was filed for second reading.

February 5, 2001

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **HCR 12, H 98, S 1018**, and **S 1019** and recommend that they do pass.

SCHAEFER, Chairman

HCR 12, H 98, S 1018, and **S 1019** were filed for second reading.

February 6, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 119, H 120**, and **H 121** and recommend that they do pass.

CROW, Chairman

H 119, H 120, and **H 121** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 13
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

A CONCURRENT RESOLUTION

PROVIDING FOR PRINTING OF HOUSE AND SENATE BILLS, RESOLUTIONS, MEMORIALS AND AMENDMENTS, AND FIXING THE PRICE FOR PRINTING THE SAME.

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

WHEREAS, the House Judiciary, Rules, and Administration Committee and the Senate Judiciary and Rules Committee have, according to law, made provisions for the printing of the House and Senate bills, resolutions, memorials and amendments;

NOW, THEREFORE, in accordance with a written contract duly made and entered into by the House Judiciary, Rules, and Administration Committee and the Senate Judiciary and Rules Committee;

BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the contract for the printing of the House and Senate bills, resolutions, memorials and amendments, in accordance with the provisions of law and in accordance with the written contract between the Joint Committee as party of the first part, and the Bureau of Copy and Records Services, Boise, Idaho, as party of the second part, be, and the same is hereby ratified and concurred in, and is incorporated herein, and made a part of this resolution in words and figures following, to wit:

PRINTING AGREEMENT

THIS AGREEMENT, made and entered into this 22nd day of January, 2001, by and between the HOUSE JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE and the SENATE JUDICIARY AND RULES COMMITTEE of the First Regular Session of the Fifty-sixth Idaho Legislature, hereinafter referred to as the Joint Committee, and the Bureau of Copy and Records Services, hereinafter referred to as the Bureau of Copy and Records Services.

WITNESSETH:

That pursuant to written bids submitted to and considered by the Joint Committee, a contract for legislative printing is hereby awarded to the Bureau of Copy and Records Services per your letter response of November 20, 2000, for the First and Second Regular Sessions and any Extraordinary Sessions of the Fifty-sixth Idaho Legislature upon the following additional terms and conditions:

1. That the Bureau of Copy and Records Services will utilize the Docutech printer process from "Camera Ready" copies, as these terms are used and recognized in the trade, to print House and Senate bills, resolutions and memorials.

2. That the Bureau of Copy and Records Services concurrently with the execution of this contract, deliver to the Joint Committee good and sufficient surety bond or other collateral, if and when requested, in the manner and form, and with a surety acceptable to the Joint Committee, in the sum of five thousand dollars ($5,000), guaranteeing the satisfactory and faithful performance by the Bureau of Copy and Records Services of all the terms and conditions of this contract.

3. That the Bureau of Copy and Records Services will maintain at all times a high standard of workmanship to the end that all printing will be neat, clean, legible and with adequate contrast between print and paper to be easily read.

4. That the Bureau of Copy and Records Services will insure that all bills, resolutions and memorials will have neat and proper underlining, strikeovers and deletions and that the paper used will be properly punched and sized.

5. That for the purposes of this contract, all printing will be received from and delivered to the presiding officer of each house or his designee.

6. That the Bureau of Copy and Records Services will deliver all standard lot printed material conforming to the above requirements by 9 a.m. the next morning after receipt of copy, unless prior arrangements have been made.

7. Upon failure to deliver such bills in the manner and within the time herein specified, this contract may be deemed terminated forthwith at the option of the Joint Committee and recourse had against the Bureau of Copy and Records Services bond.

8. That a standard lot of printed material will be four hundred fifty (450) copies or less of individual bills, resolutions or memorials at a cost of eighteen dollars ($18.00) per printed page which shall also provide for more or less copies in units of one hundred (100) at the same rate per page.

9. That the Bureau of Copy and Records Services will pick up "Camera Ready" copy at least twice daily of each day that the Legislature is in session.

10. That the Bureau of Copy and Records Services shall make copies available for sale to the public at the base per page rate, provided the order for such is received prior to the time the bill is printed.

11. That the Joint Committee reserves to itself the sole and exclusive decision as to the proper fulfillment of the terms and conditions of this agreement by the Bureau of Copy and Records Services and that the Joint Committee may terminate this agreement upon twenty-four (24) hours notice to the Bureau of Copy and Records Services, with no liability accruing to the Joint Committee or to the State except for printing already completed and delivered.

IN WITNESS WHEREOF, the parties hereto have hereunder set their hands as of the day and year first above written.

By /s/ Bruce Newcomb
BRUCE NEWCOMB, Speaker of the House

HOUSE JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

By /s/ Celia R. Gould
CELIA R. GOULD, Chairman

By /s/ Robert L. Geddes
ROBERT L. GEDDES, President Pro Tempore

SENATE JUDICIARY AND RULES COMMITTEE

By /s/ Denton Darrington
DENTON DARRINGTON, Chairman

BUREAU OF COPY AND RECORDS SERVICES

By /s/ Mona R. Whittington
MONA R. WHITTINGTON, Supervisor

HOUSE CONCURRENT RESOLUTION NO. 14
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

A CONCURRENT RESOLUTION

PROVIDING FOR PRINTING THE HOUSE AND SENATE LEGISLATIVE DAILY JOURNALS AND FIXING THE PRICE FOR PRINTING THE SAME.

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

WHEREAS, Section 67-509, Idaho Code, has made provisions for the printing of the House and Senate Legislative Daily Journals;

NOW, THEREFORE, in accordance with a written contract duly made and entered into by the House Judiciary, Rules, and Administration Committee and the Senate Judiciary and Rules Committee;

BE IT RESOLVED, by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, that the contract for the printing of the House and Senate Legislative Daily Journals in accordance with the provisions of law and in accordance with the written contract between the House Judiciary, Rules, and Administration Committee and the Senate Judiciary and Rules Committee, as party of the first part, and Bureau of Copy and Record Services, of Boise, Idaho, as party of the second part, be, and the same is hereby ratified and confirmed, and is incorporated herein and made a part of this resolution, in words and figures following, to wit:

PRINTING AGREEMENT

THIS AGREEMENT, made and entered into this 22nd day of January, 2001, by and between the HOUSE JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE and the SENATE JUDICIARY AND RULES COMMITTEE of the First Regular Session of the Fifty-sixth Idaho Legislature, hereinafter mentioned as party of the first part, and BUREAU OF COPY AND RECORD SERVICES, Boise, Idaho, hereinafter mentioned as party of the second part;

WITNESSETH:

That pursuant to a resolution of said party of the first part and written quotation submitted by party of the second part, a contract for legislative printing is hereby awarded to the said Bureau of Copy and Record Services, as follows:

HOUSE AND SENATE DAILY JOURNAL
FIRST AND SECOND REGULAR SESSIONS
AND ANY EXTRAORDINARY SESSIONS

300 copies of House Journal
300 copies of Senate Journal
600 total copies . . . . . $18.00 per page
100 additional copies . . . . . $18.00 per page

IT IS AGREED by the parties hereto that all of said printing shall be done in the form and manner and upon such suitable material as was included in the bid specifications and is now required by the statutes of the State of Idaho; where not otherwise herein provided, such statutes shall be controlling, and particularly as to the printing of Legislative Journals, the same shall be printed in conformity with Section 67-509, Idaho Code, which section is hereby referred to and by reference made a part of this contract as

though set forth herein at length; that the number of copies to be supplied under this contract may from time to time be determined by the party of the first part; and that all other terms of the specifications for the Journals of the party of the first part shall be complied with as though set forth herein at length.

IT IS AGREED that in the printing of the Journal the same shall be delivered daily on the desk of the Chief Clerk of the House, and on the desk of the Secretary of the Senate not later than the hour of 9 a.m. on each day; provided, that the party of the second part shall not be responsible in this respect, in cases of unreasonable delay in furnishing copy for such printing to the party of the second part.

The party of the second part further covenants and agrees to deliver to the party of the first part good and sufficient surety bond or other collateral, if and when requested, in the manner and form, and with a surety acceptable to the party of the first part, in the sum of Five Thousand Dollars ($5,000), guaranteeing the satisfactory and faithful performance by the party of the second part of all the conditions and covenants of this contract.

IN WITNESS WHEREOF, the party of the second part has caused these presents to be executed by its proper official and the party of the first part, by Concurrent Resolution, has caused these presents to be executed by its proper officials.

Party of the First Part

By /s/ Bruce Newcomb
BRUCE NEWCOMB, Speaker of the House

HOUSE JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

By /s/ Celia R. Gould
CELIA R. GOULD, Chairman

By /s/ Robert L. Geddes
ROBERT L. GEDDES, President Pro Tempore

SENATE JUDICIARY AND RULES COMMITTEE

By /s/ Denton Darrington
DENTON DARRINGTON, Chairman

Party of the Second Part

BUREAU OF COPY AND RECORD SERVICES

By /s/ Mona R. Whittington
MONA R. WHITTINGTON, Supervisor

HOUSE CONCURRENT RESOLUTION NO. 15
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

A CONCURRENT RESOLUTION

PROVIDING FOR PRINTING THE HOUSE AND SENATE LEGISLATIVE PERMANENT JOURNALS AND FIXING THE PRICE FOR PRINTING THE SAME.

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

WHEREAS, Section 67-509, Idaho Code, has made provisions for the printing of the House and Senate Legislative Permanent Journals;

NOW, THEREFORE, in accordance with a written contract duly made and entered into by the House Judiciary, Rules, and Administration Committee and the Senate Judiciary and Rules Committee;

BE IT RESOLVED, by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, that the contract for the printing of the House and Senate Legislative Permanent Journals in accordance with the provisions of law and in accordance with the written contract between the House Judiciary, Rules, and Administration Committee and the Senate Judiciary and Rules Committee, as party of the first part, and Custom Printing, of Nampa, Idaho, as party of the second part, be, and the same is hereby ratified and confirmed, and is incorporated herein and made a part of this resolution, in words and figures following, to wit:

PRINTING AGREEMENT

THIS AGREEMENT, made and entered into this 22nd day of January, 2001, by and between the HOUSE JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE and the SENATE JUDICIARY AND RULES COMMITTEE of the First Regular Session of the Fifty-sixth Idaho Legislature, hereinafter mentioned as party of the first part, and CUSTOM PRINTING, Nampa, Idaho, hereinafter mentioned as party of the second part;

WITNESSETH:

That pursuant to a resolution of said party of the first part and written quotation submitted by party of the second part, a contract for legislative printing is hereby awarded to the said Custom Printing, as follows:

PERMANENT JOURNAL
FIRST AND SECOND REGULAR SESSIONS
AND ANY EXTRAORDINARY SESSIONS

180 copies of House Permanent Journal, including 6 hard-bound gold lettered volumes
180 copies of Senate Permanent Journal, including 6 hard-bound gold lettered volumes
360 total copies . . . . . $42.00 per page
Additional hard-bound
gold lettered volumes . . . . . $50.00 per volume

IT IS AGREED by the parties hereto that all of said printing shall be done in the form and manner and upon such suitable material as was included in the bid specifications and is now required by the statutes of the State of Idaho; where not otherwise herein provided, such statutes shall be controlling, and particularly as to the printing of Legislative Journals, the same shall be printed in conformity with Section 67-509, Idaho Code, which section is hereby referred to and by reference made a part of this contract as though set forth herein at length; that the number of copies to be supplied under this contract may from time to time be determined by the party of the first part; and that all other terms of the specifications for the Journals of the party of the first part shall be complied with as though set forth herein at length.

IT IS FURTHER AGREED, that the permanent printed Journal shall be delivered to the Chief Clerk of the House not later than thirty (30) working days from date of receipt of final House copy, and to the Secretary of the Senate not later than thirty (30) working days from date of receipt of final Senate copy, and that for each day's failure to so deliver, there shall be deducted from the contract

price for printing said Journal the sum of Fifty Dollars ($50.00) per day for each day's delay.

The party of the second part further covenants and agrees to deliver to the party of the first part good and sufficient surety bond or other collateral, if and when requested, in the manner and form, and with a surety acceptable to the party of the first part, in the sum of Five Thousand Dollars ($5,000), guaranteeing the satisfactory and faithful performance by the party of the second part of all the conditions and covenants of this contract.

IN WITNESS WHEREOF, the party of the second part has caused these presents to be executed by its proper official and the party of the first part, by Concurrent Resolution, has caused these presents to be executed by its proper officials.

Party of the First Part

By /s/ Bruce Newcomb
BRUCE NEWCOMB, Speaker of the House

HOUSE JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

By /s/ Celia R. Gould
CELIA R. GOULD, Chairman

By /s/ Robert L. Geddes
ROBERT L. GEDDES, President Pro Tempore

SENATE JUDICIARY AND RULES COMMITTEE

By /s/ Denton Darrington
DENTON DARRINGTON, Chairman

Party of the Second Part

CUSTOM PRINTING

By /s/ Michael B. Cutler
MICHAEL B. CUTLER

HOUSE CONCURRENT RESOLUTION NO. 16
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

A CONCURRENT RESOLUTION

PROVIDING FOR PRINTING THE SESSION LAWS, FIXING THE PRICE FOR PRINTING THE SAME, AND THE PRICE WHICH THE PUBLIC SHALL BE CHARGED FOR COPIES OF THE SESSION LAWS.

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

WHEREAS, Section 67-904, Idaho Code, has made provisions for the printing of the Session Laws;

NOW, THEREFORE, in accordance with a written contract duly made and entered into by the Speaker of the House of Representatives and the President Pro Tempore of the Senate and the House Judiciary, Rules, and Administration Committee and the Senate Judiciary and Rules Committee of the Legislature of the State of Idaho hereinafter referred to as the Joint Committee;

BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the contract for the printing of the Session Laws of the First and Second Regular Sessions, Fifty-sixth Idaho Legislature, and the Session Laws of any Extraordinary Session, Fifty-sixth Idaho Legislature, in accordance with the provisions of law and in accordance with the written contract between the Speaker of the House of Representatives and the President Pro Tempore of the Senate and the Joint Committee as party of the first part, and THE CAXTON PRINTERS, LTD., of Caldwell, Idaho, as party of the second part, be, and the same is hereby ratified, confirmed and concurred in, and is incorporated herein and made a part of this resolution, in words and figures following, to wit:

PRINTING CONTRACT

THIS AGREEMENT, made and entered into this 25th day of January, 2001, by and between the Speaker of the House of Representatives, Bruce Newcomb, and the President Pro Tempore of the Senate, Robert L. Geddes, the Joint Committee of the House Judiciary, Rules, and Administration Committee and the Senate Judiciary and Rules Committee of the Legislature of the State of Idaho, hereinafter mentioned as party of the first part, and THE CAXTON PRINTERS, LTD., of Caldwell, Idaho, hereinafter mentioned as party of the second part;

WITNESSETH:

That pursuant to a resolution of said party of the first part and written bid submitted to the said party of the first part by the party of the second part, contract for legislative printing is hereby awarded to said THE CAXTON PRINTERS, LTD., as follows:

SESSION LAWS

For printing and binding eight hundred (800) copies of the Session Laws of the First Regular Session of the Fifty-sixth Idaho Legislature and for printing and binding eight hundred (800) copies of the Session Laws of the Second Regular Session of the Fifty-sixth Idaho Legislature and the Session Laws of any Extraordinary Session of the Fifty-sixth Idaho Legislature: Nineteen dollars and ten cents ($19.10) per page, f.o.b. Boise, Idaho, if produced by offset lithography with camera-ready copy being furnished party of the second part, plus six dollars and seventy-five cents ($6.75) per volume for binding. For pages requiring reduction shots, an additional seven dollars ($7.00) per page charge. Each volume to be Smythe sewed, rounded and backed with suitable headbands and Roxite Library Buckram over a 15 point Red Label Davey Board. The party of the second part shall provide an additional quantity to be made available to the general public at forty-two dollars ($42.00) per single volume, and fifty-three dollars and fifty cents ($53.50) per set of two volumes, if a second volume is required. The Session Laws of any Extraordinary Session adjourned prior to June 1, 2001, shall be included in the Session Laws of the First Regular Session, or if adjourned prior to June 1, 2002, shall be included in the Session Laws of the Second Regular Session. No charge shall be made by the party of the second part for proofreading or blank pages.

IT IS AGREED between the parties hereto that all of said printing shall be done in the form and manner as submitted in written bid dated January 17, 2001, by party of the second part, and in compliance with the statutes of the State of Idaho where not otherwise provided, such statutes shall be controlling.

IT IS FURTHER AGREED that said Session Laws shall be printed, delivered to and be ready for distribution by the Secretary

of State in conformity with the provisions of Section 67-904, Idaho Code, which section is hereby referred to and by such reference made a part of this contract as though set forth at length herein, and particularly as follows:

The Session Laws shall be printed and made available for distribution within sixty (60) days after the last day on which the Governor may sign or approve bills following adjournment of the session of the legislature which enacted or passed the measures included in the Session Laws, or within thirty (30) days after the delivery to the party of the second part of the proper title pages, certificate pages, tables of laws and statutes amended and repealed and a proper index of the contents of the Session Laws, whichever date is first in time.

Such printing and delivery of said Session Laws to the Secretary of State are to be made as provided by law; that for each day's failure to so deliver volumes of such Session Laws as herein provided, there shall be deducted from the contract price for printing said Session Laws the sum of fifty dollars ($50.00) per day for each day's delay; provided, however, that the party of the second part shall not be held responsible for delay occasioned by failure to furnish copy for such printing to the party of the second part and such delay shall, to the same extent, extend the time for the performance of this agreement.

IN WITNESS WHEREOF, the party of the second part has caused these presents to be executed by its proper officials, and the party of the first part, by Concurrent Resolution has caused these presents to be executed by its proper officials.

Party of the First Part

By /s/ Bruce Newcomb
BRUCE NEWCOMB, Speaker of the House

HOUSE JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

By /s/ Celia R. Gould
CELIA R. GOULD, Chairman

By /s/ Robert L. Geddes
ROBERT L. GEDDES, President Pro Tempore

SENATE JUDICIARY AND RULES COMMITTEE

By /s/ Denton Darrington
DENTON DARRINGTON, Chairman

Party of the Second Part

THE CAXTON PRINTERS, LTD.

By /s/ Dave Gipson
DAVE GIPSON, Vice President

HCR 13, HCR 14, HCR 15, and **HCR 16** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

SCR 103, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 151
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO PUBLIC RECORDS; AMENDING SECTION 9-343, IDAHO CODE, TO PROVIDE THAT SPECIFIED SECTIONS OF IDAHO CODE RELATING TO THE DISCLOSURE OF PUBLIC RECORDS SHALL NOT SUPPLEMENT, AUGMENT, SUBSTITUTE OR SUPPLANT DISCOVERY PROCEDURES IN FEDERAL OR STATE CRIMINAL, CIVIL OR ADMINISTRATIVE PROCEEDINGS AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 152
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO PUBLIC RECORDS; AMENDING SECTION 9-340B, IDAHO CODE, TO EXEMPT THE FILES OF PROSECUTING ATTORNEYS FROM PUBLIC DISCLOSURE.

HOUSE BILL NO. 153
BY BUSINESS COMMITTEE

AN ACT

RELATING TO PLUMBING SYSTEMS; AMENDING SECTION 54-2604, IDAHO CODE, TO REMOVE THE EXCEPTION FOR WATER CONDITIONING EQUIPMENT FROM THE DEFINITION OF PLUMBING SYSTEM, TO DELETE THE DEFINITION FOR "WATER CONDITIONING EQUIPMENT" AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 154
BY BUSINESS COMMITTEE

AN ACT

RELATING TO SITING OF MANUFACTURED HOMES IN RESIDENTIAL AREAS; AMENDING SECTION 67-6509A, IDAHO CODE, TO PROVIDE A MANUFACTURED HOME SHALL HAVE A GARAGE OR CARPORT CONSTRUCTED OF LIKE MATERIALS IF ZONING ORDINANCES WOULD REQUIRE A NEWLY CONSTRUCTED NONMANUFACTURED HOME TO HAVE A GARAGE OR CARPORT; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 155
BY BUSINESS COMMITTEE

AN ACT

RELATING TO REAL ESTATE AGENCY REPRESENTATION AND DISCLOSURE; AMENDING SECTION 54-2085, IDAHO CODE, TO REVISE THE AGENCY DISCLOSURE BROCHURE REQUIRED FOR REPRESENTATION CONFIRMATION AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 156
BY BUSINESS COMMITTEE

AN ACT

RELATING TO THE REGULATION OF INSURANCE; AMENDING CHAPTER 10, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1059, IDAHO CODE, TO PROVIDE THAT WHEN A PRODUCER ACTS AS A

WHOLESALE PRODUCER, THE PRODUCER MAY CHARGE A FEE OR MAY BE COMPENSATED BY A COMBINATION OF FEES AND COMMISSIONS, TO PROVIDE DUTIES OF THE WHOLESALE PRODUCER, TO PROVIDE FOR DISCLOSURE OF CERTAIN INFORMATION, TO DEFINE TERMS AND TO PROVIDE APPLICATION TO PERSONAL LINES INSURANCE POLICIES OR SURETY INSURANCE POLICIES; AMENDING SECTION 41-1803, IDAHO CODE, TO PROVIDE THAT WHOLESALE PRODUCER FEES CHARGED PURSUANT TO SECTION 41-1059, IDAHO CODE, SHALL NOT BE CONSIDERED A PREMIUM UNLESS THE FEE RELATES TO A SURPLUS LINE POLICY.

HOUSE BILL NO. 157
BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO INCOME TAX CREDITS AND REFUNDS; AMENDING SECTION 63-3024A, IDAHO CODE, TO INCREASE THE INCOME TAX CREDIT FOR SALES TAXES PAID BY RESIDENT INDIVIDUALS WHO ARE NOT ENTITLED TO THE INCOME TAX CREDIT FOR SALES TAXES PAID BY RESIDENT INDIVIDUALS OVER SIXTY-FIVE YEARS OF AGE, TO INCREASE THE INCOME TAX CREDIT FOR SALES TAX PAID BY RESIDENT INDIVIDUALS OVER SIXTY-FIVE YEARS OF AGE, TO INCREASE THE REFUND ALLOWED TO RESIDENT INDIVIDUALS OVER SIXTY-FIVE YEARS OF AGE WHO WERE NOT REQUIRED TO FILE AN IDAHO INCOME TAX RETURN, TO INCREASE THE REFUND ALLOWED BY THE PROVISIONS OF THIS SECTION TO RESIDENT INDIVIDUALS OVER SIXTY-TWO YEARS OF AGE WHO HAVE NOT OTHERWISE RECEIVED OR HAVE RECEIVED LESS THAN, THE TAX CREDIT ALLOWED BY THE PROVISIONS OF THIS SECTION AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 158
BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO INCOME TAX RELIEF; AMENDING SECTION 63-3024, IDAHO CODE, TO PROVIDE FOR A REDUCTION IN RATES OF ONE-TENTH OF ONE PERCENT FOR TAXABLE YEAR 2001 AND TO PROVIDE FOR A REDUCTION IN RATES OF FOUR-TENTHS OF ONE PERCENT FOR TAXABLE YEAR 2002 AND THEREAFTER; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3081, IDAHO CODE, TO PROVIDE A REBATE OF INCOME TAXES PAID BY INDIVIDUALS FOR TAXABLE YEARS BEGINNING IN 1999, TO DETERMINE THE RATE OF THE REBATE, TO SET MAXIMUM AND MINIMUM AMOUNTS, TO PROVIDE PROCEDURES, TO APPROPRIATE MONEYS AND TO AUTHORIZE CONTRACTS; REPEALING SECTION 63-3022D, IDAHO CODE; AMENDING SECTION 63-3022E, IDAHO CODE, TO INCREASE THE DEDUCTION FOR DEPENDENTS SIXTY-FIVE YEARS OF AGE OR OLDER OR PERSONS WITH DEVELOPMENTAL DISABILITIES FROM ONE THOUSAND DOLLARS TO FIVE THOUSAND DOLLARS; AMENDING SECTION 63-3022H, IDAHO CODE, TO INCREASE THE DEDUCTION ALLOWED FOR QUALIFIED CAPITAL GAINS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3024A, IDAHO CODE, TO INCREASE THE INCOME TAX CREDIT FOR SALES TAXES PAID BY INDIVIDUALS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3025, IDAHO CODE, TO REDUCE THE CORPORATE INCOME TAX RATE FROM EIGHT TO SEVEN AND EIGHT-TENTHS PERCENT FOR TAXABLE YEAR 2001 AND TO SEVEN AND FIVE-TENTHS PERCENT FOR TAXABLE YEAR 2002 AND THEREAFTER; AMENDING SECTION 63-3025A, IDAHO CODE, TO REDUCE THE CORPORATE FRANCHISE TAX RATE FROM EIGHT PERCENT TO THE RATE OF THE CORPORATE INCOME TAX AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3025D, IDAHO CODE, TO INCREASE THE PAYMENT FOR DEPENDENTS SIXTY-FIVE YEARS OF AGE OR OLDER OR PERSONS WITH DEVELOPMENTAL DISABILITIES FROM ONE HUNDRED DOLLARS TO FIVE HUNDRED DOLLARS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTIONS 63-3029E AND 63-3029F, IDAHO CODE, TO EXPAND THE NEW JOBS CREDIT BY REMOVING THE LIMITATION OF QUALIFYING TAXPAYERS TO REVENUE-PRODUCING ENTERPRISE CREATING VALUE-ADDED NATURAL RESOURCE PRODUCTS; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029G, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR CERTAIN EXPENDITURES RELATING TO RESEARCH AND DEVELOPMENT CONDUCTED IN IDAHO, TO PROVIDE A SUNSET, TO PROVIDE A CARRYOVER OF UNUSED CREDITS, TO PROVIDE DEFINITIONS AND TO PROVIDE PROCEDURES; AMENDING SECTION 63-3029H, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029H, IDAHO CODE, TO PROVIDE A CREDIT FOR EXPENSES FOR HOUSEHOLD AND DEPENDENT CARE; REPEALING SECTIONS 63-3029E AND 63-3029F, IDAHO CODE; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029E, IDAHO CODE, TO PROVIDE DEFINITIONS AND CONSTRUCTION OF TERMS; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029F, IDAHO CODE, TO PROVIDE SPECIAL CREDITS TO THE INCOME TAX FOR NEW EMPLOYEES FOR AN ENTERPRISE THAT PRODUCES, ASSEMBLES, FABRICATES OR PROCESSES NATURAL RESOURCE PRODUCTS; PROVIDING FOR NONSEVERABILITY OF CERTAIN PROVISIONS OF THIS ACT; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION FOR CERTAIN PROVISIONS OF THIS ACT AND PROVIDING EFFECTIVE DATES.

HOUSE BILL NO. 159
BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO CERTAIN CREDITS AND REFUNDS AND SALES AND USE TAX; REPEALING SECTION 63-3024A, IDAHO CODE; AMENDING SECTION 63-3619, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM SALES TAX FOR CERTAIN FOOD SOLD FOR HUMAN CONSUMPTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3621, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM USE TAX FOR CERTAIN FOOD SOLD FOR HUMAN CONSUMPTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE FOR AN INCREASE IN THE

PERCENTAGE OF APPROPRIATED FUNDS DISTRIBUTED TO THE REVENUE SHARING ACCOUNT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3029F, IDAHO CODE, TO DELETE A CODE REFERENCE; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

HOUSE BILL NO. 160
BY REVENUE AND TAXATION COMMITTEE
AN ACT
RELATING TO INCOME TAXES; AMENDING SECTION 63-3004, IDAHO CODE, TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

H 151, H 152, H 153, H 154, H 155, H 156, H 157, H 158, H 159, and **H 160** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 109, H 110, H 111, and **H 112**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 71 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Jones to open debate.

At this time, the Speaker took the Chair.

The question being, "Shall **H 71** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Bedke, Bell, Black, Bolz, Bradford, Callister, Campbell, Clark, Collins, Crow, Deal, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Mader, Meyer, Montgomery, Mortensen, Moss, Moyle, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Sali, Schaefer, Sellman, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Wheeler, Mr. Speaker. Total -- 49.
NAYS -- Barrett, Bieter, Boe, Bruneel, Chase, Cuddy, Denney, Ellis, Harwood, Henbest, Jaquet, Langford, Loertscher, McKague, Pearce, Robison, Shepherd, Trail, Wood, Young. Total -- 20.
Absent and excused -- Marley. Total -- 1.
Total -- 70.

Whereupon the Speaker declared **H 71** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 11:15 a.m., Wednesday, February 7, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:31 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

THIRTY-FIRST LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 7, 2001

House of Representatives

The House convened at 11:15 a.m., Mr. Bruneel in the Chair.

Roll call showed 68 members present.
Absent and excused -- Beiter, Mr. Speaker. Total -- 2.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Anna Frecker, Page.

Approval of Journal

February 7, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirtieth Legislative Day and recommend that same be adopted as corrected. GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

February 6, 2001

Mr. Speaker:
I transmit herewith **S 1012, S 1037, S 1036**, and **S 1025** which have passed the Senate.

WOOD, Secretary

S 1012, S 1037, S 1036, and **S 1025** were filed for first reading.

February 6, 2001

Mr. Speaker:
I return herewith **H 68, H 69, H 55, H 81, H 82, H 83, H 84, H 17, H 20**, and **H 21** which have passed the Senate.

WOOD, Secretary

H 68, H 69, H 55, H 81, H 82, H 83, H 84, H 17, H 20, and **H 21** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 7, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 13, HCR 14, HCR 15, HCR 16, H 151, H 152, H 153, H 154, H 155, H 156, H 157, H 158, H 159**, and **H 160**.

GOULD, Chairman

H 151 and **H 152** were referred to the Judiciary, Rules, and Administration Committee.

H 153, H 154, H 155, and **H 156** were referred to the Business Committee.

H 157, H 158, and **H 159** were referred to the Revenue and Taxation Committee.

HCR 13, HCR 14, HCR 15, HCR 16, and **H 160** were filed for second reading.

February 5, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 65** and report it back with amendments attached to be placed on General Orders for consideration.

GOULD, Chairman

H 65 was placed on General Orders for consideration.

February 6, 2001

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 50, H 52, H 49**, and **H 147** and recommend that they do pass.

WOOD, Chairman

H 50, H 52, H 49, and **H 147** were filed for second reading.

February 7, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 122** and recommend that it do pass.

CROW, Chairman

H 122 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 17
BY TRANSPORTATION AND DEFENSE COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND URGING APPROPRIATE PERSONNEL TO ASSESS THE IMPACT OF RAIL TRANSPORTATION ON THE ECONOMIC FUTURE OF THE STATE OF IDAHO WITH PARTICULAR EMPHASIS UPON THE RESOURCE AND AGRICULTURE COMMUNITIES IN THE RURAL PORTIONS OF THE STATE.

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

WHEREAS, the railroad and rail transportation are an integral part of the history of transport in Idaho and the west; and

WHEREAS, the Congress of the United States has acknowledged and supported the need for rural rail services; and

WHEREAS, many small communities owe their existence in part to the connections provided by spur lines of the railroad; and

WHEREAS, the agricultural and resource industries, which are facing catastrophic economic trials, depend disproportionately on rail transportation for financial security; and

WHEREAS, the community of Grangeville, Idaho, has recently been added to the list of small Idaho communities which has lost its spur line and faces greater economic challenge as a result; and

WHEREAS, on behalf of the citizens of rural Idaho, it is incumbent upon the Legislature to maintain close vigilance of rail transportation and the transportation network which connect rural communities to markets, resources and assets essential to their future economic health; and

WHEREAS, it is appropriate to focus attention on the problems and the solutions inherent in rail services and potential loss of such services in our rural communities.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature urges the appropriate personnel in the Department of Commerce, the Idaho Transportation Department, the Department of Agriculture, the Idaho Historical Society, the Idaho Public Utilities Commission and any others whom the Governor may deem appropriate, under the direction of the director of the Department of Commerce, to work together to assess the impact of rail transportation, or the loss thereof, on the economic future of the state of Idaho with particular emphasis upon the resource and agriculture communities in the rural portions of the state.

BE IT FURTHER RESOLVED that the personnel shall report their findings and recommendations for the retention of Idaho infrastructure and any efforts that can or should be made by the state of Idaho to assure retention to the Second Regular Session of the Fifty-sixth Idaho Legislature.

HCR 17 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 161
BY BUSINESS COMMITTEE

AN ACT

RELATING TO THE INSURANCE GUARANTY ASSOCIATION; AMENDING SECTION 41-3605, IDAHO CODE, TO REVISE THE DEFINITION OF ACCOUNT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-3606, IDAHO CODE, TO DELETE THE REQUIREMENT THAT THE INSURANCE GUARANTY ASSOCIATION MAINTAIN THREE SEPARATE ACCOUNTS, TO PROVIDE FOR ONE ACCOUNT AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 41-3608, IDAHO CODE, TO DELETE THE REQUIREMENT TO ALLOCATE CLAIMS AND ASSESSMENTS BY THE IDAHO INSURANCE GUARANTY ASSOCIATION AMONG THREE ACCOUNTS AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 162
BY LOCAL GOVERNMENT COMMITTEE
AN ACT

RELATING TO CITY ORDINANCES; AMENDING SECTION 50-901, IDAHO CODE, TO PROVIDE THAT AT LEAST ONE COPY OF THE SUPPLEMENTAL CODE SHALL BE FILED FOR PUBLIC USE AND EXAMINATION PRIOR TO ADOPTION BY THE CITY COUNCIL, TO PROVIDE THAT ONE COPY OF THE SUPPLEMENTAL CODE SHALL BE RETAINED BY THE CITY AND FILED IN THE OFFICE OF THE CITY CLERK, TO MAKE TECHNICAL CORRECTIONS AND TO MAKE A GRAMMATICAL CORRECTION.

HOUSE BILL NO. 163
BY LOCAL GOVERNMENT COMMITTEE
AN ACT

RELATING TO PENALTIES FOR DEFACING SURVEY MARKERS; AMENDING SECTION 54-1234, IDAHO CODE, TO INCREASE THE MAXIMUM PENALTY FOR PERSONS WILLFULLY DEFACING, INJURING OR REMOVING ANY SIGNAL, MONUMENT, BUILDING OR OTHER OBJECT SET AS A PERMANENT BOUNDARY SURVEY MARKER BY A REGISTERED, PROFESSIONAL LAND SURVEYOR AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 164
BY ENVIRONMENTAL AFFAIRS COMMITTEE
AN ACT

RELATING TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 9-340F, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 9-342A, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-6015, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 22-3413, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTIONS 22-4801 AND 22-4802, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 22-4902, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-4903, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 22-4905, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 31-4405, IDAHO CODE, TO PROVIDE REFERENCES TO THE BOARD OF ENVIRONMENTAL QUALITY; AMENDING SECTION 36-1905, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 36-2404, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING THE HEADING TO CHAPTER 1, TITLE 39, IDAHO CODE; AMENDING SECTION 39-104A, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 39-166, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 204, LAWS OF 1996, TO REDESIGNATE THE SECTION, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-167, IDAHO CODE, AS ADDED BY SECTION 2, CHAPTER 204, LAWS OF 1996, TO REDESIGNATE THE SECTION, TO FURTHER DEFINE TERMS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-168, IDAHO CODE, AS ADDED BY SECTION 3, CHAPTER 204, LAWS OF 1996, TO REDESIGNATE THE SECTION, TO DELETE REFERENCE TO PUBLIC HEALTH DISTRICTS AND TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 39-169, IDAHO CODE, AS ADDED BY SECTION 4, CHAPTER 204, LAWS OF 1996, TO REDESIGNATE THE SECTION; AMENDING SECTION 39-3003, IDAHO CODE, TO PROVIDE REFERENCES TO THE BOARD OF ENVIRONMENTAL QUALITY AND THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-3005, IDAHO CODE, TO PROVIDE REFERENCES TO THE BOARD OF ENVIRONMENTAL QUALITY AND THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-3006, IDAHO CODE, TO PROVIDE REFERENCES TO THE BOARD OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTIONS 39-3007, 39-3008, 39-3011, 39-3012 AND 39-3017, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-3018, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-3019, IDAHO CODE, TO PROVIDE REFERENCE TO THE BOARD OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-3026, IDAHO CODE, TO PROVIDE REFERENCES TO THE BOARD OF ENVIRONMENTAL QUALITY AND THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 39-3601, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-3602, IDAHO CODE, TO FURTHER DEFINE TERMS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-3613, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 39-3617, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO THE BOARD OF ENVIRONMENTAL QUALITY; AMENDING SECTION 39-3620, IDAHO CODE, TO PROVIDE REFERENCE TO THE BOARD OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-3624, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-3625, IDAHO CODE, TO FURTHER DEFINE TERMS; AMENDING SECTION 39-3626, IDAHO CODE, TO PROVIDE REFERENCE TO THE BOARD OF ENVIRONMENTAL

QUALITY AND TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-3627, IDAHO CODE, TO PROVIDE REFERENCE TO THE BOARD OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-3631, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-3632, IDAHO CODE, TO PROVIDE REFERENCE TO THE BOARD OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-3633, IDAHO CODE, TO PROVIDE REFERENCE TO THE BOARD OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-3635, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-3637, IDAHO CODE, TO PROVIDE REFERENCE TO THE BOARD OF ENVIRONMENTAL QUALITY AND TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL MAINTAIN A SITE INVENTORY OF EXISTING SEWAGE DISPOSAL SYSTEMS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-3638, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-4403, IDAHO CODE, TO FURTHER DEFINE TERMS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-4426, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 39-4428, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 39-4429, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-4431, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-5803, IDAHO CODE, TO FURTHER DEFINE TERMS; AMENDING SECTION 39-5805, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-5806, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 39-5812, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 39-6203, IDAHO CODE, TO FURTHER DEFINE TERMS; AMENDING SECTION 39-6404, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 39-6407, IDAHO CODE, TO PROVIDE THAT A REPRESENTATIVE FROM THE DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL SERVE ON THE REGIONAL CLEAN LAKES TECHNICAL ADVISORY GROUP; AMENDING SECTION 39-6501, IDAHO CODE, TO FURTHER DEFINE TERMS; AMENDING SECTION 39-6503, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 39-6504, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO THE BOARD OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-6506, IDAHO CODE, TO PROVIDE REFERENCE TO THE BOARD OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-6603, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 39-6609, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE A GRAMMATICAL CORRECTION; AMENDING SECTION 39-7002, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 39-7108, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 39-7114, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-7203, IDAHO CODE, TO FURTHER DEFINE TERMS; AMENDING SECTION 39-7401, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 39-7402, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-7403, IDAHO CODE, TO FURTHER DEFINE TERMS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-7408B, IDAHO CODE, TO PROVIDE REFERENCE TO THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 39-7602, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-7902, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 39-7903, IDAHO CODE, TO FURTHER DEFINE TERMS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-7908, IDAHO CODE, TO PROVIDE REFERENCE TO THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 39-7911, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 39-7914, IDAHO CODE, TO PROVIDE REFERENCE TO RULES OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 41-4911, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4947, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 42-227, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 42-1503, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 42-1711, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 42-1734, IDAHO CODE, TO PROVIDE REFERENCE TO THE BOARD OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 42-1805, IDAHO CODE, TO PROVIDE REFERENCE TO THE

DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 42-3902, IDAHO CODE, TO PROVIDE REFERENCE TO THE BOARD OF ENVIRONMENTAL QUALITY; AMENDING SECTION 42-3910, IDAHO CODE, TO PROVIDE REFERENCE TO THE BOARD OF ENVIRONMENTAL QUALITY; AMENDING SECTION 46-1019, IDAHO CODE, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL SERVE AS A MEMBER OF THE EMERGENCY RESPONSE COMMISSION; AMENDING SECTION 47-1315, IDAHO CODE, TO PROVIDE THAT WATER USED IN MINING PROCESSES MUST CONFORM TO THE STANDARDS AND RULES OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 47-1513, IDAHO CODE, TO PROVIDE REFERENCE TO THE BOARD OF ENVIRONMENTAL QUALITY; AMENDING SECTION 49-2203, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 50-1326, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 50-1327, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 50-1328, IDAHO CODE, TO PROVIDE REFERENCE TO THE BOARD OF ENVIRONMENTAL QUALITY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 50-1329, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 50-1703, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTIONS 55-2014 AND 55-2714, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTIONS 63-3022C AND 63-3024B, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 67-818, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 67-2917, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 67-5303, IDAHO CODE, TO PROVIDE THAT DIVISION ADMINISTRATORS IN THE DEPARTMENT OF ENVIRONMENTAL QUALITY ARE NONCLASSIFIED EMPLOYEES AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-7502, IDAHO CODE, TO PROVIDE REFERENCE TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 165
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO REGISTRATION OF CONTROLLED SUBSTANCES; AMENDING SECTION 37-2718, IDAHO CODE, TO PROVIDE NOTIFICATION TO THE RESPECTIVE BOARDS OF PROFESSIONAL LICENSURE, TO AUTHORIZE ACTION BY THE BOARD OF PROFESSIONAL LICENSURE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 37-2719, IDAHO CODE, TO ALLOW THE BOARD OF PHARMACY TO RECOVER CERTAIN COSTS OF PROSECUTION.

HOUSE BILL NO. 166
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO IMMUNITY OF DONORS OF MEAT TO CHARITABLE ORGANIZATIONS; AMENDING SECTION 5-338, IDAHO CODE, TO PROVIDE IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY OF DONORS OF BEEF TO CHARITABLE ORGANIZATIONS AND TO REVISE DEFINITIONS; AND AMENDING SECTION 37-1915, IDAHO CODE, TO PROVIDE AN EXCEPTION TO THE REQUIREMENT FOR INSPECTION OF SLAUGHTERED ANIMALS FOR CHARITABLE ORGANIZATIONS PROVIDING FREE FOOD SERVICES AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 167
BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT

RELATING TO MOTOR FUELS TAX; AMENDING SECTION 63-2401, IDAHO CODE, TO MODIFY THE DEFINITION OF "HIGHWAY" TO ALLOW CERTAIN OPERATORS TO EXCLUDE CERTAIN ROADS AS HIGHWAYS; AMENDING SECTION 63-2410, IDAHO CODE, TO CLARIFY THE EXEMPTION FOR FUEL USED IN UNLICENSED VEHICLES; AND AMENDING SECTION 63-2436, IDAHO CODE, TO AUTHORIZE THE STATE TAX COMMISSION TO REDUCE INFORMATION REPORTING FROM CERTAIN CARRIERS; AND AMENDING SECTION 63-2437, IDAHO CODE, TO AUTHORIZE THE STATE TAX COMMISSION TO REDUCE INFORMATION REPORTING FROM FUEL TERMINALS.

HOUSE BILL NO. 168
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO PESTICIDE AND CHEMIGATION APPLICATORS; AMENDING SECTION 22-3404, IDAHO CODE, TO PROVIDE FOR AN EXEMPTION FROM LICENSING REQUIREMENTS FOR CERTAIN PERSONS PROVIDING LIMITED PESTICIDE APPLICATIONS TO LAWNS OR TO ORNAMENTAL TREES AND SHRUBS.

HOUSE BILL NO. 169
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO AGRICULTURE AND HORTICULTURE; AMENDING TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 50, TITLE 22, IDAHO CODE, TO PROVIDE LIABILITY FOR THE WILLFUL AND KNOWING DAMAGE OR DESTRUCTION OF ANY AGRICULTURAL OR HORTICULTURAL CROP PRODUCT AND TO PROVIDE FOR DAMAGES.

HOUSE BILL NO. 170
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO TAXES IMPOSED UPON WHEAT; AMENDING SECTION 22-3315, IDAHO CODE, TO AUTHORIZE THE IDAHO WHEAT COMMISSION TO ESTABLISH THE RATE OF TAX TO BE IMPOSED NOT TO EXCEED THE EXISTING RATE AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 171
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO AGRICULTURE; AMENDING TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 18, TITLE 22, IDAHO CODE, TO PROVIDE FOR A COMMISSION ON PESTICIDE MANAGEMENT, TO PROVIDE FOR THE USE OF APPROPRIATIONS, TO PROVIDE FOR RESTRICTIONS ON USE OF STATE MONEY AND TO PROVIDE FOR THE COMMISSION'S APPROVAL OF USE OF MONEYS, TO PROVIDE FOR THE DEPOSIT AND DISBURSEMENT OF FUNDS, TO PROVIDE FOR THE AUDIT OF FUNDS BY THE STATE OF IDAHO, TO PROVIDE FOR AN ANNUAL REPORT BY THE COMMISSION TO DESIGNATED STATE ENTITIES, TO PROVIDE FOR BIENNIAL AUDITS AND REPORTS AND TO PROVIDE AN EXEMPTION FROM THE STANDARD TRAVEL PAY AND ALLOWANCE ACT OF 1949 FOR COMMISSION EXPENDITURES, TO PROVIDE FOR DUTIES OF THE COMMISSION, TO PROVIDE FOR AN ANNUAL REPORT TO THE LEGISLATURE AND TO PROVIDE FOR LEGISLATIVE EVALUATION.

HOUSE BILL NO. 172
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO GENERAL FUND SURPLUS; AMENDING CHAPTER 35, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-3529, IDAHO CODE, TO PROVIDE DISTRIBUTION OF AN UNEXPENDED AND UNENCUMBERED BALANCE IN THE GENERAL FUND; AND AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029M, IDAHO CODE, TO PROVIDE A TAX CREDIT TO INDIVIDUAL INCOME TAX PAYERS BASED UPON A GENERAL FUND SURPLUS.

HOUSE BILL NO. 173
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO INCOME TAXATION; AMENDING SECTION 63-3022H, IDAHO CODE, TO INCLUDE INTANGIBLE PERSONAL PROPERTY HELD AT LEAST TWELVE MONTHS UNDER THE DEFINITION OF QUALIFYING PROPERTY AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 174
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO THE MINE LICENSE TAX; AMENDING SECTION 47-1201, IDAHO CODE, TO REDUCE THE MINE LICENSE TAX FROM TWO PERCENT TO ONE PERCENT OF THE NET VALUE OF ROYALTIES RECEIVED OR OF THE ORES MINED AND EXTRACTED AND TO MAKE A TECHNICAL CORRECTION.

H 161, H 162, H 163, H 164, H 165, H 166, H 167, H 168, H 169, H 170, H 171, H 172, H 173, and **H 174** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1012, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1037, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

S 1036, by Local Government and Taxation Committee, was introduced, read the first time by title, and referred to the Revenue and Taxation Committee.

S 1025, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

S 1034, by Finance Committee, was read the second time by title and filed for third reading.

HCR 12 and **H 98**, by Commerce and Human Resources Committee, were read the second time by title and filed for third reading.

S 1018 and **S 1019**, by Commerce and Human Resources Committee, were read the second time by title and filed for third reading.

H 119, H 120, and **H 121**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

HCR 11 was read the third time at length and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mrs. Field(13) to open debate.

The question being, "Shall **HCR 11** be adopted?"

Whereupon the Acting Speaker declared **HCR 11** adopted by voice vote and ordered the resolution transmitted to the Senate.

H 63 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Moss to open debate.

The question being, "Shall **H 63** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Harwood, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle,

Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Trail, Wheeler, Wood, Young. Total -- 62.

NAYS -- McKague. Total -- 1.

Absent and excused -- Bieter, Crow, Cuddy, Hammond, Henbest, Tilman, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Acting Speaker declared **H 63** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 37 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Ridinger to open debate.

The question being, "Shall **H 37** pass?"

Roll call resulted as follows:

AYES -- Boe, Field(13), Field(20), Jaquet, Jones, Marley, Meyer, Pischner, Pomeroy, Ridinger, Robison, Schaefer, Sellman, Trail. Total -- 14.

NAYS -- Barraclough, Barrett, Bedke, Bell, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Deal, Denney, Ellis, Ellsworth, Eskridge, Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Raybould, Roberts, Sali, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Wheeler, Wood, Young. Total -- 52.

Absent and excused -- Bieter, Crow, Cuddy, Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Acting Speaker declared **H 37** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

H 38 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Lake to open debate.

The question being, "Shall **H 38** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 66.

NAYS -- None.

Absent and excused -- Bieter, Crow, Cuddy, Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Acting Speaker declared **H 38** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 39 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 39** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 66.

NAYS -- None.

Absent and excused -- Bieter, Crow, Cuddy, Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Acting Speaker declared **H 39** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 40 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Trail to open debate.

The question being, "Shall **H 40** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 66.

NAYS -- None.

Absent and excused -- Bieter, Crow, Cuddy, Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Acting Speaker declared **H 40** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 11:15 a.m., Thursday, February 8, 2001. Seconded by Mr. Chase. Motion carried.

Whereupon the Acting Speaker declared the House adjourned at 12:04 p.m.

FRANK BRUNEEL, Acting Speaker

ATTEST:
PAMM JUKER, Chief Clerk

THIRTY-SECOND LEGISLATIVE DAY
THURSDAY, FEBRUARY 8, 2001

House of Representatives

The House convened at 11:15 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Colton Miller, Page.

Approval of Journal

February 8, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-first Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

February 7, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:
I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 66

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

February 7, 2001

Mr. Speaker:
I transmit herewith **S 1031, S 1032**, and **S 1033** which have passed the Senate.

WOOD, Secretary

S 1031, S 1032, and **S 1033** were filed for first reading.

February 7, 2001

Mr. Speaker:
I return herewith **HCR 8** which has passed the Senate.

WOOD, Secretary

HCR 8 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 8, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 17, H 161, H 162, H 163, H 164, H 165, H 166, H 167, H 168, H 169, H 170, H 171, H 172, H 173**, and **H 174**.

GOULD, Chairman

HCR 17 and **H 167** were referred to the Transportation and Defense Committee.

H 161 was referred to the Business Committee.

H 162 and **H 163** were referred to the Local Government Committee.

H 164 was referred to the Environmental Affairs Committee.

H 165 and **H 166** were referred to the Health and Welfare Committee.

H 168, H 169, H 170, and **H 171** were referred to the Agricultural Affairs Committee.

H 172, H 173, and **H 174** were referred to the Revenue and Taxation Committee.

February 8, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 68, H 69, H 55, H 81, H 82, H 83, H 84, H 17, H 20**, and **H 21**.

GOULD, Chairman

The Speaker announced he was about to sign enrolled **H 68, H 69, H 55, H 81, H 82, H 83, H 84, H 17, H 20**, and **H 21**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 7, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 101, S 1005, S 1006, S 1007, S 1008, S 1009**, and **S 1010** and recommend that they do pass.

GOULD, Chairman

H 101, S 1005, S 1006, S 1007, S 1008, S 1009, and **S 1010** were filed for second reading.

February 7, 2001

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 27, H 30, H 31, H 32**, and **H 133** and recommend that they do pass.

BLACK, Chairman

H 27, H 30, H 31, H 32, and **H 133** were filed for second reading.

February 7, 2001

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 24** and report it back with amendments attached to be placed on General Orders for consideration.

BLACK, Chairman

H 24 was placed on General Orders for consideration.

February 8, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **HCR 9** and **HCR 10** and recommend that they do pass.

KELLOGG, Vice Chairman

HCR 9 and **HCR 10** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 18
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION

STATING FINDINGS AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO STUDY THE USE OF MONEYS ACCRUING IN THE IDAHO MILLENNIUM INCOME FUND.

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

WHEREAS, the Idaho Millennium Fund was created in the state treasury by Section 67-1801, Idaho Code to consist of all moneys distributed to the state pursuant to the Master Settlement Agreement entered into between tobacco product manufacturers and various states, including Idaho; and

WHEREAS, the Idaho Millennium Income Fund was established in Section 67-1802, Idaho Code, to consist of distributions from the Idaho Millennium Fund and such moneys that may be provided by legislative appropriations; and

WHEREAS, the Joint Millennium Legislative Committee meeting in January 2001, has provided valuable service in hearing public testimony and making recommendations on the use of moneys to be appropriated from the Idaho Millennium Fund during fiscal year 2002; and

WHEREAS, a mechanism to extend and expand the services of the Joint Millennium Legislative Committee in future fiscal years is desirable.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study during 2001 and 2002 of the use of moneys to be appropriated from the Idaho Millennium Income Fund. The Legislative Council shall determine the number of legislators and membership from each house appointed to the committee and shall authorize the committee to hear testimony from interested parties and consider applications for funds, and evaluate the actual and potential success of programs funded with moneys from the Idaho Millennium Income Fund.

BE IT FURTHER RESOLVED that the committee is also authorized to retain necessary consultant services with appropriated moneys, to assist the committee in making informed decisions and recommendations on this topic.

BE IT FURTHER RESOLVED that the committee shall make a report of its recommendations for the use of moneys to be appropriated from the Idaho Millennium Income Fund to the Second Regular Session of the Fifty-sixth Idaho Legislature and to the First Regular Session of the Fifty-seventh Idaho Legislature for the support and funding of programs that will benefit the State of Idaho and its citizens.

HOUSE CONCURRENT RESOLUTION NO. 19
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF THE EXCESSIVE UNEMPLOYMENT RATE AMONG PERSONS WITH DISABILITIES.

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

WHEREAS, sixty percent of Idahoans with disabilities between sixteen and sixty-four years of age are unemployed; and

WHEREAS, this alarming statistic represents approximately 150,000 of Idaho's citizens; and

WHEREAS, many of the disabled are willing and able to become employed, but once they do so are faced with the dilemma of losing certain federal and state benefits which their earnings cannot sufficiently replace; and

WHEREAS, insufficient training programs and an absence of adequate transportation and affordable housing to accommodate the working disabled are also contributing factors; and

WHEREAS, the causes of this excessive unemployment rate are complex, involving an interplay of state and federal programs, goals and incentives which contradict and frustrate the efforts of the disabled to become employed and maintain a reasonable standard of living; and

WHEREAS, empowering the disabled to become members of the work force, achieve personal financial independence and become taxpayers enhances the self-esteem of the individual and benefits society as a whole by reducing the strain on government resources needed to provide for their financial support and medical care; and

WHEREAS, it is essential to the welfare of the state of Idaho that remedies be identified to address the employment issues confronting this significant segment of Idaho's population.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a committee to

undertake and complete a study of the causes of and remedies for the excessive unemployment rate among persons with disabilities in Idaho. 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, including without limitation, representatives of the disabled, the Department of Health and Welfare, Vocational Rehabilitation, Education, the Idaho Association of Community Rehabilitation Programs, and the Commission for the Blind and Visually Impaired.

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 report its findings, recommendations and proposed legislation, if any, to the Second Regular Session of the Fifty-sixth Idaho Legislature.

HCR 18 and **HCR 19** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 175
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO CAMPAIGN CONTRIBUTIONS; AMENDING SECTION 67-6629, IDAHO CODE, TO CLARIFY THE DEFINITION OF A PERSUASIVE POLL AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 67-6625, IDAHO CODE, TO CLARIFY PENALTIES AND VENUE FOR PROSECUTION AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 176
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT

RELATING TO THE OUTFITTERS AND GUIDES LICENSING BOARD; AMENDING SECTION 36-2102, IDAHO CODE, TO REVISE THE DEFINITION OF "LICENSE YEAR" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 36-2103, IDAHO CODE, TO PROVIDE AN EXCEPTION FOR CERTAIN PERSONS FURNISHING LIVESTOCK AND TACK TO A HUNTER AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 36-2107, IDAHO CODE, TO STRIKE THE REQUIREMENT THAT EACH NONRESIDENT LICENSEE, PERMITTEE OR TAGHOLDER REPORT TO THE DEPARTMENT OF FISH AND GAME THE NUMBER OF EACH SPECIES OF BIG GAME TAKEN AND OTHER INFORMATION AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 36-2108, IDAHO CODE, TO CHANGE DATES FOR IMPOSITION OF A PENALTY FOR INCOMPLETE APPLICATIONS.

HOUSE BILL NO. 177
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT

RELATING TO LICENSES TO HUNT, FISH AND TRAP; AMENDING SECTION 36-406, IDAHO CODE, TO EXTEND ENTITLEMENT FOR DISABLED PERSONS LICENSES TO THOSE DEEMED DISABLED BY THE RAILROAD RETIREMENT BOARD PURSUANT TO TITLE 45 OF THE UNITED STATES CODE.

HOUSE BILL NO. 178
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO STATE HISTORICAL SOCIETY FOR FISCAL YEAR 2001; AUTHORIZING FIVE ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 179
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT

RELATING TO THE STUDY OF GALLOWAY DAM AND RESERVOIR; AMENDING CHAPTER 17, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-1712A, IDAHO CODE, TO PROVIDE THAT THE IDAHO DEPARTMENT OF WATER RESOURCES SHALL CONDUCT A FEASIBILITY STUDY OF THE GALLOWAY DAM AND RESERVOIR; AND APPROPRIATING MONEYS TO THE IDAHO DEPARTMENT OF WATER RESOURCES.

HOUSE BILL NO. 180
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT

RELATING TO PENALTIES FOR VIOLATING THE SAFE BOATING LAW; AMENDING SECTION 67-7033, IDAHO CODE, TO REDUCE CERTAIN MISDEMEANOR PENALTIES TO INFRACTIONS FOR PERSONS VIOLATING PROVISIONS OF THE STATE'S SAFE BOATING LAW AND TO PROVIDE FOR MISDEMEANOR PENALTIES FOR CERTAIN VIOLATIONS OF THE STATE'S SAFE BOATING LAW; AND AMENDING SECTION 49-1505, IDAHO CODE, TO CLARIFY THAT DRIVER'S LICENSE AND PRIVILEGES MAY BE SUSPENDED FOR FAILING TO PAY A FINE FOR A VIOLATION OF THE STATE'S BOATING LAWS.

HOUSE BILL NO. 181
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE
AN ACT

RELATING TO THE SEXUAL OFFENDER REGISTRATION ACT; AMENDING SECTION 18-8319, IDAHO CODE, TO DESIGNATE THE COURTS WHERE CERTAIN OFFENDERS MAY APPLY TO CHALLENGE DESIGNATIONS AS VIOLENT SEXUAL PREDATORS.

HOUSE BILL NO. 182
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE
AN ACT

RELATING TO SEARCH WARRANTS; AMENDING SECTION 19-4412, IDAHO CODE, TO EXTEND THE TIME

WITHIN WHICH A SEARCH WARRANT MUST BE EXECUTED AND RETURNED TO THE ISSUING MAGISTRATE.

HOUSE BILL NO. 183
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO DUTY TO ADVISE ACCUSED OR DETAINED OF RIGHT TO COUNSEL; AMENDING SECTION 19-853, IDAHO CODE, TO CLARIFY THE APPOINTMENT OF ATTORNEYS AT PUBLIC EXPENSE IN UNIFORM POST-CONVICTION PROCEDURE ACT PROCEEDINGS.

HOUSE BILL NO. 184
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO ATTORNEY'S FEES IN CIVIL ACTIONS; AMENDING SECTION 12-120, IDAHO CODE, TO PROVIDE FOR POSTJUDGMENT ATTORNEY'S FEES AND COSTS INCURRED IN COLLECTING ON JUDGMENTS ENTERED IN CERTAIN SMALL CLAIMS CASES AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 185
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO THE CHILD PROTECTIVE ACT; AMENDING SECTION 16-1601, IDAHO CODE, TO PROVIDE FOR A STATE POLICY INCLUDING THE PERIODIC REVIEW OF CASES IN CHILD PROTECTION PROCEEDINGS, TO PROVIDE FOR CERTAIN COORDINATED EFFORTS AND ACTIONS TO PREVENT HOMELESSNESS AND UNSTABLE HOME ENVIRONMENTS FOR CHILDREN, TO PROVIDE CHILDREN WITH PERMANENCY INCLUDING CONCURRENT PLANNING AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 16-1602, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 16-1603, IDAHO CODE, TO PROVIDE FOR JURISDICTION OVER CERTAIN CHILDREN AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 16-1604, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY, TO IMPOSE CERTAIN DUTIES ON THE PARTIES REGARDING OTHER ACTIONS AND ORDERS INVOLVING A CHILD, TO PROVIDE THAT WHERE THERE ARE CERTAIN CONFLICTING ORDERS THE CHILD PROTECTION ORDER SHALL CONTROL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 16-1605, IDAHO CODE, TO PROVIDE FOR PETITIONS IN CASES OF HOMELESSNESS OR UNSTABLE HOME ENVIRONMENTS, TO REQUIRE CERTAIN ASSERTIONS IN A PETITION WHERE A CHILD HAS BEEN OR WILL BE REMOVED FROM THE HOME, TO STRIKE A REFERENCE TO PLACEMENT DUE TO IMMEDIATE DANGER, TO PROVIDE THAT THE COURT MAY COMBINE PETITIONS AND HEARINGS IN CERTAIN CASES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 16-1606, IDAHO CODE, TO PROVIDE THAT THE CLERK OF THE COURT MAY ISSUE SUMMONS, TO DELETE A REFERENCE TO CERTAIN PERSONS BEING SUMMONED INTO COURT, TO PROVIDE FOR SUMMONS FOR HEARING, TO PROVIDE THAT IN CERTAIN CASES THE COURT MAY ENDORSE UPON THE SUMMONS AN ORDER FOR REMOVAL OF A CHILD FROM HIS PRESENT CONDITION OR SURROUNDINGS AND MAY VEST LEGAL CUSTODY WITH THE DEPARTMENT OF HEALTH AND WELFARE OR OTHER AUTHORIZED AGENCY AND TO PROVIDE CERTAIN REQUIREMENTS FOR THE ENDORSEMENT; AMENDING CHAPTER 16, TITLE 16, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 16-1607A, IDAHO CODE, TO PROVIDE FOR HEARINGS UNDER THE CHILD PROTECTIVE ACT; AMENDING SECTION 16-1608, IDAHO CODE, TO PROVIDE FOR PRETRIAL CONFERENCES BEFORE ADJUDICATORY HEARINGS, TO PROVIDE FOR DELIVERY OF INVESTIGATIVE REPORTS, TO PROVIDE FOR A DETERMINATION OF JURISDICTION, TO PROVIDE FOR DECREES OF THE COURT, TO PROVIDE THAT CERTAIN INFORMATION IS TO BE CONSIDERED BY THE COURT AND TO REQUIRE THE COURT TO PLACE THE CHILD, TO REQUIRE SPECIFIED WRITTEN FINDINGS IN CERTAIN CASES, TO PROVIDE FOR THE BINDING EFFECT AND DURATION OF CERTAIN DECREES AND TO REQUIRE WRITTEN CASE PLANS, TO PROVIDE FOR THE DURATION OF CERTAIN DECREES AND TO PROVIDE FOR OTHER TERMS OF A DECREE, TO PROVIDE FOR PROTECTIVE ORDERS IN CERTAIN CASES, TO PROVIDE FOR DISMISSAL OF CERTAIN PETITIONS; AMENDING SECTION 16-1609, IDAHO CODE, TO PROVIDE FOR DELIVERY AND RECEIPT OF THE INVESTIGATIVE REPORT AND TO PROVIDE FOR CONSIDERATION AND USE OF THE REPORT; AMENDING SECTION 16-1609A, IDAHO CODE, TO PROVIDE FOR REVIEW OF A REPRESENTATIVE SELECTION OF CERTAIN CASES BY A MULTIDISCIPLINARY TEAM AND TO PROVIDE THAT LACK OF REVIEW BY A MULTIDISCIPLINARY TEAM WILL NOT DEFEAT THE JURISDICTION OF THE COURT IN ANY PARTICULAR CASE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 16-1610, IDAHO CODE, TO PROVIDE FOR WRITTEN CASE PLANS, TO PROVIDE FOR NOTICE OF THE PLANNING HEARING, TO EXCLUDE FOSTER PARENTS AS PARTIES TO THE ACTION, TO PROVIDE THAT THE CASE PLAN SHALL INCLUDE CERTAIN INFORMATION RELATING TO PLACEMENT AND TO PROVIDE THAT CERTAIN CONNECTIONS OF THE CHILD TO THE COMMUNITY SHALL BE MAINTAINED WHENEVER POSSIBLE, TO PROVIDE FOR ENTRY INTO THE RECORD OF COURT APPROVED CASE PLANS AS ORDERS OF THE COURT AND TO PROVIDE THAT IN CERTAIN CASES THE ORDER WILL REQUIRE REASONABLE EFFORTS TO REUNIFY THE FAMILY OR FINALIZE PLACEMENT OF THE CHILD; AMENDING SECTION 16-1611, IDAHO CODE, TO PROVIDE FOR REVIEW HEARINGS AND PERMANENCY HEARINGS, TO PROVIDE CORRECT TERMINOLOGY, TO PROVIDE CORRECT CODE REFERENCES, TO STRIKE REFERENCE TO PETITIONS FOR REVIEW, TO PROVIDE FOR FILING BY THE DEPARTMENT OF HEALTH AND WELFARE OR ANY PARTY, TO PROHIBIT FILING OF A MOTION BY CERTAIN RESPONDENTS, TO PROVIDE FOR REVIEW OF CERTAIN CASES AND PERMANENCY PLANS, TO PROVIDE A PROCEDURE FOR HEARINGS TO REVIEW PERMANENCY PLANS, TO PROVIDE FOR HEARING OFFICERS, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND WELFARE MAY MOVE THE COURT FOR

RELIEF FROM ITS DUTY TO SEEK TERMINATION OF PARENTAL RIGHTS IN CERTAIN CASES AND TO PROVIDE FOR RELIEF FROM THE DUTY IN CERTAIN CASES; AMENDING SECTION 16-1612, IDAHO CODE, TO PROVIDE FOR EMERGENCY REMOVAL, TO PROVIDE CORRECT TERMINOLOGY AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 16-1613, IDAHO CODE, TO PROVIDE FOR EMERGENCY REMOVAL, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 16-1614, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY, TO PROVIDE FOR THE JURISDICTION OF THE COURT, TO PROVIDE THAT AT HEARING IT MAY BE SHOWN THAT IT IS CONTRARY TO THE WELFARE OF THE CHILD TO REMAIN IN THE HOME AND TO PROVIDE FOR TEMPORARY LEGAL CUSTODY; AMENDING SECTION 16-1615, IDAHO CODE, TO PROVIDE FOR TEMPORARY LEGAL CUSTODY, TO PROVIDE CORRECT CODE REFERENCES AND TO PROVIDE THAT PETITIONS TO TERMINATE PARENTAL RIGHTS SHALL BE FILED AS MOTIONS IN EXISTING CHILD PROTECTION ACTIONS; AMENDING SECTION 16-1617, IDAHO CODE, TO PROVIDE FOR LEGAL CUSTODY; AMENDING SECTION 16-1618, IDAHO CODE, TO REQUIRE THE APPOINTMENT OF COUNSEL FOR THE GUARDIAN AD LITEM IN CERTAIN CHILD PROTECTION ACT CASES AND TO PROVIDE FOR THE APPOINTMENT OF SEPARATE COUNSEL FOR THE CHILD IN CERTAIN CASES, TO STRIKE A REFERENCE TO APPOINTMENT OF COUNSEL FOR PARENTS IN CERTAIN CASES, TO REQUIRE THE APPOINTMENT OF COUNSEL FOR THE CHILD IN CERTAIN CASES AND TO PROVIDE THAT IN CERTAIN CASES THE ATTORNEY FOR THE CHILD SHALL HAVE THE POWERS AND DUTIES OF A GUARDIAN AD LITEM; AMENDING SECTION 16-1623, IDAHO CODE, TO REQUIRE THE DEPARTMENT OF HEALTH AND WELFARE TO FILE A PERMANENCY PLAN AND RECOMMENDATIONS WITH THE COURT WITHIN A SPECIFIED TIME AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 56-204B, IDAHO CODE, TO DELETE A REFERENCE TO THE DESIGNATION OF PLACES OF SHELTER BY THE MAGISTRATE COURTS; AMENDING SECTION 66-317, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 63-324, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 186
BY BUSINESS COMMITTEE
AN ACT

RELATING TO INSURANCE PRODUCER AND INSURANCE CONSULTANT LICENSING; AMENDING CHAPTER 10, TITLE 41, IDAHO CODE, AS ADDED BY HOUSE BILL 35, AS ENACTED BY THE FIRST REGULAR SESSION OF THE FIFTY-SIXTH IDAHO LEGISLATURE, BY THE ADDITION OF A NEW SECTION 41-1036, IDAHO CODE, TO PROVIDE THAT CERTAIN LICENSED PRODUCERS AND CONSULTANTS SHALL MAKE AVAILABLE FOR INVESTIGATION CERTAIN RECORDS; AND AMENDING SECTION 41-1036, IDAHO CODE, AS ADDED BY HOUSE BILL 35, AS ENACTED BY THE FIRST REGULAR SESSION OF THE FIFTY-SIXTH IDAHO LEGISLATURE, TO REDESIGNATE THE SECTION.

HOUSE BILL NO. 187
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO TAXATION; AMENDING CHAPTER 6, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-602EE, IDAHO CODE, TO PROVIDE THAT DURING TAX YEAR 2001 ONLY TANGIBLE PERSONAL PROPERTY THAT IS MACHINERY OR EQUIPMENT USED IN AGRICULTURE SHALL BE EXEMPT FROM TAXATION; AMENDING CHAPTER 7, TITLE 63, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 63-712 AND 63-713, IDAHO CODE, TO PROVIDE PROCEDURES FOR REIMBURSEMENT TO LOCAL GOVERNMENTS FOR CERTAIN PROPERTY EXEMPT FROM TAXATION AND TO PROVIDE FOR A REVIEW OF EXEMPTIONS; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE FOR REMITTANCE OF SALES TAX MONEYS TO REIMBURSE LOCAL UNITS OF GOVERNMENT FOR CERTAIN TANGIBLE PERSONAL PROPERTY EXEMPT FROM TAXATION AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 188
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE PUBLIC UTILITIES COMMISSION; AMENDING SECTION 61-206, IDAHO CODE, TO PROVIDE THAT THE PIPELINE SAFETY SPECIALIST OF THE PUBLIC UTILITIES COMMISSION SHALL BE A NONCLASSIFIED EMPLOYEE; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 189
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE CONDUCT OF SCHOOL ELECTIONS; AMENDING SECTION 33-503, IDAHO CODE, TO PROVIDE THE DATE WHEN SCHOOL TRUSTEE ELECTIONS SHALL BE HELD AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 34-106, IDAHO CODE, TO DELETE EXEMPTION OF SCHOOL DISTRICTS, TO PROVIDE DATES FOR SUPPLEMENTAL MAINTENANCE AND OPERATION LEVY ELECTIONS AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 190
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO SCHOOL DISTRICT TRUSTEE ZONES; AMENDING SECTION 33-313, IDAHO CODE, TO ADOPT STANDARDS FOR TRUSTEE ZONE BOUNDARIES.

H 175, H 176, H 177, H 178, H 179, H 180, H 181, H 182, H 183, H 184, H 185, H 186, H 187, H 188, H 189, and **H 190** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1031, S 1032, and **S 1033**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 13, HCR 14, HCR 15, and **HCR 16**, by Judiciary, Rules, and Administration Committee, were read the second time by title and filed for third reading.

H 160 and **H 122**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

H 50, H 52, and **H 49**, by Mr. Speaker, requested by Division of Military, were read the second time by title and filed for third reading.

H 147, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Bruneel asked unanimous consent that pursuant to Rule 24(1), the deadline to introduce bills be extended until Wednesday, February 14, 2001. There being no objection, it was so ordered.

Mr. Bruneel asked unanimous consent that all bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 11:15 a.m., Friday, February 9, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:41 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

THIRTY-THIRD LEGISLATIVE DAY
FRIDAY, FEBRUARY 9, 2001

House of Representatives

The House convened at 11:15 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Associate Pastor Don Hardenbrook.

The Pledge of Allegiance was led by Jenna Elmore, Page.

Approval of Journal

February 9, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-second Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that Ruby R. Stone, State Representative, District 17 House Seat B, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Raymond E. Stone, of Boise, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Raymond E. Stone, Acting State Representative, District 17 House Seat B, State of Idaho, for a term commencing on February 9, 2001, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

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 30th day of January in the year of our Lord two thousand and one, and of the Independence of the United States of America, the two hundred and twenty-fifth year.

/s/ DIRK A. KEMPTHORNE
Governor
/s/ PETE T. CENARRUSA
Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mr. Stone.

February 8, 2001

Mr. Speaker:

I transmit herewith **SJM 102, SCR 104, S 1045, S 1046**, and **S 1058** which have passed the Senate.

WOOD, Secretary

SJM 102, SCR 104, S 1045, S 1046, and **S 1058** were filed for first reading.

February 8, 2001

Mr. Speaker:

I return herewith **H 94, H 95**, and **H 36** which have passed the Senate.

WOOD, Secretary

H 94, H 95, and **H 36** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 9, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 18, HCR 19, H 175, H 176, H 177, H 178, H 179, H 180, H 181, H 182, H 183, H 184, H 185, H 186, H 187, H 188, H 189**, and **H 190**.

GOULD, Chairman

HCR 18, H 175, H 188, H 189, and **H 190** were referred to the State Affairs Committee.

H 177, H 179, and **H 180** were referred to the Resources and Conservation Committee.

H 181, H 182, H 183, H 184, and **H 185** were referred to the Judiciary, Rules, and Administration Committee.

H 186 was referred to the Business Committee.

H 187 was referred to the Revenue and Taxation Committee.

HCR 19, H 176, and **H 178** were filed for second reading.

February 9, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 8**.

GOULD, Chairman

The Speaker announced he was about to sign enrolled **HCR 8**, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 8, 2001

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 124** and recommend that it do pass.

WOOD, Chairman

H 124 was filed for second reading.

February 9, 2001

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 142** and recommend that it do pass.

DEAL, Chairman

H 142 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE JOINT MEMORIAL NO. 2
BY TRANSPORTATION AND DEFENSE COMMITTEE

A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, THE NATIONAL RAIL PASSENGER CORPORATION, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Fifty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, there is a growing need to diversify the transportation options available to residents of Idaho as well as visitors to Idaho; and

WHEREAS, trains provide a reliable means of transportation when inclement weather impedes other modes, as well as being a relaxing and environmentally friendly means of travel; and

WHEREAS, rail freight and passenger services have long been an essential component to our regional transportation system, playing a major role in the history of the state of Idaho; and

WHEREAS, the passenger rail service for southern Idaho was discontinued in 1997; and

WHEREAS, rail service through the Pioneer corridor once provided and could again provide substantial access to rural areas of the state, providing opportunity for both passenger and freight service; and

WHEREAS, restored passenger rail service would contribute to economic activity in southern Idaho, which in turn might increase rail use and business opportunities for further rail expansion; and

WHEREAS, restoration of rail connection through the Pioneer route would serve needs not only of Idaho, but also provide access between the Pacific Northwest and Utah, Wyoming, Colorado, Nebraska, Iowa and Illinois; and

WHEREAS, the Pioneer has a history and tradition that is valued by the residents of the state of Idaho.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge restoration of the daily passenger rail service of the Pioneer, serving to connect Idaho residents to the nation.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of

Congress, the president of the National Railroad Passenger Corporation and the congressional delegation representing the State of Idaho in the Congress of the United States.

HOUSE CONCURRENT RESOLUTION NO. 20
BY TRANSPORTATION AND DEFENSE COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND DESIGNATING LANDS WITHIN IDAHO AS THE IDAHO SECTION OF THE GREAT WESTERN TRAIL CORRIDOR.

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

WHEREAS, the Great Western Trail has currently been designated as a National Millennium Trail by the White House Millennium Council; and

WHEREAS, the United States Department of Agriculture Forest Service has completed a study on the possibility of designating the trail as a part of the National Trail System; and

WHEREAS, further study is continuing on this concept, the appropriate routes, and appropriate governing features; and

WHEREAS, designation of the trail is intended to enhance the opportunities for historical, archaeological, geologic, scenic, industrial and agricultural points of discovery for the site visitor; and

WHEREAS, some adjustments may be necessary to accommodate the wide variety of potential users including some motorized vehicles which are not street legal and many nonmotorized modes of transportation; and

WHEREAS, as representatives of the people of the state of Idaho, the Legislature wishes to designate certain lands as the Idaho section of the Great Western Trail Corridor and to support the concept of incorporating these portions in the trail which will provide something for everyone.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that those lands in eastern Idaho lying between the Idaho and Wyoming state boundaries and a line running north and south through areas encompassed by Bear Lake, Caribou, Franklin, Bonneville, Madison, Teton and Fremont counties are designated the Idaho section of the Great Western Trail Corridor. It is the intent by this designation to demonstrate the interest of the state of Idaho in the recognition of the Great Western Trail and to prepare for further exploration of necessary statutory provisions to implement the Trail System without in any way impairing private property rights of the citizens.

HJM 2 and **HCR 20** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

SJM 102, by Resources and Environment Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

SCR 104, by Local Government and Taxation Committee, was introduced, read the first time by title, and referred to the Revenue and Taxation Committee.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 191
BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO SCHOOL DISTRICT TRUSTEE ZONES; AMENDING SECTION 33-313, IDAHO CODE, TO REQUIRE THAT TRUSTEE ZONES BE REDEFINED FOLLOWING THE DECENNIAL CENSUS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 192
BY ENVIRONMENTAL AFFAIRS COMMITTEE

AN ACT

RELATING TO COMMERCIAL FEES AT HAZARDOUS WASTE DISPOSAL FACILITIES; AMENDING SECTION 39-4427, IDAHO CODE, TO PROVIDE A THIRTY DOLLARS PER GATE TON OR FRACTION THEREOF DISPOSAL FEE FOR WASTES CONTAINING RADIOLOGICALLY CONTAMINATED WASTE MATERIALS FROM FUSRAP SITES ADMINISTERED BY THE UNITED STATES ARMY CORPS OF ENGINEERS AND TO PROVIDE A MAXIMUM AMOUNT OF WASTE THAT MAY BE DISPOSED OF PER YEAR AT A FACILITY OR SITE.

HOUSE BILL NO. 193
BY LOCAL GOVERNMENT COMMITTEE

AN ACT

RELATING TO THE ELECTION OF COMMISSIONERS OF A FIRE PROTECTION DISTRICT; AMENDING SECTION 31-1408A, IDAHO CODE, TO GOVERN THE ELECTION OF COMMISSIONERS FROM EXPANDED BOARDS OF FIRE PROTECTION DISTRICTS AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 194
BY LOCAL GOVERNMENT COMMITTEE

AN ACT

RELATING TO PLANNING AND ZONING COMMISSIONS; AMENDING SECTION 67-6504, IDAHO CODE, TO CLARIFY THE GEOGRAPHICAL AREA WITHIN WHICH CERTAIN MEMBERS OF ANY COMMISSION MUST RESIDE.

HOUSE BILL NO. 195
BY LOCAL GOVERNMENT COMMITTEE

AN ACT

RELATING TO PORT DISTRICT REVENUE BONDS; AMENDING SECTION 70-1808, IDAHO CODE, TO DELETE THE INTEREST RATE LIMITATION ON PORT DISTRICT REVENUE FUNDING OR REFUNDING BONDS.

HOUSE BILL NO. 196
BY LOCAL GOVERNMENT COMMITTEE

AN ACT

RELATING TO LEASE OF PORT AUTHORITY PROPERTY; AMENDING SECTION 70-1616, IDAHO CODE, TO PROVIDE THAT LEASES OF PORT DISTRICT REAL PROPERTY SHALL BE SECURED BY A BOND, RENTAL INSURANCE OR OTHER FINANCIAL GUARANTY AS DEEMED SUFFICIENT BY THE PORT COMMISSION.

HOUSE BILL NO. 197
BY LOCAL GOVERNMENT COMMITTEE

AN ACT

RELATING TO EMINENT DOMAIN PROCEEDINGS; AMENDING SECTION 7-711, IDAHO CODE, TO REQUIRE BUSINESS OWNERS CLAIMING BUSINESS DAMAGES TO SUBMIT A WRITTEN BUSINESS DAMAGE CLAIM TO THE CONDEMNING AUTHORITY WITHIN NINETY DAYS AFTER THE CONDEMNING AUTHORITY'S INITIAL OFFER LETTER, TO PROVIDE THAT THE CONDEMNING AUTHORITY'S INITIAL OFFER LETTER OR ACCOMPANYING INFORMATION SHALL INCLUDE CERTAIN INFORMATION, TO PROVIDE THAT THE BUSINESS OWNER'S CLAIM MUST BE SENT TO THE CONDEMNING AUTHORITY BY CERTIFIED MAIL, TO PROVIDE THAT THE COURT SHALL STRIKE THE BUSINESS OWNER'S CLAIM FOR BUSINESS DAMAGES IN SUBSEQUENT CONDEMNATION PROCEEDINGS UNDER CERTAIN CONDITIONS, TO REQUIRE THAT THE BUSINESS DAMAGE CLAIM BE PREPARED BY AN INDIVIDUAL FAMILIAR WITH THE OPERATIONS OF THE BUSINESS OWNER'S BUSINESS, TO PROVIDE THAT THE BUSINESS OWNER SHALL PROVIDE THE CONDEMNING AUTHORITY WITH CERTAIN BUSINESS RECORDS, TO PROVIDE THAT THE CONDEMNING AUTHORITY'S GOOD FAITH IN FAILING TO OFFER COMPENSATION SHALL NOT BE CONTESTED AT A POSSESSION HEARING IF THE BUSINESS OWNER HAS NOT GIVEN NOTICE OF ITS INTENT TO CLAIM BUSINESS DAMAGES WITHIN A CERTAIN TIME PERIOD AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 198
BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO THE DEPARTMENT OF HEALTH AND WELFARE; REPEALING SECTION 39-3015, IDAHO CODE; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1009, IDAHO CODE, TO PROVIDE AUTHORITY FOR THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND WELFARE OR THE DIRECTOR'S DESIGNEE TO CONDUCT INVESTIGATIONS AND INSPECTIONS UNDER CERTAIN CONDITIONS, TO PROVIDE FOR THE RIGHT OF ENTRY BY THE DIRECTOR OR THE DIRECTOR'S DESIGNEE, TO PROVIDE FOR ADMINISTRATIVE AND CIVIL ENFORCEMENT ACTIONS WITHIN A SPECIFIED TIME PERIOD, TO PROVIDE FOR MONETARY PENALTIES, TO PROVIDE FOR THE PAYMENT OF EXPENSES INCURRED BY THE STATE, TO PROVIDE THAT ACTIONS TAKEN PURSUANT TO CHAPTER 10, TITLE 56, IDAHO CODE, SHALL NOT RELIEVE PERSONS OF LIABILITY FOR CERTAIN INJURIES OR DAMAGE AND TO PROVIDE FOR INJUNCTIONS; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1010, IDAHO CODE, TO PROVIDE FOR CIVIL AND CRIMINAL ENFORCEMENT ACTIONS, TO PROVIDE FOR PRIVATE COUNSEL AND TO PROVIDE THAT THE ATTORNEY GENERAL MAY DELEGATE CERTAIN AUTHORITY AND DUTIES; AMENDING SECTIONS 39-139 AND 39-140, IDAHO CODE, TO REDESIGNATE THE SECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-141, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTIONS 39-142, 39-143, 39-144, 39-145, 39-146, 39-146A AND 39-146B, IDAHO CODE, TO REDESIGNATE THE SECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-147, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTIONS 39-150, 39-151 AND 39-152, IDAHO CODE, TO REDESIGNATE THE SECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTIONS 39-153, 39-154, 39-155, 39-156, 39-157, 39-158 AND 39-159, IDAHO CODE, TO REDESIGNATE THE SECTIONS; AMENDING SECTIONS 39-160, 39-161, 39-162, 39-163, 39-164, 39-165, 39-166 AND 39-167, IDAHO CODE, TO REDESIGNATE THE SECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTIONS 39-168 AND 39-169, IDAHO CODE, TO REDESIGNATE THE SECTIONS; AMENDING SECTION 39-170, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-3030, IDAHO CODE, TO REDESIGNATE THE SECTION, TO DELETE REFERENCE TO A DATE, TO DELETE DEFINITIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1041, IDAHO CODE, TO DESIGNATE THE DEPARTMENT OF HEALTH AND WELFARE AS THE STATE AGENCY WITH RESPONSIBILITY FOR REGULATION OF X-RAY PRODUCING MACHINES AND TO PROVIDE FOR POWERS AND DUTIES OF THE DEPARTMENT; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1042, IDAHO CODE, TO DEFINE TERMS; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1043, IDAHO CODE, TO PROVIDE FOR RULES, TO PROVIDE LICENSING REQUIREMENTS AND PROCEDURES FOR LICENSING, TO PROVIDE FOR REGISTRATION OF X-RAY PRODUCING MACHINES AND TO PROVIDE FOR EXEMPTIONS FROM REGISTRATION OR LICENSING; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1045, IDAHO CODE, TO PROVIDE FOR INSPECTION BY THE DEPARTMENT OR ITS REPRESENTATIVE; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1046, IDAHO CODE, TO REQUIRE THE MAINTENANCE OF CERTAIN RECORDS AND TO PROVIDE FOR RULES ESTABLISHING STANDARDS RELATING TO PERSONNEL MONITORING AND REPORTING; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1047, IDAHO CODE, TO PROVIDE THAT THE STATE MAY ENTER INTO CERTAIN AGREEMENTS WITH THE FEDERAL GOVERNMENT RELATING TO X-RAY PRODUCING MACHINES AND TO PROVIDE FOR THE RECOGNITION OF FEDERAL LICENSES; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1048, IDAHO CODE, TO PROVIDE FOR INSPECTION AGREEMENTS AND TRAINING PROGRAMS; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1049, IDAHO CODE, TO PROVIDE FOR ADMINISTRATIVE PROCEDURES; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1050, IDAHO CODE, TO PROVIDE FOR INJUNCTION PROCEEDINGS; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1051, IDAHO CODE, TO PROHIBIT CERTAIN USES OF X-RAY PRODUCING MACHINES; AMENDING CHAPTER 10, TITLE

56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1052, IDAHO CODE, TO PROVIDE FOR THE IMPOUNDING OF CERTAIN X-RAY PRODUCING MACHINES; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1053, IDAHO CODE, TO PROVIDE FOR PENALTIES; AMENDING SECTION 49-306, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 49-452, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 199
BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO COMMERCIAL DRIVER'S LICENSE; AMENDING SECTION 49-335, IDAHO CODE, TO PROVIDE FOR DISQUALIFICATION OF A COMMERCIAL MOTOR VEHICLE OPERATOR IF THE OPERATOR IS CONVICTED OF A RAILROAD-HIGHWAY GRADE CROSSING VIOLATION WHILE OPERATING A COMMERCIAL MOTOR VEHICLE; AND AMENDING SECTION 49-337, IDAHO CODE, TO PROVIDE THAT THE EMPLOYER OF A COMMERCIAL MOTOR VEHICLE OPERATOR IS SUBJECT TO A CIVIL PENALTY IF THE EMPLOYER IS CONVICTED OF KNOWINGLY ALLOWING, PERMITTING, REQUIRING OR AUTHORIZING THE EMPLOYEE TO VIOLATE A FEDERAL, STATE OR LOCAL LAW OR REGULATION PERTAINING TO RAILROAD-HIGHWAY GRADE CROSSINGS AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 200
BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO INCOME TAX RELIEF; AMENDING SECTION 63-3024, IDAHO CODE, TO PROVIDE FOR A REDUCTION IN RATES OF ONE-TENTH OF ONE PERCENT FOR TAXABLE YEAR 2001 AND TO PROVIDE FOR A REDUCTION IN RATES OF FOUR-TENTHS OF ONE PERCENT FOR TAXABLE YEAR 2002 AND THEREAFTER; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3081, IDAHO CODE, TO PROVIDE A REBATE OF INCOME TAXES PAID BY INDIVIDUALS FOR TAXABLE YEARS BEGINNING IN 1999, TO DETERMINE THE RATE OF THE REBATE, TO SET MAXIMUM AND MINIMUM AMOUNTS, TO PROVIDE PROCEDURES, TO APPROPRIATE MONEYS AND TO AUTHORIZE CONTRACTS; REPEALING SECTION 63-3022D, IDAHO CODE; AMENDING SECTION 63-3022E, IDAHO CODE, TO INCREASE THE DEDUCTION FOR DEPENDENTS SIXTY-FIVE YEARS OF AGE OR OLDER OR PERSONS WITH DEVELOPMENTAL DISABILITIES FROM ONE THOUSAND DOLLARS TO FIVE THOUSAND DOLLARS; AMENDING SECTION 63-3022H, IDAHO CODE, TO INCREASE THE DEDUCTION ALLOWED FOR QUALIFIED CAPITAL GAINS AND TO ADD CERTAIN INVESTMENTS HELD BY IDAHO PRIVATE VENTURE CAPITAL COMPANIES FOR A PERIOD OF THREE YEARS TO THE PROPERTY QUALIFYING FOR THE CAPITAL GAINS DEDUCTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3024A, IDAHO CODE, TO INCREASE THE INCOME TAX CREDIT FOR SALES TAXES PAID BY INDIVIDUALS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3025, IDAHO CODE, TO REDUCE THE CORPORATE INCOME TAX RATE FROM EIGHT TO SEVEN AND EIGHT-TENTHS PERCENT FOR TAXABLE YEAR 2001 AND TO SEVEN AND FIVE-TENTHS PERCENT FOR TAXABLE YEAR 2002 AND THEREAFTER; AMENDING SECTION 63-3025A, IDAHO CODE, TO REDUCE THE CORPORATE FRANCHISE TAX RATE FROM EIGHT PERCENT TO THE RATE OF THE CORPORATE INCOME TAX AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3025D, IDAHO CODE, TO INCREASE THE PAYMENT FOR DEPENDENTS SIXTY-FIVE YEARS OF AGE OR OLDER OR PERSONS WITH DEVELOPMENTAL DISABILITIES FROM ONE HUNDRED DOLLARS TO FIVE HUNDRED DOLLARS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-3029B, IDAHO CODE, TO PROVIDE THAT TAXPAYERS MAKING EXPENDITURES FOR QUALIFIED BROADBAND EQUIPMENT ARE ENTITLED TO THE CREDIT AND TO REVISE PROCEDURES FOR RECAPTURE; AMENDING SECTIONS 63-3029E AND 63-3029F, IDAHO CODE, TO EXPAND THE NEW JOBS CREDIT BY REMOVING THE LIMITATION OF QUALIFYING TAXPAYERS TO REVENUE-PRODUCING ENTERPRISE CREATING VALUE-ADDED NATURAL RESOURCE PRODUCTS; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029G, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR CERTAIN EXPENDITURES RELATING TO RESEARCH ACTIVITIES CONDUCTED IN IDAHO, TO PROVIDE A SUNSET, TO PROVIDE A CARRYOVER OF UNUSED CREDITS, TO PROVIDE DEFINITIONS AND TO PROVIDE PROCEDURES; AMENDING SECTION 63-3029H, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029H, IDAHO CODE, TO PROVIDE A CREDIT FOR EXPENSES FOR HOUSEHOLD AND DEPENDENT CARE; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029I, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR CERTAIN EXPENDITURES RELATING TO HIGH SPEED BROADBAND COMMUNICATIONS ACCESS IN IDAHO, TO PROVIDE A SUNSET, TO PROVIDE A CARRYOVER OF UNUSED CREDITS, TO PROVIDE DEFINITIONS AND TO PROVIDE PROCEDURES; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029J, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR CERTAIN EXPENDITURES RELATING TO INVESTMENT IN AREAS IN IDAHO WITH HIGH UNEMPLOYMENT OR LOW PERSONAL INCOME AT THE ELECTION OF THE TAXPAYER, TO PROVIDE A SUNSET, TO PROVIDE A CARRYOVER OF UNUSED CREDITS, TO PROVIDE DEFINITIONS AND TO PROVIDE PROCEDURES; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029K, IDAHO CODE, TO PROVIDE A TEN PERCENT INCOME TAX CREDIT FOR INVESTMENTS IN IDAHO PRIVATE VENTURE CAPITAL COMPANIES, TO PROVIDE A SUNSET, TO PROVIDE A CARRYOVER OF UNUSED CREDITS, TO PROVIDE DEFINITIONS AND TO PROVIDE PROCEDURES; REPEALING SECTIONS 63-3029E AND 63-3029F, IDAHO CODE; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029E, IDAHO CODE, TO PROVIDE DEFINITIONS AND CONSTRUCTION OF TERMS; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029F, IDAHO CODE, TO PROVIDE SPECIAL CREDITS TO THE

INCOME TAX FOR NEW EMPLOYEES FOR AN ENTERPRISE THAT PRODUCES, ASSEMBLES, FABRICATES OR PROCESSES NATURAL RESOURCE PRODUCTS; PROVIDING FOR NONSEVERABILITY OF CERTAIN PROVISIONS OF THIS ACT; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION FOR CERTAIN PROVISIONS OF THIS ACT AND PROVIDING EFFECTIVE DATES.

HOUSE BILL NO. 201
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO THE INSURANCE PREMIUM TAX; AMENDING SECTION 41-402, IDAHO CODE, TO REMOVE THE TERM "DOMESTIC" FROM THE EXEMPTION RELATING TO INSURERS DOING EXCLUSIVELY WORKER'S COMPENSATION BUSINESS, TO REMOVE THE TERM "DOMESTIC" FROM THE EXEMPTION RELATING TO INSURERS WHICH EXCLUSIVELY INSURE GOVERNMENTAL ENTITIES AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 202
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO PROPERTY TAX EXEMPTIONS; AMENDING SECTION 63-602G, IDAHO CODE, TO PROVIDE THAT AN OWNER OF PROPERTY IS ENTITLED TO AN EXEMPTION IF RESIDENTIAL IMPROVEMENTS ARE OWNER-OCCUPIED AFTER JANUARY 1 BUT BEFORE APRIL 15 AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 63-702, IDAHO CODE, TO PROVIDE THAT A PROPERTY TAX REDUCTION SHALL BE ALLOWED IF AN OWNER OF PROPERTY OCCUPIES RESIDENTIAL IMPROVEMENTS AFTER JANUARY 1 BUT BEFORE APRIL 15 AND IF NO OTHER PROPERTY TAX REDUCTIONS HAVE BEEN CLAIMED.

HOUSE BILL NO. 203
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO AUDITORIUM OR COMMUNITY CENTER DISTRICTS; REPEALING SECTION 67-4902, IDAHO CODE; AMENDING CHAPTER 49, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-4902, IDAHO CODE, TO DEFINE TERMS; AMENDING SECTION 67-4904, IDAHO CODE, TO REVISE PETITIONS FOR THE ORGANIZATION OF A DISTRICT; AMENDING SECTION 67-4911, IDAHO CODE, TO REVISE WHEN ELECTIONS MAY BE HELD; AMENDING SECTION 67-4912, IDAHO CODE, TO PROVIDE ADDITIONAL POWERS FOR THE BOARD OF A DISTRICT AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-4917B, IDAHO CODE, TO PROVIDE THAT FOR ANY AUDITORIUM DISTRICT ESTABLISHED AFTER JULY 1, 2001, THE SALES TAX SHALL NOT EXCEED THE MAXIMUM TAX RATE AUTHORIZED IN THE PETITION FOR ORGANIZATION AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 204
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO PROPERTY TAX RELIEF; AMENDING SECTION 63-701, IDAHO CODE, TO PROVIDE A DEDUCTION FOR CERTAIN EXPENSES RELATED TO FUNERALS IN THE DETERMINATION OF INCOME AND TO MAKE TECHNICAL CORRECTIONS.

H 191, H 192, H 193, H 194, H 195, H 196, H 197, H 198, H 199, H 200, H 201, H 202, H 203, and **H 204** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1045, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1046, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

S 1058, by Local Government and Taxation Committee, was introduced, read the first time by title, and referred to the Revenue and Taxation Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 101, by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

S 1005, S 1006, S 1007, S 1008, S 1009, and **S 1010**, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

H 27, H 30, and **H 32**, by Mr. Speaker, requested by Bureau of Occupational Licenses, were read the second time by title and filed for third reading.

H 31, by Mr. Speaker, requested by Idaho Commission on Aging, was read the second time by title and filed for third reading.

H 133, by Business Committee, was read the second time by title and filed for third reading.

HCR 9 and **HCR 10**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 41 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ridinger to open debate.

The question being, "Shall **H 41** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer,

Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 68.

NAYS -- Clark. Total -- 1.

Absent and excused -- Wood. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 41** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 109 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ellis to open debate.

The question being, "Shall **H 109** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Wood. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 109** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 110 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Collins to open debate.

The question being, "Shall **H 110** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Wood. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 110** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 111 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wheeler to open debate.

The question being, "Shall **H 111** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Pischner. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 111** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 112 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ridinger to open debate.

The question being, "Shall **H 112** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellsworth, Field(13), Field(20), Gagner, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Young. Total -- 60.

NAYS -- Barrett, Bell, Ellis, Eskridge, Gould, Lake, Roberts, Mr. Speaker. Total -- 8.

Absent and excused -- Pischner, Wood. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 112** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1034 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Meyer to open debate.

The question being, "Shall **S 1034** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Ellsworth, Eskridge, Field(13),

Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 63.

NAYS -- Denney, Ellis, Loertscher, McKague, Moyle, Pearce, Smith. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **S 1034** passed the House. Title was approved and the bill was ordered returned to the Senate.

HCR 12 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **HCR 12** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Wheeler, Young, Mr. Speaker. Total -- 62.

NAYS -- Boe, Chase, Cuddy, Henbest, Jaquet, Marley, Trail, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **HCR 12** adopted and ordered the resolution transmitted to the Senate.

Mr. Bruneel asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, February 12, 2001. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 10:30 a.m., Monday, February 12, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:10 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

THIRTY-SIXTH LEGISLATIVE DAY
MONDAY, FEBRUARY 12, 2001

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 67 members present.
Absent and excused -- Barrett, Black, Pischner. Total -- 3.
Total -- 70.

Prayer was offered by Associate Pastor Don Hardenbrook.

The Pledge of Allegiance was led by Darci Graves, Page.

Approval of Journal

February 12, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-third Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

February 9, 2001

Mr. Speaker:

I return herewith enrolled **H 68, H 69, H 55, H 81, H 82, H 83, H 84, H 17, H 20**, and **H 21** which have been signed by the President.

WOOD, Secretary

Enrolled **H 68, H 69, H 55, H 81, H 82, H 83, H 84, H 17, H 20**, and **H 21** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 9, 2001

Mr. Speaker:

I transmit herewith **S 1021** and **S 1022** which have passed the Senate.

WOOD, Secretary

S 1021 and **S 1022** were filed for first reading.

February 9, 2001

Mr. Speaker:

I return herewith **H 93** and **H 126** which have passed the Senate.

WOOD, Secretary

H 93 and **H 126** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 12, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HJM 2, HCR 20, H 191, H 192, H 193, H 194, H 195, H 196, H 197, H 198, H 199, H 200, H 201, H 202, H 203**, and **H 204**.

GOULD, Chairman

H 191 was referred to the State Affairs Committee.

H 192 was referred to the Environmental Affairs Committee.

H 193, H 194, H 196, and **H 197** were referred to the Local Government Committee.

H 195, H 200, H 201, H 202, H 203, and **H 204** were referred to the Revenue and Taxation Committee.

H 198 was referred to the Health and Welfare Committee.

H 199 was referred to the Transportation and Defense Committee.

HJM 2 and **HCR 20** were filed for second reading.

February 12, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 94, H 95**, and **H 36**.

GOULD, Chairman

The Speaker announced he was about to sign enrolled **H 94, H 95**, and **H 36**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 205
BY BUSINESS COMMITTEE

AN ACT

RELATING TO THE UNIFORM COMMERCIAL CODE; REPEALING CHAPTER 9, TITLE 28, IDAHO CODE; AMENDING TITLE 28, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 9, TITLE 28, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE DEFINITIONS AND AN INDEX OF DEFINITIONS, TO PROVIDE FOR A PURCHASE-MONEY SECURITY INTEREST, APPLICATION OF PAYMENTS AND THE BURDEN OF ESTABLISHING A PURCHASE-MONEY SECURITY INTEREST, TO PROVIDE FOR CONTROL OF A DEPOSIT ACCOUNT, TO PROVIDE FOR CONTROL OF ELECTRONIC CHATTEL PAPER, TO PROVIDE FOR CONTROL OF INVESTMENT PROPERTY, TO PROVIDE FOR CONTROL OF A LETTER OF CREDIT RIGHT, TO PROVIDE FOR THE SUFFICIENCY OF DESCRIPTION, TO PROVIDE FOR THE SCOPE OF THE CHAPTER, TO PROVIDE FOR SECURITY INTERESTS ARISING UNDER CHAPTER 2 OR CHAPTER 12, TITLE 28, IDAHO CODE, TO PROVIDE THE GENERAL EFFECTIVENESS OF A SECURITY AGREEMENT, TO PROVIDE THAT TITLE TO THE COLLATERAL IS IMMATERIAL, TO PROVIDE FOR ATTACHMENT AND ENFORCEABILITY OF A SECURITY INTEREST, TO PROVIDE FOR AFTER-ACQUIRED PROPERTY AND FUTURE ADVANCES, TO PROVIDE FOR USE OR DISPOSITION OF COLLATERAL, TO PROVIDE FOR A SECURITY INTEREST ARISING IN THE PURCHASE OR DELIVERY OF A FINANCIAL ASSET, TO PROVIDE THE RIGHTS AND DUTIES OF A SECURED PARTY HAVING POSSESSION OR CONTROL OF COLLATERAL, TO PROVIDE ADDITIONAL DUTIES OF A SECURED PARTY HAVING CONTROL OF COLLATERAL, TO PROVIDE THE DUTIES OF A SECURED PARTY IF THE ACCOUNT DEBTOR HAS BEEN NOTIFIED OF AN ASSIGNMENT, TO PROVIDE FOR A REQUEST FOR AN ACCOUNTING AND A REQUEST REGARDING A LIST OF COLLATERAL OR STATEMENT OF ACCOUNT, TO PROVIDE THE LAW GOVERNING PERFECTION AND PRIORITY OF SECURITY INTERESTS, TO PROVIDE THE LAW GOVERNING PERFECTION AND PRIORITY OF AGRICULTURAL LIENS, TO PROVIDE THE LAW GOVERNING PERFECTION AND PRIORITY OF SECURITY INTERESTS IN GOODS COVERED BY A CERTIFICATE OF TITLE, TO PROVIDE THE LAW GOVERNING PERFECTION AND PRIORITY OF SECURITY INTERESTS IN DEPOSIT ACCOUNTS, TO PROVIDE THE LAW GOVERNING PERFECTION AND PRIORITY OF SECURITY INTERESTS IN INVESTMENT PROPERTY, TO PROVIDE THE LAW GOVERNING PERFECTION AND PRIORITY OF SECURITY INTERESTS IN LETTER OF CREDIT RIGHTS, TO PROVIDE FOR LOCATION OF DEBTOR, TO PROVIDE WHEN A SECURITY INTEREST OR AGRICULTURAL LIEN IS PERFECTED AND TO PROVIDE FOR CONTINUITY OF PERFECTION, TO PROVIDE WHEN A SECURITY INTEREST IS PERFECTED UPON ATTACHMENT, TO PROVIDE WHEN A FILING IS REQUIRED TO PERFECT A SECURITY INTEREST OR AGRICULTURAL LIEN AND TO PROVIDE EXCEPTIONS, TO PROVIDE FOR PERFECTION OF SECURITY INTERESTS IN PROPERTY SUBJECT TO CERTAIN STATUTES, REGULATIONS AND TREATIES, TO PROVIDE FOR PERFECTION OF SECURITY INTERESTS IN CHATTEL PAPER, DEPOSIT ACCOUNTS, DOCUMENTS, GOODS COVERED BY DOCUMENTS, INSTRUMENTS, INVESTMENT PROPERTY, LETTER OF CREDIT RIGHTS AND MONEY, TO PROVIDE FOR PERFECTION BY PERMISSIVE FILING AND FOR TEMPORARY PERFECTION WITHOUT FILING OR TRANSFER OF POSSESSION, TO PROVIDE WHEN POSSESSION BY OR DELIVERY TO A SECURED PARTY PERFECTS A SECURITY INTEREST WITHOUT FILING, TO PROVIDE FOR PERFECTION BY CONTROL, TO PROVIDE A SECURED PARTY'S RIGHTS ON DISPOSITION OF COLLATERAL AND IN PROCEEDS, TO PROVIDE FOR CONTINUED PERFECTION OF A SECURITY INTEREST FOLLOWING A CHANGE IN GOVERNING LAW, TO PROVIDE THE INTERESTS THAT TAKE PRIORITY OVER OR TAKE FREE OF A SECURITY INTEREST OR AGRICULTURAL LIEN, TO PROVIDE WHEN A DEBTOR RETAINS NO INTEREST IN A RIGHT TO PAYMENT THAT IS SOLD AND TO PROVIDE THE RIGHTS AND TITLE OF A SELLER OF AN ACCOUNT OR CHATTEL PAPER WITH RESPECT TO CREDITORS AND PURCHASERS, TO PROVIDE THE RIGHTS AND TITLE OF A CONSIGNEE WITH RESPECT

TO CREDITORS AND PURCHASERS, TO PROVIDE WHEN A BUYER OF GOODS TAKES FREE OF A SECURITY INTEREST, TO PROVIDE FOR A LICENSEE OF A GENERAL INTANGIBLE AND A LESSEE OF GOODS IN THE ORDINARY COURSE OF BUSINESS, TO PROVIDE PRIORITIES AMONG CONFLICTING SECURITY INTERESTS IN AND AGRICULTURAL LIENS ON THE SAME COLLATERAL, TO PROVIDE FOR SECURITY INTERESTS IN CROPS FOR PROVISION OF AGRICULTURAL CHEMICALS, TO PROVIDE FOR FUTURE ADVANCES, TO PROVIDE THE PRIORITY OF PURCHASE-MONEY SECURITY INTERESTS, TO PROVIDE THE PRIORITY OF SECURITY INTERESTS IN TRANSFERRED COLLATERAL, TO PROVIDE THE PRIORITY OF SECURITY INTERESTS CREATED BY A NEW DEBTOR, TO PROVIDE THE PRIORITY OF SECURITY INTERESTS IN A DEPOSIT ACCOUNT, TO PROVIDE THE PRIORITY OF SECURITY INTERESTS IN INVESTMENT PROPERTY, TO PROVIDE THE PRIORITY OF SECURITY INTERESTS IN A LETTER OF CREDIT RIGHT, TO PROVIDE THE PRIORITY OF A PURCHASER OF CHATTEL PAPER OR AN INSTRUMENT, TO PROVIDE THE PRIORITY OF RIGHTS OF PURCHASERS OF INSTRUMENTS, DOCUMENTS, AND SECURITIES UNDER OTHER CHAPTERS AND THE PRIORITY OF INTERESTS IN FINANCIAL ASSETS AND SECURITY ENTITLEMENTS UNDER CHAPTER 8, TITLE 28, IDAHO CODE, TO PROVIDE FOR THE TRANSFER OF MONEY AND A TRANSFER OF FUNDS FROM A DEPOSIT ACCOUNT, TO PROVIDE THE PRIORITY OF CERTAIN LIENS ARISING BY OPERATION OF LAW, TO PROVIDE THE PRIORITY OF SECURITY INTERESTS IN FIXTURES AND CROPS, TO PROVIDE FOR ACCESSIONS, TO PROVIDE FOR COMMINGLED GOODS, TO PROVIDE THE PRIORITY OF SECURITY INTERESTS IN GOODS COVERED BY A CERTIFICATE OF TITLE, TO PROVIDE THE PRIORITY OF A SECURITY INTEREST OR AGRICULTURAL LIEN PERFECTED BY A FILED FINANCING STATEMENT PROVIDING CERTAIN INCORRECT INFORMATION, TO PROVIDE THAT PRIORITY IS SUBJECT TO SUBORDINATION BY AGREEMENT, TO PROVIDE THE EFFECTIVENESS OF A RIGHT OF RECOUPMENT OR SET-OFF AGAINST A DEPOSIT ACCOUNT, TO PROVIDE A BANK'S RIGHTS AND DUTIES WITH RESPECT TO A DEPOSIT ACCOUNT, TO PROVIDE FOR THE BANK'S RIGHT TO REFUSE TO ENTER INTO OR DISCLOSE THE EXISTENCE OF A CONTROL AGREEMENT, TO PROVIDE FOR ALIENABILITY OF DEBTOR'S RIGHTS, TO PROVIDE THAT A SECURED PARTY IS NOT OBLIGATED ON A CONTRACT OF THE DEBTOR OR IN TORT, TO PROVIDE FOR AN AGREEMENT NOT TO ASSERT DEFENSES AGAINST AN ASSIGNEE, TO PROVIDE FOR RIGHTS ACQUIRED BY AN ASSIGNEE AND CLAIMS AND DEFENSES AGAINST AN ASSIGNEE, TO PROVIDE FOR MODIFICATION OF AN ASSIGNED CONTRACT, TO PROVIDE FOR DISCHARGE OF THE ACCOUNT DEBTOR UPON PAYMENT TO THE ASSIGNOR, TO PROVIDE FOR NOTIFICATION OF THE ASSIGNMENT, TO PROVIDE IDENTIFICATION AND PROOF OF ASSIGNMENT AND TO PROVIDE FOR RESTRICTIONS ON ASSIGNMENT, TO PROVIDE FOR RESTRICTIONS ON THE CREATION OR ENFORCEMENT OF A SECURITY INTEREST IN A LEASEHOLD INTEREST OR IN THE LESSOR'S RESIDUAL INTEREST, TO PROVIDE WHEN RESTRICTIONS ON THE ASSIGNMENT OF PROMISSORY NOTES, HEALTH CARE INSURANCE RECEIVABLES AND CERTAIN INTANGIBLES IS INEFFECTIVE, TO PROVIDE WHEN RESTRICTIONS ON THE ASSIGNMENT OF LETTER OF CREDIT RIGHTS IS INEFFECTIVE, TO PROVIDE THE OFFICE FOR FILING A FINANCING STATEMENT, TO PROVIDE THE CONTENTS OF A FINANCING STATEMENT, TO PROVIDE FOR THE RECORD OF A MORTGAGE AS A FINANCING STATEMENT, TO PROVIDE FOR THE TIME OF FILING A FINANCING STATEMENT AND TO PROVIDE FOR A FINANCING STATEMENT COVERING FARM PRODUCTS, TO PROVIDE FOR SUFFICIENCY OF THE NAME OF THE DEBTOR AND SECURED PARTY, TO PROVIDE FOR A SUFFICIENT INDICATION OF THE COLLATERAL, TO PROVIDE FOR FILING AND COMPLIANCE WITH OTHER STATUTES AND TREATIES FOR CONSIGNMENTS, LEASES, OTHER BAILMENTS AND OTHER TRANSACTIONS, TO PROVIDE THE EFFECT OF ERRORS OR OMISSIONS, TO PROVIDE THE EFFECT OF CERTAIN EVENTS ON THE EFFECTIVENESS OF A FINANCING STATEMENT, TO PROVIDE THE EFFECTIVENESS OF A FINANCING STATEMENT IF A NEW DEBTOR BECOMES BOUND BY A SECURITY AGREEMENT, TO PROVIDE THE PERSONS ENTITLED TO FILE A RECORD, TO PROVIDE THE EFFECTIVENESS OF A FILED RECORD, TO PROVIDE FOR THE SECURED PARTY OF RECORD, TO PROVIDE FOR AMENDMENT OF A FINANCING STATEMENT, TO PROVIDE FOR A TERMINATION STATEMENT, TO PROVIDE FOR ASSIGNMENT OF THE POWERS OF A SECURED PARTY OF RECORD, TO PROVIDE THE DURATION AND EFFECTIVENESS OF A FINANCING STATEMENT AND THE EFFECT OF A LAPSED FINANCING STATEMENT, TO PROVIDE WHAT CONSTITUTES FILING AND THE EFFECTIVENESS OF FILING, TO PROVIDE THE EFFECT OF INDEXING ERRORS, TO PROVIDE FOR A CLAIM CONCERNING AN INACCURATE OR WRONGFULLY FILED RECORD, TO PROVIDE FOR NUMBERING, MAINTAINING AND INDEXING RECORDS AND COMMUNICATING INFORMATION PROVIDED IN RECORDS, TO PROVIDE FOR ACCEPTANCE OF AND A REFUSAL TO ACCEPT A RECORD BY A FILING OFFICE, TO PROVIDE THE UNIFORM FORMS FOR A WRITTEN FINANCING STATEMENT AND AN AMENDMENT, TO PROVIDE FOR MAINTENANCE AND DESTRUCTION OF RECORDS, TO PROVIDE FOR INFORMATION FROM A FILING OFFICE, TO PROVIDE FOR THE SALE OR LICENSE OF RECORDS AND TO PROVIDE FOR MASTER LISTS OF FARM PRODUCTS, TO PROVIDE FOR A DELAY BY A FILING OFFICE, TO PROVIDE FOR FEES, TO PROVIDE FOR PROMULGATION OF RULES BY THE SECRETARY OF STATE, TO PROVIDE FOR RIGHTS AFTER DEFAULT AND UPON JUDICIAL ENFORCEMENT, AND TO PROVIDE FOR CONSIGNOR OR BUYER OF ACCOUNTS, CHATTEL PAPER, PAYMENT INTANGIBLES OR PROMISSORY NOTES, TO PROVIDE FOR WAIVER AND VARIANCE OF RIGHTS AND DUTIES, TO PROVIDE FOR AN AGREEMENT ON STANDARDS CONCERNING RIGHTS AND DUTIES, TO PROVIDE THE PROCEDURE IF A SECURITY AGREEMENT COVERS REAL PROPERTY OR FIXTURES, TO PROVIDE FOR AN UNKNOWN DEBTOR OR SECONDARY OBLIGOR, TO PROVIDE THE TIME OF DEFAULT FOR AN AGRICULTURAL LIEN, TO PROVIDE FOR COLLECTION AND ENFORCEMENT BY A SECURED PARTY, TO PROVIDE FOR APPLICATION OF THE PROCEEDS OF COLLECTION OR ENFORCEMENT AND TO PROVIDE THE LIABILITY

FOR A DEFICIENCY AND RIGHT TO SURPLUS, TO PROVIDE THE SECURED PARTY'S RIGHT TO TAKE POSSESSION AFTER DEFAULT, TO PROVIDE FOR DISPOSITION OF COLLATERAL AFTER DEFAULT, TO PROVIDE FOR NOTIFICATION BEFORE DISPOSITION OF COLLATERAL, TO PROVIDE FOR TIMELINESS OF NOTIFICATION BEFORE DISPOSITION OF COLLATERAL, TO PROVIDE THE CONTENTS AND FORM OF NOTIFICATION BEFORE DISPOSITION OF COLLATERAL IN GENERAL AND IN A CONSUMER GOODS TRANSACTION, TO PROVIDE FOR APPLICATION OF THE PROCEEDS OF DISPOSITION, TO PROVIDE THE LIABILITY FOR A DEFICIENCY AND THE RIGHT TO SURPLUS, TO PROVIDE FOR AN EXPLANATION OF THE CALCULATION OF A SURPLUS OR A DEFICIENCY, TO PROVIDE THE RIGHTS OF A TRANSFEREE OF COLLATERAL, TO PROVIDE THE RIGHTS AND DUTIES OF CERTAIN SECONDARY OBLIGORS, TO PROVIDE FOR A TRANSFER OF RECORD OR LEGAL TITLE, TO PROVIDE FOR ACCEPTANCE OF COLLATERAL IN FULL OR PARTIAL SATISFACTION OF AN OBLIGATION AND FOR COMPULSORY DISPOSITION OF COLLATERAL, TO PROVIDE FOR NOTIFICATION OF A PROPOSAL TO ACCEPT COLLATERAL AND FOR THE EFFECT OF AN ACCEPTANCE OF COLLATERAL, TO PROVIDE FOR A RIGHT TO REDEEM COLLATERAL, TO PROVIDE FOR WAIVER OF A DISPOSITION NOTIFICATION OR A REDEMPTION RIGHT, TO PROVIDE REMEDIES FOR A SECURED PARTY'S FAILURE TO COMPLY WITH CHAPTER 9, TITLE 28, IDAHO CODE, TO PROVIDE FOR AN ACTION IN WHICH A DEFICIENCY OR SURPLUS IS IN ISSUE, TO PROVIDE FOR A DETERMINATION OF WHETHER CONDUCT WAS COMMERCIALLY REASONABLE, TO PROVIDE FOR NONLIABILITY AND A LIMITATION OF THE LIABILITY OF A SECURED PARTY AND FOR THE LIABILITY OF A SECONDARY OBLIGOR, TO PROVIDE A SAVINGS CLAUSE, TO PROVIDE FOR A SECURITY INTEREST PERFECTED BEFORE THE EFFECTIVE DATE OF THE ACT AND FOR A SECURITY INTEREST UNPERFECTED BEFORE THE EFFECTIVE DATE OF THE ACT, TO PROVIDE THE EFFECTIVENESS OF ACTION TAKEN BEFORE THE EFFECTIVE DATE OF THE ACT, TO PROVIDE WHEN AN INITIAL FINANCING STATEMENT SUFFICES TO CONTINUE THE EFFECTIVENESS OF A FINANCING STATEMENT, TO PROVIDE FOR PREEFFECTIVE-DATE FINANCING STATEMENT, TO PROVIDE THE PERSONS ENTITLED TO FILE AN INITIAL FINANCING STATEMENT OR A CONTINUATION STATEMENT AND TO PROVIDE FOR THE LAW GOVERNING PRIORITY; AMENDING SECTION 28-1-105, IDAHO CODE, TO PROVIDE APPROPRIATE CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-1-201, IDAHO CODE, TO REDEFINE "BUYER IN THE ORDINARY COURSE OF BUSINESS" AND "SECURITY INTEREST," TO INCLUDE A SECURITY INTEREST WITHIN THE DEFINITION OF "PURCHASE" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-2-103, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-2-210, IDAHO CODE, TO PROVIDE THAT A SECURITY INTEREST IN THE SELLER'S INTEREST UNDER A CONTRACT IS NOT A PROHIBITED TRANSFER UNLESS ENFORCEMENT RESULTS IN A DELEGATION OF MATERIAL PERFORMANCE, TO PROVIDE THE SELLER'S LIABILITY IN THAT EVENT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-2-326, IDAHO CODE, TO DELETE OBSOLETE PROVISIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-2-502, IDAHO CODE, TO PROVIDE THE BUYER'S RIGHT TO GOODS ON THE SELLER'S REPUDIATION AND FAILURE TO DELIVER AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-2-716, IDAHO CODE, TO PROVIDE WHEN THE BUYER'S RIGHT OF REPLEVIN VESTS IN THE CASE OF GOODS BOUGHT FOR PERSONAL, FAMILY OR HOUSEHOLD PURPOSES; AMENDING SECTION 28-4-210, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING PART 1, CHAPTER 5, TITLE 28, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 28-5-120, IDAHO CODE, TO PROVIDE FOR THE SECURITY INTEREST OF AN ISSUER OR NOMINATED PERSON IN A DOCUMENT; AMENDING SECTION 28-7-209A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 28-7-503, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-8-103, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 28-8-106, IDAHO CODE, TO PROVIDE THAT A PURCHASER HAS CONTROL OF A SECURITY ENTITLEMENT IF ANOTHER PERSON HAS CONTROL OF THE SECURITY ENTITLEMENT ON BEHALF OF THE PURCHASER AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 28-8-110, IDAHO CODE, TO PROVIDE FOR A SECURITIES INTERMEDIARY'S JURISDICTION IN PARTICULAR CIRCUMSTANCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-8-301, IDAHO CODE, TO PROVIDE ADDITIONAL CIRCUMSTANCES WHEN A SECURITIES INTERMEDIARY ACTING ON BEHALF OF THE PURCHASER ACQUIRES POSSESSION OF A SECURITY CERTIFICATE; AMENDING SECTION 28-8-302, IDAHO CODE, TO DELETE THE REQUIREMENT FOR DELIVERY BEFORE A PURCHASER ACQUIRES RIGHTS IN A CERTIFICATED OR UNCERTIFICATED SECURITY; AMENDING SECTION 28-8-510, IDAHO CODE, TO PROVIDE FOR APPLICATION OF THE SECTION IN CASES NOT COVERED BY THE PRIORITY RULES OF CHAPTER 9, TITLE 28, IDAHO CODE, TO PROVIDE FOR PRIORITY WITH RESPECT TO PURCHASERS OF A SECURITY ENTITLEMENT HAVING CONTROL AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 28-12-103, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-12-303, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES, TO DELETE OBSOLETE PROVISIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-12-307, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO PROVIDE WHEN A LESSEE TAKES A LEASEHOLD INTEREST SUBJECT TO A SECURITY INTEREST HELD BY A LESSOR'S CREDITOR; AMENDING SECTION 28-12-309, IDAHO CODE, TO PROVIDE CORRECT NOMENCLATURE AND CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-50-116, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING CHAPTER 3, TITLE 45, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 45-318,

IDAHO CODE, TO PROVIDE APPLICABILITY OF THE UNIFORM COMMERCIAL CODE; AMENDING SECTION 8-506A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-2402, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 45-1909, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 49-120, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING CHAPTER 2, TITLE 57, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 57-232, IDAHO CODE, TO PROVIDE FOR THE CREATION AND PERFECTION OF GOVERNMENT SECURITY INTERESTS; AND PROVIDING AN EFFECTIVE DATE.

H 205 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1021, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

S 1022, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 19 and **H 142**, by State Affairs Committee, were read the second time by title and filed for third reading.

H 176, by Resources and Conservation Committee, was read the second time by title and filed for third reading.

H 178, by Appropriations Committee, was read the second time by title and filed for third reading.

H 124, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Denney asked unanimous consent that **H 98** retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

S 1018 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Trail to open debate.

The question being, "Shall **S 1018** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 61.

NAYS -- Wood. Total -- 1.

Absent and excused -- Barrett, Black, Callister, Crow, Cuddy, Gould, Kellogg, Pischner. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **S 1018** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1019 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Swan to open debate.

The question being, "Shall **S 1019** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Barrett, Black, Callister, Crow, Ellis, Kellogg, Pischner. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **S 1019** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 10:45 a.m., Tuesday, February 13, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:14 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

THIRTY-SEVENTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 13, 2001

House of Representatives

The House convened at 10:45 a.m., Mr. Loertscher in the Chair.

Roll call showed 69 members present.
Absent and excused -- Moss. Total -- 1.
Total -- 70.

Prayer was offered by Associate Pastor Don Hardenbrook.

The Pledge of Allegiance was led by Lorissa Simmons, Page.

Approval of Journal

February 13, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-sixth Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

February 12, 2001

Mr. Speaker:

I return herewith enrolled **HCR 8** which has been signed by the President.

WOOD, Secretary

Enrolled **HCR 8** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

February 12, 2001

Mr. Speaker:

I transmit herewith **SCR 105** which has passed the Senate.

WOOD, Secretary

SCR 105 was filed for first reading.

Report of Standing Committees

February 13, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 205**.

GOULD, Chairman

H 205 was referred to the Business Committee.

February 13, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 93** and **H 126**.

GOULD, Chairman

The Speaker Pro Tem announced that enrolled **H 93** and **H 126**, would be signed by the Speaker, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 13, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 68, H 69, H 55, H 81, H 82, H 83, H 84, H 17, H 20**, and **H 21** to the Governor at 11:20 a.m., as of this date, February 12, 2001.

GOULD, Chairman

February 12, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **S 1058** and recommend it be referred to the State Affairs Committee.

CROW, Chairman

S 1058 was referred to the State Affairs Committee.

February 12, 2001

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 72, H 73, H 76**, and **H 170** and recommend that they do pass.

JONES, Chairman

H 72, H 73, H 76, and **H 170** were filed for second reading.

February 12, 2001

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENTAL AFFAIRS, report that we have had under consideration **H 164** and recommend that it do pass.

BARRACLOUGH, Chairman

H 164 was filed for second reading.

February 12, 2001

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 2, H 10**, and **H 8** and recommend that they do pass.

LOERTSCHER, Chairman

H 2, H 10, and **H 8** were filed for second reading.

February 12, 2001

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 167** and **HCR 17** and recommend that they do pass.

WOOD, Chairman

H 167 and **HCR 17** were filed for second reading.

February 13, 2001

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **HJM 1, H 144**, and **H 146** and recommend that they do pass.

DEAL, Chairman

HJM 1, H 144, and **H 146** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE JOINT MEMORIAL NO. 3
BY AGRICULTURAL AFFAIRS COMMITTEE
A JOINT MEMORIAL

TO THE SECRETARY OF THE UNITED STATES DEPARTMENT OF AGRICULTURE, THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, TO THE CHAIRS OF THE HOUSE AND SENATE AGRICULTURE COMMITTEES AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Fifty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, industrial hemp refers to varieties of the cannabis plant which have a low or zero content of tetrahydrocannabinol (THC) and that are cultivated for fiber and oil; and

WHEREAS, industrial hemp should not be confused with varieties of cannabis which have a high content of tetrahydrocannabinol (THC) and which are commonly referred to as marijuana; and

WHEREAS, the commercial production and cultivation of industrial hemp is now permitted in Canada, under licenses and authorizations issued by Health Canada; and

WHEREAS, Health Canada controls, through rules, all activities relating to the importation, exportation, possession, production, sale, provision, transport, sending, delivering and offering for sale of industrial hemp; and

WHEREAS, industrial hemp is grown legally throughout Europe and Asia; and

WHEREAS, many farmers facing uncertain times in the agricultural marketplace view the reintroduction of industrial hemp as another potential alternative crop that will have long-term economic benefits to the farmers who produce the hemp and the person who utilizes the hemp in the production of textiles, paper products, fiberboard, concrete reinforcement, automobile parts, plastics, organic foods and natural body products; and

WHEREAS, Congress never originally intended to prohibit the production of hemp when restricting the production, possession and use of marijuana.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge the Congress of the United States: to acknowledge the difference between the hallucinogenic drug known as marijuana and the agricultural crop known as industrial hemp; to acknowledge that allowing and encouraging farmers to produce industrial hemp will improve the balance of trade by promoting domestic sources of industrial hemp; and to assist United States producers by clearly authorizing the commercial production of industrial hemp and by being a leading advocate for the industrial hemp industry.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the Secretary of the United States Department of Agriculture, the President of the Senate and the Speaker of the House of Representatives of Congress, the chairs of the U.S. Senate and House Agriculture Committees and the congressional delegation representing the State of Idaho in the Congress of the United States.

HOUSE CONCURRENT RESOLUTION NO. 21
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS, RECOGNIZING ACTIVITIES OF THE IDAHO CAPITOL COMMISSION, SUPPORTING THE IDAHO CAPITOL COMMISSION'S FINAL MASTER PLAN FOR THE RESTORATION AND REFURBISHMENT OF THE STATE CAPITOL BUILDING, AND AUTHORIZING AND PROVIDING PRIOR LEGISLATIVE APPROVAL FOR THE IDAHO CAPITOL COMMISSION TO ENTER INTO AGREEMENTS WITH THE IDAHO STATE BUILDING AUTHORITY TO RESTORE AND REFURBISH THE STATE CAPITOL BUILDING AND CONSTITUTING PRIOR LEGISLATIVE APPROVAL IN ACCORDANCE WITH SECTION 67-6410, IDAHO CODE.

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

WHEREAS, the State Capitol Building is the most vital and preeminent public building in Idaho and a symbol of Idaho's sovereignty; and

WHEREAS, the preservation and maintenance of the State Capitol Building represents a vital public interest; and

WHEREAS, to ensure the State Capitol Building's long history and legacy, the Idaho Capitol Commission was created by the 1998 Legislature with a vision of restoring the State Capitol Building to its original splendor by the year 2005, the centennial anniversary of the commencement of the construction of the building; and

WHEREAS, the Idaho Capitol Commission, pursuant to Section 67-1608, Idaho Code, has developed a comprehensive, multi-year master plan for the restoration of the State Capitol Building that would address modifications, improvements and preservation.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature hereby supports the final master plan approved by the Idaho Capitol Commission for the comprehensive restoration and refurbishment of the State Capitol Building.

BE IT FURTHER RESOLVED that the Legislature authorizes and approves the Idaho Capitol Commission to enter into an agreement or agreements with the Idaho State Building Authority, under such terms and conditions as may be reasonable and necessary, to provide financing and to restore and refurbish the State Capitol Building, and that this resolution shall constitute prior legislative approval in accordance with Section 67-6410, Idaho Code.

HJM 3 and **HCR 21** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

SCR 105, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 206
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO ADMINISTRATION OF ELECTIONS; AMENDING SECTION 34-606, IDAHO CODE, TO PROVIDE CLARIFICATION OF THE METHOD OF ELECTION OF ELECTORS FOR PRESIDENT AND VICE PRESIDENT; AMENDING SECTION 34-702A, IDAHO CODE, TO GOVERN METHOD OF WRITE-IN VOTES ON OPTICAL SCAN BALLOTS; AMENDING SECTION 34-711, IDAHO CODE, TO GOVERN CERTIFICATION OF PRESIDENTIAL AND VICE PRESIDENTIAL CANDIDATES TO COUNTY CLERKS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-711A, IDAHO CODE, TO GOVERN CERTIFICATION OF INDEPENDENT CANDIDATES FOR PRESIDENT AND VICE PRESIDENT; AMENDING SECTION 34-904, IDAHO CODE, TO AUTHORIZE A SEPARATE BALLOT FOR THE OFFICE OF PRECINCT COMMITTEEMAN; AMENDING SECTION 34-2401, IDAHO CODE, TO FURTHER DEFINE A VOTING MACHINE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-2409, IDAHO CODE, TO PROVIDE ADDITIONAL QUALIFICATIONS FOR VOTING MACHINES AND TO MAKE TECHNICAL CORRECTIONS; AND REPEALING SECTION 34-2428, IDAHO CODE.

HOUSE BILL NO. 207
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO ABSENTEE BALLOTS; AMENDING SECTION 34-1002, IDAHO CODE, TO SPECIFY A TIME WHEN AN APPLICATION SHALL HAVE BEEN RECEIVED AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 34-1007, IDAHO CODE, TO GOVERN THE COUNTING OF ABSENTEE BALLOTS RECEIVED ON ELECTION DAY AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 208
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO BALLOT PREPARATION; AMENDING SECTION 34-903, IDAHO CODE, TO PROVIDE THAT CANDIDATES SHALL BE LISTED IN THE ORDER AS PROVIDED BY LAW; AMENDING CHAPTER 9, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-903A, IDAHO CODE, TO PROVIDE THAT THE SECRETARY OF STATE SHALL COMPLETE A RANDOM ORDERING OF LETTERS OF THE ALPHABET WHICH SHALL GOVERN THE ORDER OF CANDIDATES LISTED ON THE BALLOT; AND AMENDING SECTION 34-2419, IDAHO CODE, TO PROVIDE THAT CANDIDATES SHALL BE LISTED IN THE ORDER AS PROVIDED BY LAW.

HOUSE BILL NO. 209
BY LOCAL GOVERNMENT COMMITTEE
AN ACT

RELATING TO POWERS OF THE BOARDS OF COUNTY COMMISSIONERS; AMENDING CHAPTER 8, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-877, IDAHO CODE, TO AUTHORIZE THE BOARDS OF COUNTY COMMISSIONERS TO PROVIDE NECESSARY WATER AND SEWER SERVICES; AMENDING SECTION 63-4104, IDAHO CODE, TO CLARIFY AUTHORITY OF THE BOARD OF COUNTY COMMISSIONERS WHEN AN EMERGENCY EXISTS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 210
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO THE PEA AND LENTIL COMMISSION; AMENDING SECTION 22-3515, IDAHO CODE, TO AUTHORIZE THE IDAHO PEA AND LENTIL COMMISSION TO ESTABLISH THE RATE OF TAX TO BE IMPOSED OF NOT LESS THAN ONE PERCENT, BUT NOT TO EXCEED TWO PERCENT, OF THE NET RECEIPTS OF SPECIFIED AGRICULTURAL COMMODITIES AT THE FIRST POINT OF SALE.

HOUSE BILL NO. 211
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO LOCAL LAND USE PLANNING; AMENDING CHAPTER 65, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6529A, IDAHO CODE, TO PROVIDE A SHORT TITLE; AMENDING CHAPTER 65, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6529B, IDAHO CODE, TO PROVIDE FOR LEGISLATIVE FINDINGS AND PURPOSE; AMENDING CHAPTER 65, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6529C, IDAHO CODE, TO DEFINE TERMS; AMENDING CHAPTER 65, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6529D, IDAHO CODE, TO REQUIRE ODOR MANAGEMENT PLANS, TO PROVIDE FOR COUNTY REQUESTS FOR SUITABILITY DETERMINATIONS AND TO PROVIDE FOR LOCAL REGULATION; AMENDING CHAPTER 65, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6529E, IDAHO CODE, TO PROVIDE A PROCESS FOR A COUNTY REQUEST, TO PROVIDE FOR CONTENT OF THE REQUEST AND CERTAIN ADDITIONAL INFORMATION; AMENDING CHAPTER 65, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6529F, IDAHO CODE, TO PROVIDE CERTAIN RESPONSIBILITIES FOR THE DEPARTMENT OF AGRICULTURE, THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND THE DEPARTMENT OF WATER RESOURCES, TO AUTHORIZE RULEMAKING AND TO PROVIDE FOR AGREEMENTS WITH OTHER AGENCIES; AND AMENDING CHAPTER 65, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6529G, IDAHO CODE, TO PROVIDE FOR THE REPORT OF THE SITING ADVISORY TEAM AND TO PROVIDE FOR COUNTY ACTION.

HOUSE BILL NO. 212
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO THE SOCIAL WORK LICENSING ACT; REPEALING SECTIONS 2, 3 AND 4, CHAPTER 166, LAWS OF 2000; AMENDING SECTION 54-3215, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM THE SOCIAL WORK LICENSING ACT; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 213
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO UNIFORM CONTROLLED SUBSTANCES; AMENDING CHAPTER 27, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-2731A, IDAHO CODE, TO REQUIRE THAT PHARMACISTS DISPENSING RITALIN SHALL DISCLOSE TO THE PERSON TAKING POSSESSION OF THE DISPENSED PRESCRIPTION KNOWN SIDE EFFECTS OF PRESCRIPTIVE AND NONPRESCRIPTIVE USE OF THE DRUG AND OTHER CONSEQUENCES, AND TO DIRECT THE BOARD OF PHARMACY TO PROMULGATE RULES TO ENSURE THAT THE DISCLOSED INFORMATION IS PROVIDED BY THE DISPENSING PHARMACIST TO EACH PERSON WHO TAKES POSSESSION OF A RITALIN PRESCRIPTION AND THAT SPECIFIED INFORMATION IS CONSISTENT WITH THE MOST CURRENT MEDICAL FINDINGS.

HOUSE BILL NO. 214
BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT

RELATING TO REGISTRATION OF MOTOR VEHICLES WEIGHING IN EXCESS OF SIXTY THOUSAND POUNDS GROSS VEHICLE WEIGHT; AMENDING SECTION 49-434, IDAHO CODE, TO PROVIDE FOR QUARTERLY PAYMENTS OF THE ANNUAL REGISTRATION FEE; AMENDING SECTION 17, CHAPTER 418, LAWS OF 2000, TO DELETE LEGISLATIVE INTENT FOR FULL PAYMENT OF THE ANNUAL REGISTRATION FEE ON THE REGISTRATION FEE ONLY SYSTEM AT THE TIME OF REGISTRATION OR RENEWAL OF REGISTRATION FOR REGISTRATIONS AND RENEWAL OF REGISTRATIONS OCCURRING ON AND AFTER OCTOBER 1, 2001; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 215
BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT

RELATING TO WHAT PERSONS SHALL NOT BE ISSUED A MOTOR VEHICLE DRIVER'S LICENSE; AMENDING SECTION 49-303, IDAHO CODE, TO PROVIDE WHERE A DRIVER'S LICENSE HAS BEEN REVOKED, SUSPENDED, CANCELED OR DISQUALIFIED IN ANY OTHER JURISDICTION, AND THE DRIVER HAS COMPLETED THE PERIOD OF REVOCATION, SUSPENSION, CANCELLATION OR DISQUALIFICATION AS SPECIFIED BY THE JURISDICTION, THAT PERSON MAY BE GRANTED A CLASS D DRIVER'S LICENSE IN THIS STATE IF FIVE YEARS HAVE ELAPSED FROM THE TIME OF ELIGIBILITY FOR REINSTATEMENT IN THE OTHER JURISDICTION, EVEN THOUGH THE DRIVER HAS NOT FULFILLED THE REQUIREMENTS FOR REINSTATEMENT IN THE OTHER JURISDICTION AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 216
BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT

RELATING TO THE MULTISTATE HIGHWAY TRANSPORTATION AGREEMENT; AMENDING SECTION 49-1901, IDAHO CODE, TO PROVIDE CHANGES TO THE AGREEMENT AS MUTUALLY AGREED UPON BY THE PARTICIPATING JURISDICTIONS, INCLUDING TO REVISE THE FINDINGS AND PURPOSES, TO DEFINE "COOPERATING COMMITTEE," TO CLARIFY REPRESENTATION ON THE COOPERATING COMMITTEE, TO PROVIDE ADDITIONAL POWERS OF THE COMMITTEE AND TO REVISE EXISTING POWERS OF THE COMMITTEE, TO REVISE OBJECTIVES OF THE PARTICIPATING JURISDICTIONS, TO PROVIDE A NEW ARTICLE IX RELATING TO FUNDING, TO PROVIDE A NEW ARTICLE X RELATING TO SELECTION OF DESIGNATED REPRESENTATIVES AND TO CORRECT A CODIFIER'S ERROR.

H 206, H 207, H 208, H 209, H 210, H 211, H 212, H 213, H 214, H 215, and **H 216** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HJM 2 and **HCR 20**, by Transportation and Defense Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Bruneel asked unanimous consent that **H 133** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

H 133 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Gagner to open debate.

The question being, "Shall **H 133** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 64.

NAYS -- None.

Absent and excused -- Bedke, Callister, Cuddy, Gould, Moss, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 133** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel asked unanimous consent that **H 98** retain its place on the Third Reading Calendar until Thursday, February 15, 2001. There being no objection, it was so ordered.

H 119 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Kellogg to open debate.

The question being, "Shall **H 119** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 65.
NAYS -- None.
Absent and excused -- Bedke, Callister, Cuddy, Moss, Mr. Speaker. Total -- 5.
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 119** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 120 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Raybould to open debate.

The question being, "Shall **H 120** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 65.
NAYS -- None.
Absent and excused -- Bedke, Callister, Cuddy, Moss, Mr. Speaker. Total -- 5.
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 120** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 121 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Smith to open debate.

The question being, "Shall **H 121** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Campbell, Chase, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 65.
NAYS -- None.
Absent and excused -- Bruneel, Callister, Cuddy, Moss, Mr. Speaker. Total -- 5.
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 121** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

HCR 13 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Clark to open debate.

The question being, "Shall **HCR 13** be adopted?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Campbell, Chase, Clark, Collins, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 64.
NAYS -- None.
Absent and excused -- Bruneel, Callister, Crow, Deal, Moss, Mr. Speaker. Total -- 6.
Total -- 70.

Whereupon the Speaker Pro Tem declared **HCR 13** adopted and ordered the resolution transmitted to the Senate.

HCR 14 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Ellsworth to open debate.

The question being, "Shall **HCR 14** be adopted?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Campbell, Chase, Clark, Collins, Cuddy, Deal,

Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 65.

NAYS -- None.

Absent and excused -- Bruneel, Callister, Crow, Moss, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **HCR 14** adopted and ordered the resolution transmitted to the Senate.

HCR 15 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Montgomery to open debate.

The question being, "Shall **HCR 15** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 65.

NAYS -- None.

Absent and excused -- Callister, Crow, Moss, Moyle, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **HCR 15** adopted and ordered the resolution transmitted to the Senate.

HCR 16 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Smith to open debate.

The question being, "Shall **HCR 16** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 65.

NAYS -- None.

Absent and excused -- Callister, Crow, Moss, Moyle, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **HCR 16** adopted and ordered the resolution transmitted to the Senate.

H 160 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Cuddy to open debate.

The question being, "Shall **H 160** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 67.

NAYS -- None.

Absent and excused -- Callister, Moss, Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 160** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 50 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Ridinger to open debate.

The question being, "Shall **H 50** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 65.

NAYS -- Kendell, Sali. Total -- 2.

Absent and excused -- Callister, Moss, Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 50** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 52 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Pomeroy to open debate.

The question being, "Shall **H 52** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 67.
NAYS -- None.
Absent and excused -- Callister, Moss, Mr. Speaker. Total -- 3.
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 52** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 49 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bedke to open debate.

The question being, "Shall **H 49** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 67.
NAYS -- None.
Absent and excused -- Callister, Moss, Mr. Speaker. Total -- 3.
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 49** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 147 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bruneel to open debate.

The question being, "Shall **H 147** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 64.
NAYS -- Crow, McKague. Total -- 2.
Absent and excused -- Callister, Ellsworth, Moss, Mr. Speaker. Total -- 4.
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 147** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 122 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Gould to open debate.

The question being, "Shall **H 122** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 67.
NAYS -- None.
Absent and excused -- Ellsworth, Moss, Mr. Speaker. Total -- 3.
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 122** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 101 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Mader to open debate.

The question being, "Shall **H 101** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood,

Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Moss. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 101** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel asked unanimous consent that the remaining House bills be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

H 27 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Gagner to open debate.

The question being, "Shall **H 27** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 64.

NAYS -- Barrett, Callister, McKague, Wood. Total -- 4.

Absent and excused -- Moss, Sellman. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 27** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 30 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Deal to open debate.

The question being, "Shall **H 30** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 62.

NAYS -- Barrett, Callister, Hammond, McKague, Sali, Wood. Total -- 6.

Absent and excused -- Moss, Sellman. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 30** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 31 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Harwood to open debate.

The question being, "Shall **H 31** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Campbell, Moss. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 31** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 32 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Chase to open debate.

The question being, "Shall **H 32** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Moss. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 32** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 10:45 a.m., Wednesday, February 14, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 12:07 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

THIRTY-EIGHTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 14, 2001

House of Representatives

The House convened at 10:45 a.m., Mr. Moss in the Chair.

Roll call showed 66 members present.
Absent and excused -- Crow, Gould, Loertscher, Mr. Speaker. Total -- 4.
Total -- 70.

Prayer was offered by Associate Pastor Don Hardenbrook.

The Pledge of Allegiance was led by Lizbeth Geddes, Page.

Approval of Journal

February 14, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-seventh Legislative Day and recommend that same be adopted as corrected.

FIELD(13), Vice Chairman

Mrs. Field(13) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

February 13, 2001

Mr. Speaker:
I transmit herewith enrolled **S 1034** for the signature of the Speaker.

WOOD, Secretary

The Acting Speaker announced that enrolled **S 1034** would be signed by the Speaker, and, when so signed, ordered it returned to the Senate.

February 13, 2001

Mr. Speaker:
I return herewith enrolled **H 94, H 95**, and **H 36** which have been signed by the President.

WOOD, Secretary

Enrolled **H 94, H 95**, and **H 36** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 13, 2001

Mr. Speaker:
I transmit herewith **SJM 103** and **SJM 104** which have passed the Senate.

WOOD, Secretary

SJM 103 and **SJM 104** were filed for first reading.

Report of Standing Committees

February 14, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HJM 3, HCR 21, H 206, H 207, H 208, H 209, H 210, H 211, H 212, H 213, H 214, H 215**, and **H 216**.

FIELD(13), Vice Chairman

HJM 3 and **H 210** were referred to the Agricultural Affairs Committee.

HCR 21, H 206, H 207, and **H 208** were referred to the State Affairs Committee.

H 209 was referred to the Local Government Committee.

H 211 was referred to the Environmental Affairs Committee.

H 212 and **H 213** were referred to the Health and Welfare Committee.

H 214, H 215, and **H 216** were referred to the Transportation and Defense Committee.

February 14, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 8** to the Secretary of State at 11:19 a.m., as of this date, February 13, 2001.

FIELD(13), Vice Chairman

February 13, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 134** and **H 108** and recommend that they do pass.

GOULD, Chairman

H 134 and **H 108** were filed for second reading.

February 14, 2001

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 127, H 140, H 141**, and **S 1015** and recommend that they do pass.

DEAL, Chairman

H 127, H 140, H 141, and **S 1015** were filed for second reading.

February 14, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 143** and **H 150** and recommend that they do pass.

CROW, Chairman

H 143 and **H 150** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE JOINT MEMORIAL NO. 4
BY RESOURCES AND CONSERVATION COMMITTEE
A JOINT MEMORIAL

TO THE PRESIDENT, 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 House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Fifty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the expansion of the Craters of the Moon National Monument was imposed by Presidential Proclamation on November 9, 2000. The exterior boundary of the expansion encompasses over 673,000 acres, with some 410,000 acres to be managed by the National Park Service. Except for some non-federal lands, the Bureau of Land Management will manage the remaining acreage; and

WHEREAS, the area to be managed by the National Park Service was traditionally open to hunting; and

WHEREAS, relevant language in the proclamation states: "Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Idaho with respect to fish and wildlife management"; and

WHEREAS, the National Park Service administered portion of the expansion is intended by that agency to be closed to hunting in contradiction of the specific language of the November 9th proclamation; and

WHEREAS, we find no provisions that allow the administering agency to ignore the terms of the proclamation, and the Idaho Fish and Game Commission must finalize its annual big game hunting rules and publicize said rules in March of this year; and

WHEREAS, the Governor of the State of Idaho, with the support of the Idaho Fish and Game Commission, has conveyed his deep concern by letter dated January 31, 2001, to the Secretary of the Interior; and

WHEREAS, it is imperative that the National Park Service cease efforts to close the lands within the expanded monument to hunting and that the state of Idaho be able to continue to manage unimpeded the wildlife therein as provided in the Presidential Proclamation; and

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we respectfully request that the President of the United States direct the National Park Service to promptly and fully comply with the provision of the Presidential Proclamation cited herein and cease and desist its efforts to close lands within the expanded Monument to hunting.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, the Secretary of the Interior, the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

HOUSE JOINT MEMORIAL NO. 5
BY RESOURCES AND CONSERVATION COMMITTEE
A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES, THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, THE SECRETARY OF THE INTERIOR, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Fifty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, Idaho's rural areas are suffering near depression-like economic disasters and America is becoming a nation of battered rural communities; and

WHEREAS, natural resources are the lifeblood of Idaho, the genesis of wealth and the hub of America's economic wheel, and that eliminating resource production is a poor trade-off for wolf and grizzly recovery which has no basis in common sense, legitimate science or free-enterprise economics; and

WHEREAS, our natural resources industries are declining in large part because of the federal government's policies and mismanagement; and

WHEREAS, there is a tendency to assume that the command and control approach used by the United States Fish and Wildlife Service is the only option we have as citizens of Idaho and state elected officials; and

WHEREAS, the United States Fish and Wildlife Service currently wastes millions of dollars per year on wolf recovery which, under an Idaho wolf management plan, would become a tremendous burden for all Idaho taxpayers and would reduce Idaho to an enforcement arm for another failed, misguided federal policy; and

WHEREAS, it is clear the federal government does not manage wolves; rather, it manages citizens; and

WHEREAS, wolves are not biologically endangered in the United States, nor are they in danger of becoming extinct since they exist abundantly in other states and countries; and

WHEREAS, wolf recovery is predicated on the false political premise of intrinsic worth greater than humans; and

WHEREAS, fifteen Canadian gray wolves were dumped in central Idaho in 1995 and twenty Canadian gray wolves were dumped in central Idaho in 1996, and now their populations are estimated at 350 to 400 wolves; and

WHEREAS, the Canadian gray wolf is not indigenous to the state of Idaho, weighing some 25 to 30 pounds more than the original Idaho gray wolf; and

WHEREAS, wolves are not a game animal; they are predators and should be managed as such; and

WHEREAS, Idaho statutes have established civil values for deer, elk, moose and other big game species; and

WHEREAS, wolves should be immediately delisted and the federal government should be financially responsible for all damages created by wolves, not only to livestock, but for domestic animals, pets and especially for damages to Idaho's wildlife; and

WHEREAS, the Bush Administration has the opportunity to redirect the failed environmental policies of the past.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that this Legislature not only calls for, but demands, that wolf recovery efforts in Idaho be discontinued immediately, and wolves be removed by whatever means necessary.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives 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 Secretary of the Interior, and to the congressional delegation representing the State of Idaho in the Congress of the United States.

HOUSE JOINT MEMORIAL NO. 6
BY STATE AFFAIRS COMMITTEE

A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES, 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 House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Fifty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the right to life, liberty and property is a belief that is deeply rooted in the foundations of our country; and

WHEREAS, property rights are at the foundations of our American democracy; and

WHEREAS, private property rights, including water rights, are important in every county of Idaho and affect virtually every Idaho citizen including urban homeowners, rural residents, small businesses, farmers and ranchers; and

WHEREAS, the Fifth Amendment to the U.S. Constitution and Section 14, Article I of the Idaho Constitution clearly provide that private property shall not be taken for public use without just compensation; and

WHEREAS, in many instances the individual effect of government action has caused partial limitation on use of property, and subsequent government actions have caused further limitation which results in a cumulative effect that causes substantial economic impact on said property owners and may approach complete loss of use over time; and

WHEREAS, President Ronald Reagan issued Executive Order 12630 on March 15, 1988, that required all federal departments and agencies to avoid actions which infringe on private property rights; and

WHEREAS, Executive Order 12630 also reminded all federal entities that governmental actions which restrict the use or value of private property could result in a "taking" for which financial compensation by due process is required; and

WHEREAS, Executive Order 12630 created an ongoing process within the government for assessing the impact on property rights from federal policy, regulation and legislation; and

WHEREAS, Executive Order 12630 was reaffirmed by President George Herbert Walker Bush but ignored by President William Jefferson Clinton although it was never rescinded.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urgently request the President of the United States to reiterate his strong support for private property rights by reaffirming Executive Order 12630 and directing all federal agencies to re-implement it immediately with revisions, if needed, to account for partial takings of property and their cumulative effect.

BE IT FURTHER RESOLVED that we support congressional enactment of federal property rights legislation which would at a minimum include codification of the requirements of Executive Order 12630.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, the President of the Senate and the Speaker of the House of Representatives of Congress, and to the congressional delegation representing the State of Idaho in the Congress of the United States.

HOUSE CONCURRENT RESOLUTION NO. 22
BY COMMERCE AND HUMAN RESOURCES 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 WORKER'S COMPENSATION SYSTEM IN THE STATE OF IDAHO.

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

WHEREAS, the worker's compensation system in the state of Idaho was first enacted by the 1917 Legislature and was the first of the so-called social justice acts which embody a fundamental legal concept entirely different from the common law;

WHEREAS, at the time the system was implemented, the workforce was heavily resource-based;

WHEREAS, the laws on worker's compensation have been repeatedly amended in an effort to maintain consistency with the prevailing practices and procedures of the day;

WHEREAS, times have changed and the distribution of the workforce has moved steadily away from agriculture, mining and logging and is now more service and technology oriented;

WHEREAS, it becomes more imperative to ensure that there is a fair and equitable collection of contributions from employers and distribution of benefits to claimants;

WHEREAS, worker's compensation laws were last recodified thirty years ago;

WHEREAS, since that recodification inequities have again arisen and continue to be perpetuated;

WHEREAS, the time has come to review the system in its entirety, to objectively scrutinize procedures, practices, contributions and benefits, and to examine unintended results which have emerged over time and through multiple amendments to this law.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of the state's worker's compensation system as codified in Title 72 of the Idaho Code. 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 report its findings, recommendations and proposed legislation, if any, to the Second Regular Session of the Fifty-sixth Idaho Legislature.

HOUSE CONCURRENT RESOLUTION NO. 23
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY REGARDING ALTERNATIVES TO PRISON INCARCERATION FOR CERTAIN OFFENDERS, AND RELEASE ALTERNATIVES AND PRACTICES INCLUDING, BUT NOT LIMITED TO, GOOD TIME CREDIT AND PAROLE OPTIONS.

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

WHEREAS, recent events have raised issues concerning confidence of the American public in regard to prison incarceration, release practices and parole options for certain classes of offenders; and

WHEREAS, there is a need to review the various alternatives to prison incarceration, release practices and parole options, particularly in light of the data indicating the effective handling of certain cases assigned to the state drug courts; and

WHEREAS, for certain types of offenders, such as first time drug offenders, various alternatives may exist to prison incarceration including, but not limited to, monitored in-home custody, counseling, community work centers and secure treatment facilities; and

WHEREAS, further study of transition aftercare alternatives is necessary to deter recidivism; and

WHEREAS, in other states, such as the state of Utah, a cooperative arrangement has been reached between various county jails and the state correctional facilities, making it possible for the courts to sentence certain felony offenders to incarceration in county jails. This alternative to prison incarceration allows inmates to remain in their communities near their families and jobs; and

WHEREAS, the Idaho Legislature is actively seeking alternatives to enhance the effectiveness of incarceration and release practices in the most cost-effective and responsible manner while ensuring community protection and punishment sufficient to constitute a deterrent effect in order to discourage repeat offenses.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of alternatives to prison incarceration for certain offenders, and release alternatives and practices including, but not limited to, good time credit and parole options. The committee's study shall include various alternatives to prison incarceration including, but not limited to, monitored in-home custody, counseling, community work centers and secure treatment facilities, transition aftercare and use of county jail facilities for incarceration of certain felons. The committee is authorized to review alternatives aimed at deterring recidivism and enhancing the effectiveness of incarceration and release practices in the most cost-effective and responsible manner. 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 report its findings, recommendations and proposed legislation, if any, to the Second Regular Session of the Fifty-sixth Idaho Legislature.

HJM 4, HJM 5, HJM 6, HCR 22, and **HCR 23** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

SJM 103 and **SJM 104**, by Resources and Environment Committee, were introduced, read the first time by title, and referred to the Resources and Conservation Committee.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 217
BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO THE STATE CONTROLLER; AMENDING SECTION 67-3604, IDAHO CODE, TO PROVIDE THAT ERROR CORRECTIONS RESULTING FROM A FISCAL YEAR'S ACTIVITIES IN STATE ACCOUNTS AS TO APPROPRIATIONS MAY BE RECORDED BY THE STATE CONTROLLER WITHOUT LEGISLATIVE AUTHORIZATION IN THE FOLLOWING FISCAL YEAR, PROVIDED THE

CORRECTIONS DO NOT EXCEED FIVE HUNDRED THOUSAND DOLLARS AND ARE RECORDED WITHIN SIX MONTHS OF THE END OF THE FISCAL YEAR AND TO PROVIDE CORRECTIONS EXCEEDING FIVE HUNDRED THOUSAND DOLLARS OR DISCOVERED MORE THAN SIX MONTHS AFTER THE END OF THE FISCAL YEAR SHALL BE APPROVED BY THE LEGISLATURE.

HOUSE BILL NO. 218
BY APPROPRIATIONS COMMITTEE
AN ACT

RELATING TO SERVICES PROVIDED BY STATE AGENCIES; AMENDING SECTION 48-606, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY, TO DELETE REFERENCE TO INTERACCOUNT RECEIPTS, TO PROVIDE THAT FUNDS MAY BE EXPENDED PURSUANT TO LEGISLATIVE APPROPRIATION, TO PROVIDE THAT AT THE BEGINNING OF EACH FISCAL YEAR MONEYS IN THE CONSUMER PROTECTION FUND WHICH EXCEED THE CURRENT YEAR'S APPROPRIATION PLUS ANY RESIDUAL ENCUMBRANCES MADE AGAINST PRIOR YEARS' APPROPRIATIONS BY FIFTY PERCENT OR MORE SHALL BE TRANSFERRED TO THE GENERAL FUND AND TO PROVIDE THAT ANY MONEYS COLLECTED BY THE ATTORNEY GENERAL AS TRUSTEE FOR DISTRIBUTIONS TO INJURED CONSUMERS SHALL BE DEPOSITED IN THE STATE TREASURY UNTIL SUCH TIME AS PAYMENT IS MADE TO AN INDIVIDUAL OR INDIVIDUALS FOR RESTITUTION PURPOSES OR PURSUANT TO A COURT APPROVED CY PRES DISTRIBUTION; AMENDING SECTION 67-1401, IDAHO CODE, TO PROVIDE THAT THE ATTORNEY GENERAL SHALL PROVIDE LEGAL REPRESENTATION TO CERTAIN ENUMERATED STATE ENTITIES, TO PROVIDE THAT THE ATTORNEY GENERAL SHALL GIVE WRITTEN OPINIONS WITHOUT FEE TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION, TO DELETE REQUIREMENT THAT THE ATTORNEY GENERAL GIVE WRITTEN OPINIONS WITHOUT FEE TO THE TRUSTEES OR COMMISSIONERS OF STATE INSTITUTIONS AND TO PROVIDE THAT WRITTEN OPINIONS OF THE ATTORNEY GENERAL SHALL BE GIVEN UPON REQUEST BY CERTAIN STATE ENTITIES; AMENDING SECTION 67-1406, IDAHO CODE, TO CLARIFY WHICH STATE ENTITIES MAY EMPLOY PRIVATE COUNSEL; REPEALING SECTION 67-1407, IDAHO CODE; AMENDING CHAPTER 14, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-1407, IDAHO CODE, TO PROVIDE FOR THE ASSESSMENT OF FEES FOR CERTAIN SERVICES; AMENDING SECTION 67-1408, IDAHO CODE, TO PROVIDE A CODE REFERENCE AND TO DELETE LANGUAGE RELATING TO ASSESSMENTS AND APPROPRIATION REQUESTS FOR STATE LEGAL SERVICES; AMENDING SECTION 67-1409, IDAHO CODE, TO CLARIFY WHICH ENTITIES ARE EXEMPTED FROM CERTAIN REQUIREMENTS RELATING TO LEGAL SERVICES CONTRACTS; AND AMENDING SECTION 67-3531, IDAHO CODE, TO PROVIDE THAT THE DIVISION OF FINANCIAL MANAGEMENT SHALL PREPARE AN ESTIMATE OF COSTS FOR SERVICES PROVIDED BY CERTAIN STATE SERVICE AGENCIES, TO PROVIDE THAT THE DIVISION OF FINANCIAL MANAGEMENT SHALL NOTIFY STATE AGENCIES OF SUCH ESTIMATES BY NOVEMBER 1 AND TO PROVIDE THAT THE DIVISION OF FINANCIAL MANAGEMENT AND THE LEGISLATIVE SERVICES OFFICE SHALL ALLOW STATE AGENCIES TO MODIFY THEIR BUDGET REQUESTS IN RESPONSE TO SUCH ESTIMATES.

HOUSE BILL NO. 219
BY EDUCATION COMMITTEE
AN ACT

RELATING TO THE EDUCATIONAL SUPPORT PROGRAM; AMENDING SECTION 33-1002, IDAHO CODE, TO PROVIDE AN INCENTIVE PAYMENT TO TEACHERS; AND PROVIDING A STATEMENT OF LEGISLATIVE INTENT.

HOUSE BILL NO. 220
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT

RELATING TO WATER RIGHTS; AMENDING SECTION 42-223, IDAHO CODE, TO PROVIDE ADDITIONAL EXCEPTIONS OR DEFENSES TO FORFEITURE OF WATER RIGHTS; AMENDING SECTION 43-1109, IDAHO CODE, TO PROVIDE THAT AN EXCLUSION OF LAND FROM AN IRRIGATION DISTRICT DOES NOT SUBJECT THE IRRIGATION DISTRICT'S WATER RIGHT TO FORFEITURE; AND AMENDING SECTION 43-1119, IDAHO CODE, TO PROVIDE THAT AN EXCLUSION OF LAND FROM AN IRRIGATION DISTRICT DOES NOT RESULT IN A LOSS OR FORFEITURE TO THE IRRIGATION DISTRICT'S WATER RIGHT.

HOUSE BILL NO. 221
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT

RELATING TO WATER MANAGEMENT DISTRICTS; AMENDING SECTION 42-711, IDAHO CODE, TO AUTHORIZE AN ANNUAL CHARGE OF UP TO FIFTY DOLLARS PER YEAR FOR EACH DIVERSION MEASURED IF THE CHARGE IS ADOPTED BY RESOLUTION APPROVED BY VOTE OF THE WATER USERS AT A MEETING.

HOUSE BILL NO. 222
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-408, IDAHO CODE, TO PROVIDE FOR THE AUCTION OF BIGHORN SHEEP TAGS, TO LIMIT THE PORTION OF ALL PROCEEDS THAT MAY BE RETAINED BY AN ORGANIZATION SELECTED TO AUCTION A TAG, TO PROVIDE THAT TAGS FOR CERTAIN AUCTIONS SHALL BE TAKEN FROM THE NONRESIDENT BIGHORN SHEEP TAG QUOTA, TO PROVIDE FOR THE DEPOSIT AND USE OF PROCEEDS FROM CERTAIN AUCTIONS, TO REQUIRE HEARINGS PRIOR TO TRANSPLANTS OF BIGHORN SHEEP MADE WITH PROCEEDS RAISED PURSUANT TO CERTAIN AUCTIONS, TO PROVIDE FOR LOTTERIES FOR BIGHORN SHEEP TAGS, TO STRIKE REFERENCE TO THE DEPOSIT OF NET PROCEEDS FROM CERTAIN LOTTERIES INTO THE BIGHORN SHEEP ACCOUNT AND TO PROVIDE FOR THE DEPOSIT OF NET PROCEEDS INTO THE FISH AND GAME EXPENDABLE TRUST ACCOUNT, TO PROVIDE FOR THE USE OF NET PROCEEDS FROM CERTAIN LOTTERIES, TO STRIKE REFERENCE TO EXPENDITURE OF MONEYS FROM CERTAIN LOTTERIES PURSUANT TO APPROPRIATION, TO STRIKE REFERENCE TO CERTAIN TAGS BEING TAKEN FROM THE NONRESIDENT BIGHORN SHEEP TAG QUOTA,

TO STRIKE REFERENCE TO CERTAIN DEPOSITS AND USES OF THE NET PROCEEDS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 36-2107, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

HOUSE BILL NO. 223
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-409, IDAHO CODE, TO PROVIDE THAT CERTAIN LANDOWNERS OR THEIR DESIGNEES SHALL BE ELIGIBLE FOR DESIGNATED GAME TAGS, FREE OF CHARGE, IN THE EVENT AN EMERGENCY IS DECLARED TO OPEN A SEASON TO PROTECT THE LANDOWNER'S PRIVATE PROPERTY AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 224
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-114, IDAHO CODE, TO PROVIDE THAT SPECIFIED DEDUCTIBLES ASSOCIATED WITH CLAIMS AGAINST DEPREDATION ACCOUNTS SHALL BE WAIVED FOR CERTAIN CLAIMS FOR PROPERTY DAMAGE TO STANDING OR STORED CROPS; AMENDING SECTION 36-115, IDAHO CODE, TO PROVIDE THAT SPECIFIED DEDUCTIBLES SHALL BE WAIVED FOR CERTAIN CLAIMS INVOLVING DAMAGE TO STANDING OR STORED CROPS AND TO PROVIDE THAT SPECIFIED DEDUCTIBLES SHALL BE WAIVED FOR CERTAIN CLAIMS INVOLVING LIVESTOCK AND TO MAKE A TECHNICAL CORRECTION; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 225
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT

RELATING TO WORKER'S COMPENSATION AND OCCUPATIONAL DISEASES; AMENDING SECTION 72-438, IDAHO CODE, TO FURTHER DEFINE OCCUPATIONAL DISEASES INCLUDING INFECTIOUS HEPATITIS VIRUSES AND TUBERCULOSIS, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 226
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT

RELATING TO THE BOARD OF ARCHITECTURAL EXAMINERS; AMENDING SECTION 54-312, IDAHO CODE, TO INCREASE THE HONORARIUM FOR MEMBERS OF THE BOARD OF ARCHITECTURAL EXAMINERS.

HOUSE BILL NO. 227
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
AN ACT

RELATING TO PROFESSIONAL EMPLOYERS; AMENDING SECTION 44-2405, IDAHO CODE, TO CLARIFY THAT A PROFESSIONAL EMPLOYER MAY ESTABLISH A SELF-FUNDED EMPLOYER PLAN WHICH IS SUBJECT TO ERISA AND OTHER APPLICABLE FEDERAL LAW AND WHICH SHALL NOT BE SUBJECT TO CHAPTER 40, TITLE 41, IDAHO CODE, AND TO PROVIDE THAT THE SALE OF PROFESSIONAL EMPLOYER ARRANGEMENTS, INCLUDING THE SPONSORSHIP AND MAINTENANCE OF BENEFIT OR WELFARE PLANS IN CONFORMANCE WITH LAW SHALL NOT CONSTITUTE THE SALE OF INSURANCE NOR SUBJECT THE PROFESSIONAL EMPLOYER TO REGULATION AS AN INSURER UNDER IDAHO LAW; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 228
BY BUSINESS COMMITTEE
AN ACT

RELATING TO THE IDAHO MANAGED CARE REFORM ACT; AMENDING SECTION 41-3930, IDAHO CODE, TO PROVIDE THAT NO MANAGED CARE ORGANIZATION SHALL REQUIRE PRIOR AUTHORIZATION FOR EMERGENCY SERVICES, TO PROVIDE FOR EMERGENCY SERVICES PROVIDED TO A MEMBER WHO IS UNABLE TO REASONABLY REACH A PARTICIPATING PROVIDER, TO PROVIDE FOR MEDICALLY NECESSARY COVERED SERVICES THAT ARE NOT REASONABLY AVAILABLE THROUGH PARTICIPATING HEALTH CARE PROVIDERS OR ARE PROVIDED BY A NONPARTICIPATING PROVIDER, TO PROVIDE FOR REIMBURSEMENT FOR SERVICES PROVIDED BY A NONPARTICIPATING PROVIDER AND TO PROVIDE PROCEDURES; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 229
BY BUSINESS COMMITTEE
AN ACT

RELATING TO POWERS OF THE DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION; AMENDING SECTION 67-5767, IDAHO CODE, TO REQUIRE THE DIRECTOR TO PROVIDE SERVICES IN CONTRACTING FOR INSURANCE FOR SCHOOL DISTRICTS AND OTHER POLITICAL SUBDIVISIONS.

HOUSE BILL NO. 230
BY BUSINESS COMMITTEE
AN ACT

RELATING TO COLLECTION AGENCIES; AMENDING SECTION 26-2239, IDAHO CODE, TO PROVIDE AN EXEMPTION TO THE PERMIT REQUIREMENTS FOR ANY PERSON ACTING AS A DEBT COLLECTOR FOR ANOTHER PERSON, BOTH OF WHOM ARE RELATED BY COMMON OWNERSHIP OR AFFILIATED BY CORPORATE CONTROL, IF THE PERSON ACTING AS A DEBT COLLECTOR DOES SO ONLY FOR PERSONS TO WHOM HE IS SO RELATED OR AFFILIATED AND IF THE PRINCIPAL BUSINESS OF SUCH PERSON IS NOT THE COLLECTION OF DEBTS.

HOUSE BILL NO. 231
BY BUSINESS COMMITTEE
AN ACT

RELATING TO THE SELECTION OF DESIGN PROFESSIONALS, CONSTRUCTION MANAGERS AND PROFESSIONAL LAND SURVEYORS BY PUBLIC ENTITIES; AMENDING SECTION 67-2320, IDAHO CODE, TO CLARIFY PROCEDURES FOR THE SELECTION OF PROFESSIONALS PROVIDING DESIGN SERVICES FOR PUBLIC PROJECTS.

HOUSE BILL NO. 232
BY BUSINESS COMMITTEE
AN ACT

RELATING TO THE EMERGENCY COMMUNICATIONS PRESERVATION ACT; AMENDING TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 29, TITLE 55, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE A STATEMENT OF PURPOSE, TO PROVIDE DEFINITIONS AND TO PROVIDE RESTRICTIONS ON LOCAL UNITS OF GOVERNMENT IN ENACTING RULES AND ORDINANCES RELATING TO ANTENNA SUPPORT STRUCTURES AND ANTENNAS.

HOUSE BILL NO. 233
BY BUSINESS COMMITTEE
AN ACT

RELATING TO REAL ESTATE INVESTMENTS; AMENDING SECTION 41-728, IDAHO CODE, TO SPECIFY THE MAXIMUM AGGREGATE AMOUNT OF REAL ESTATE WHICH MAY BE INVESTED BY A DOMESTIC RECIPROCAL INSURER COMPRISED OF AND EXCLUSIVELY INSURING MEMBERS WHO ARE POLITICAL SUBDIVISIONS OF THE STATE; TO CORRECT CODIFIER'S ERRORS AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 234
BY BUSINESS COMMITTEE
AN ACT

RELATING TO THE COUNTY OPTION KITCHEN AND TABLE WINE ACT; AMENDING SECTION 23-1328A, IDAHO CODE, TO PROVIDE FOR TERMS OF COMPENSATION IN THE EVENT A VINTNER, WINERY, IMPORTER OR DEALER TERMINATES, CANCELS OR REFUSES TO RENEW A DISTRIBUTION AGREEMENT WITH A DISTRIBUTOR AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 235
BY BUSINESS COMMITTEE
AN ACT

RELATING TO INSURANCE; AMENDING CHAPTER 18, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1845, IDAHO CODE, TO REQUIRE AN INSURANCE PROVIDER'S NOTIFICATION TO ITS INSURED OF AN INTENT TO CLAIM A RIGHT TO SUBROGATION IN CERTAIN CASES.

HOUSE BILL NO. 236
BY BUSINESS COMMITTEE
AN ACT

RELATING TO THE COUNTY OPTION KITCHEN AND TABLE WINE ACT; AMENDING CHAPTER 13, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-1328B, IDAHO CODE, TO REQUIRE NOTICE PRIOR TO TRANSFER OF A DISTRIBUTOR'S BUSINESS, TO REQUIRE THE CONSENT OF A VINTNER, WINERY, IMPORTER OR DEALER TO A TRANSFER OF A DISTRIBUTOR'S BUSINESS UNDER CERTAIN CONDITIONS, TO PROHIBIT CERTAIN CONDUCT BY VINTNERS, WINERIES, IMPORTERS OR DEALERS RELATING TO A TRANSFER OF A DISTRIBUTOR'S BUSINESS, TO PROVIDE FOR BURDENS OF PROOF IN LEGAL ACTIONS OR OTHER DISPUTE RESOLUTION PROCEEDINGS, TO PROVIDE THAT SUCCESSORS IN INTEREST TO DISTRIBUTORS SHALL BE BOUND BY THE TERMS AND CONDITIONS OF AN AGREEMENT IN EFFECT ON THE DATE OF SUCH SUCCESSION, TO PROVIDE THAT TRANSFEREES SHALL BE BOUND BY THE TERMS AND CONDITIONS OF AN AGREEMENT IN EFFECT ON THE DATE OF THE TRANSFER AND TO DEFINE THE TERM "DESIGNATED MEMBER."

HOUSE BILL NO. 237
BY BUSINESS COMMITTEE
AN ACT

RELATING TO THE UNIFORM COMMERCIAL CODE; AMENDING SECTION 28-9-109, AS ADDED BY HOUSE BILL NO. 205, ENACTED BY THE FIRST REGULAR SESSION OF THE FIFTY-SIXTH IDAHO LEGISLATURE, TO EXCLUDE FROM THE APPLICATION OF CHAPTER 9, TITLE 28, IDAHO CODE, A CLAIM OR RIGHT TO RECEIVE WORKER'S COMPENSATION FOR CERTAIN DAMAGES AS DESCRIBED UNDER SPECIFIED FEDERAL LAW AND A CLAIM OR RIGHT TO RECEIVE BENEFITS UNDER A SPECIAL NEEDS TRUST AS DESCRIBED UNDER SPECIFIED FEDERAL LAW.

HOUSE BILL NO. 238
BY BUSINESS COMMITTEE
AN ACT

RELATING TO LICENSING OF PUBLIC WORKS CONTRACTORS; AMENDING SECTION 54-1901, IDAHO CODE, TO DELETE THE DEFINITION OF "EXECUTIVE DIRECTOR," TO DEFINE "ADMINISTRATOR" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1902, IDAHO CODE, TO PROVIDE THAT THE ADMINISTRATOR SHALL BE RESPONSIBLE FOR THE ISSUANCE OF PUBLIC WORKS CONTRACTOR LICENSES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1904, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1905, IDAHO CODE, TO PROVIDE RESPONSIBILITIES OF THE ADMINISTRATOR OF THE DIVISION OF BUILDING SAFETY; REPEALING SECTION 54-1906, IDAHO CODE; AMENDING SECTION 54-1907, IDAHO CODE, TO REVISE THE DUTIES AND POWERS OF THE PUBLIC WORKS CONTRACTORS LICENSE BOARD AND TO TRANSFER CERTAIN DUTIES TO THE ADMINISTRATOR; AMENDING SECTION 54-1910, IDAHO CODE, TO PROVIDE THAT THE ADMINISTRATOR SHALL HAVE THE POWER AND AUTHORITY TO INVESTIGATE, CLASSIFY AND QUALIFY APPLICANTS FOR LICENSE UNDER RULES ADOPTED BY THE BOARD; AMENDING SECTION 54-1911, IDAHO CODE, TO MODIFY THE PROCEDURES AND AUTHORITY FOR FILING, ISSUING AND DENYING LICENSES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1912, IDAHO CODE, TO MODIFY THE PROCEDURES AND AUTHORITY FOR RENEWING LICENSES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1913, IDAHO CODE, TO PROVIDE DUTIES OF THE ADMINISTRATOR FOR MAINTAINING RECORDS AND PUBLISHING LISTS AND INFORMATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1914, IDAHO CODE, TO AUTHORIZE THE ADMINISTRATOR TO INITIATE INVESTIGATIONS AND DISCIPLINARY ACTIONS, TO PROVIDE THAT A CHANGE IN FINANCIAL CIRCUMSTANCES IS CAUSE FOR INVESTIGATION AND TO

MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 54-1914A, IDAHO CODE; AMENDING SECTION 54-1915, IDAHO CODE, TO PROVIDE DUTIES OF THE ADMINISTRATOR REGARDING DISCIPLINARY ACTIONS AND TO REVISE THE PROCEDURE FOR DUE PROCESS IN DISCIPLINARY ACTIONS; AMENDING SECTION 54-1916, IDAHO CODE, TO CLARIFY ACTIONS WHICH ARE SUBJECT TO JUDICIAL REVIEW, TO PROVIDE A REVISION TO THE APPEALS PROCESS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1917, IDAHO CODE, TO PROVIDE DUTIES OF THE ADMINISTRATOR REGARDING RENEWAL OF SUSPENDED AND REVOKED LICENSES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1918, IDAHO CODE, TO PROVIDE POWER OF THE ADMINISTRATOR REGARDING SUBPOENAS AND PROCESS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1921, IDAHO CODE, TO DELETE OUTDATED LANGUAGE REGARDING THE EXPENDITURE OF FUNDS IN THE PUBLIC WORKS CONTRACTORS LICENSE FUND AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 239
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO THE CONSUMER PROTECTION ACT; AMENDING CHAPTER 6, TITLE 48, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 48-603F, IDAHO CODE, TO PROVIDE THAT PERSONS WHOSE NAMES ARE TRANSFERRED BY OTHER PERSONS FOR CONSIDERATION WITHOUT PRIOR AUTHORIZATION SHALL RECEIVE TEN PERCENT OF THE VALUE OF THE CONSIDERATION, TO PROVIDE FOR A PRIVATE CAUSE OF ACTION AND TO PROVIDE FOR PROSPECTIVE APPLICATION.

HOUSE BILL NO. 240
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO CORRECTIONAL FACILITIES; AMENDING CHAPTER 2, TITLE 20, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 20-209F, IDAHO CODE, TO LIMIT THE AMOUNT OF FEES OR COMMISSIONS THAT CERTAIN CORRECTIONAL FACILITIES MAY COLLECT FROM NONGOVERN-MENTAL ENTITIES PROVIDING TELECOMMUNICATIONS SERVICES, TO PROVIDE REQUIREMENTS, TO PROVIDE FOR FRANCHISE FEE ARRANGEMENTS AND TO LIMIT APPLICATION OF THIS SECTION TO CERTAIN CONTRACTS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 241
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO DISTRICT COURT REPORTERS; AMENDING SECTION 1-1102, IDAHO CODE, TO STRIKE THE ANNUAL SALARY SCHEDULE, TO PROVIDE FOR SALARY OF REPORTERS, TO STRIKE REFERENCE TO THE SUPREME COURT'S DISCRETIONARY AUTHORIZATION OF SALARIES IN EXCESS OF SCHEDULED SALARIES FOR CERTAIN REPORTERS, TO STRIKE AN OUTDATED COMMENCEMENT DATE, TO PROVIDE THAT THE SUPREME COURT SHALL ESTABLISH AND MAINTAIN A PERSONNEL PLAN FOR COURT REPORTERS, TO STRIKE REFERENCE TO THE TEMPORARY EFFECT OF THE SALARY SCHEDULE, TO PROVIDE FOR RATIFICATION OF THE SALARY SCHEDULE THROUGH THE APPROPRIATION PROCESS OF THE LEGISLATURE AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 242
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO CERTAIN POST-CONVICTION APPEALS; AMENDING SECTION 19-2719, IDAHO CODE, GOVERNING SPECIAL APPELLATE AND POST-CONVICTION PROCEDURE FOR CAPITAL CASES TO PROVIDE A PETITION FOR DNA TESTING AND PROCEDURE GOVERNING SUCH A PETITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 19-4901, IDAHO CODE, TO PROVIDE ADDITIONAL CONDITIONS FOR FILING A PETITION FOR POST-CONVICTION REMEDY AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 19-4902, IDAHO CODE, TO PROVIDE FOR A PETITION FOR DNA TESTING AND PROCEDURE GOVERNING SUCH A PETITION AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 243
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO SPECIAL COURT PROCEEDINGS; AMENDING TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 15, TITLE 7, IDAHO CODE, TO PROVIDE AUTHORIZATION, TO PROVIDE A SHORT TITLE, TO PROVIDE FOR APPLICATION OF THE CHAPTER, TO PROVIDE FOR THE INITIATION OF THE PROCESS AND TO PROVIDE FOR A FEE, TO PROVIDE FOR THE SELECTION OF A CIVIL EVALUATOR, TO PROVIDE FOR QUALIFICATIONS, APPOINTMENT AND COMPENSATION OF EVALUATORS AND TO AUTHORIZE THE IDAHO SUPREME COURT TO PRESCRIBE CERTAIN RULES RELATING TO EVALUATIONS, TO PROVIDE FOR EVALUATOR AUTHORITY AND TO PROVIDE A PROCEDURE FOR EVALUATORS, TO PROVIDE FOR DISCOVERY, TO PROVIDE FOR HEARING PROCEDURES, TO PROVIDE FOR DECISIONS AND AWARDS, TO PROVIDE FOR APPEALS, TO PROVIDE FOR TRIALS DE NOVO, TO PROVIDE FOR ATTORNEY'S FEES AND COSTS, TO PROVIDE FOR OFFERS TO COMPROMISE, TO PROVIDE FOR JUDGMENTS AND TO PROVIDE FOR THE AWARD OF WITNESS FEES AND COSTS, TO RECOGNIZE THE RIGHT TO TRIAL BY JURY AND TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE AND TO PROVIDE APPLICATION TO CASES FILED ON AND AFTER OCTOBER 1, 2001.

HOUSE BILL NO. 244
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO THEFT; AMENDING SECTION 18-2403, IDAHO CODE, TO STRIKE SUPERFLUOUS LANGUAGE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 18-2408, IDAHO CODE, TO PROVIDE A CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 245
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-1405, IDAHO CODE, TO PROVIDE AUTHORITY TO MAKE AN ARREST WHEN A PERSON IS CHARGED WITH OPERATING A VESSEL UNDER THE INFLUENCE OF ALCOHOL, INTOXICATING BEVERAGES OR DRUGS OR UPON FAILURE TO STOP OR GIVE INFORMATION AFTER AN ACCIDENT CAUSING DAMAGE TO A VESSEL OR OTHER PROPERTY, TO DEFINE THE TERM "VESSEL" AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 246
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO THE STATE BOARD OF EXAMINERS; AMENDING CHAPTER 20, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2028, IDAHO CODE, TO PROVIDE FOR THE PAYMENT OF DEATH BENEFITS TO FAMILY MEMBERS OF A LAW ENFORCEMENT OFFICER WHO IS KILLED IN THE PERFORMANCE OF DUTY, TO PROVIDE FOR DISBURSEMENT OF THE DEATH BENEFIT, TO PROVIDE THAT THE DEATH BENEFIT IS NOT SUBJECT TO STATE INCOME TAXES AND TO PROVIDE THAT THE DEATH BENEFIT SHALL NOT AFFECT NOR BE AFFECTED BY CERTAIN PROVISIONS OF LAW RELATING TO DEATH BENEFITS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 247
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO COSTS OF MEDICAL EXAMS; AMENDING SECTION 19-5303, IDAHO CODE, TO PROVIDE THAT COSTS OF MEDICAL EXAMS FOR ALLEGED VICTIMS OF SEXUAL ASSAULT SHALL BE PAID FROM THE CRIME VICTIMS COMPENSATION ACCOUNT; AND AMENDING SECTION 72-1019, IDAHO CODE, TO PROVIDE THE CRIME VICTIMS COMPENSATION COMMISSION SHALL PROVIDE FOR PAYMENT OF COSTS OF MEDICAL EXAMS FOR ALLEGED VICTIMS OF SEXUAL ASSAULT.

HOUSE BILL NO. 248
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO CRIMINAL PROCEDURE; AMENDING SECTION 19-402, IDAHO CODE, TO PROVIDE THE TIME FOR COMMENCEMENT OF PROSECUTION UPON IDENTIFICATION OF A SUSPECT THROUGH DNA TESTING; AMENDING SECTION 19-625, IDAHO CODE, TO STRIKE THE PROVISION REQUIRING THE RETURN OF EVIDENCE; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 249
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO THE PEACE OFFICERS TRAINING AND STANDARDS COUNCIL; AMENDING SECTION 19-5109, IDAHO CODE, TO REQUIRE A COURSE IN INVESTIGATION OF ALLEGATIONS OF SEXUAL ASSAULT OR BATTERY.

HOUSE BILL NO. 250
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO CRIMES AND PUNISHMENTS; AMENDING CHAPTER 64, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-6408, IDAHO CODE, TO PROVIDE FOR THE CRIME OF RECKLESS ENDANGERMENT, TO PROVIDE A STANDARD FOR RECKLESSLY ENGAGING IN CONDUCT AND TO PROVIDE A PENALTY.

HOUSE BILL NO. 251
BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ENERGY SAVINGS PERFORMANCE CONTRACTS; AMENDING SECTION 67-5711, IDAHO CODE, TO PROVIDE THAT CERTAIN BIDDING PROCEDURES SHALL NOT APPLY TO PERFORMANCE CONTRACTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-5711C, IDAHO CODE, TO PROVIDE A CODE CITATION AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING CHAPTER 57, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5711D, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR PERFORMANCE CONTRACTS, TO PROVIDE FOR REQUESTS FOR QUALIFICATIONS, TO PROVIDE FOR NOTICE, TO PROVIDE FOR PUBLIC INSPECTION, TO PROVIDE FOR AWARDS OF PERFORMANCE CONTRACTS, TO PROVIDE FOR INSTALLMENT PAYMENT AGREEMENTS AND LEASE-PURCHASE AGREEMENTS, TO PROVIDE FOR TERMS OF PERFORMANCE CONTRACTS AND TO PROVIDE FOR MONITORING AND REPORTS.

HOUSE BILL NO. 252
BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO INCOME TAX CREDITS; AMENDING SECTION 63-3029C, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR CHARITABLE CONTRIBUTIONS MADE TO CERTAIN FACILITIES ACCREDITED BY ACCREDITATION ORGANIZATIONS RECOGNIZED BY THE STATE OF IDAHO; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

HOUSE BILL NO. 253
BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO INCOME TAXATION; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3022P, IDAHO CODE, TO PROVIDE WITH RESPECT TO A TAXPAYER, AN AMOUNT EQUAL TO THE AMOUNT PAID BY THE TAXPAYER DURING THE TAXABLE YEAR FOR INSURANCE, WHICH CONSTITUTES MEDICAL CARE FOR THE TAXPAYER AND THE SPOUSE AND DEPENDENTS OF THE TAXPAYER WHICH IS NOT OTHERWISE DEDUCTIBLE BY THE TAXPAYER FOR FEDERAL INCOME TAX PURPOSES SHALL BE ALLOWED AS A DEDUCTION AGAINST TAXABLE INCOME; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

H 217, H 218, H 219, H 220, H 221, H 222, H 223, H 224, H 225, H 226, H 227, H 228, H 229, H 230, H 231, H 232, H 233, H 234, H 235, H 236, H 237, H 238, H 239, H 240, H 241, H 242, H 243, H 244, H 245, H 246, H 247, H 248, H 249, H 250, H 251, H 252, and **H 253** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 72, H 73, H 76, and **H 170**, by Agricultural Affairs Committee, were read the second time by title and filed for third reading.

H 164, by Environmental Affairs Committee, was read the second time by title and filed for third reading.

H 2 and **H 10**, by Mr. Speaker, requested by Department of Health and Welfare, were read the second time by title and filed for third reading.

H 8, by Mr. Speaker, requested by Idaho Commission on Aging, was read the second time by title and filed for third reading.

H 167 and **HCR 17**, by Transportation and Defense Committee, were read the second time by title and filed for third reading.

HJM 1, H 144, and **H 146**, by State Affairs Committee, were read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Bruneel moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Denney in the Chair.

When the Committee of the Whole House rose, the Acting Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

February 14, 2001

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 13, H 65**, and **H 24** and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO H 13

AMENDMENTS TO THE BILL

On page 1 of the printed bill, delete lines 8 through 43; on page 2, delete lines 1 through 6; and in line 7, delete "SECTION 2" and insert: "SECTION 1".

CORRECTION TO TITLE

On page 1, delete line 3; and in line 4, delete "NICAL CORRECTION; AND AMENDING SECTION".

HOUSE AMENDMENT TO H 65

AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 8, following "Code," insert: "except unlawful touching as described in section 18-903(b), Idaho Code,", and also in line 8, following "officer" insert: ", sheriff or police officer".

HOUSE AMENDMENT TO H 24

AMENDMENT TO SECTION 10

On page 10 of the printed bill, in line 24, following "(5)" insert: "The secretary of state shall not accept for filing from any person any assumed business name which includes within its name any of the words "engineer," "engineering," "land surveyor," "land surveying," or any modification or derivation thereof, unless the board shall have issued a letter indicating that the person has a licensed professional in responsible charge of the professional activities of the sole proprietorship or business entity. The board may notify the secretary of state, in writing, that it waives any objection to the name if the person is clearly not governed by chapter 12, title 54, Idaho Code.".

CORRECTION TO TITLE

On page 1, in line 21, following "CODE," insert: "TO PROHIBIT THE SECRETARY OF STATE FROM ACCEPTING CERTAIN FILINGS FROM ANY PERSON UNLESS THE BOARD OF PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS SHALL HAVE ISSUED A LETTER INDICATING THAT PERSON HAS A LICENSED PROFESSIONAL IN RESPONSIBLE CHARGE OF THE PROFESSIONAL ACTIVITIES OF THE SOLE PROPRIETORSHIP OR BUSINESS ENTITY, TO PROVIDE THE BOARD MAY WAIVE ANY OBJECTION UNDER CERTAIN CIRCUMSTANCES,".

DENNEY, Chairman

Mr. Denney moved that the report be adopted. Seconded by Mr. Bruneel.

Whereupon the Acting Speaker declared the report adopted.

H 13, as amended, **H 65**, as amended, and **H 24**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Bruneel asked unanimous consent that **HJM 2** retain its place on the Third Reading Calendar until Thursday, February 22, 2001. There being no objection, it was so ordered.

Mr. Bruneel asked unanimous consent that the remaining House bills be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

HCR 9 was read the third time at length and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mrs. Field(13) to open debate.

The question being, "Shall **HCR 9** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 66.

NAYS -- None.

Absent and excused -- Crow, Gould, Loertscher, Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Acting Speaker declared **HCR 9** adopted and ordered the resolution transmitted to the Senate.

HCR 10 was read the third time at length and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Campbell to open debate.

The question being, "Shall **HCR 10** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 65.

NAYS -- Bieter. Total -- 1.

Absent and excused -- Crow, Gould, Loertscher, Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Acting Speaker declared **HCR 10** adopted and ordered the resolution transmitted to the Senate.

HCR 19 was read the third time at length and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Smylie to open debate.

The question being, "Shall **HCR 19** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Callister, Campbell, Chase, Collins, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(13), Field(20), Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kunz, Langford, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Raybould, Robison, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Young. Total -- 51.

NAYS -- Barrett, Clark, Ellis, Gagner, Hammond, Kendell, Lake, Ridinger, Roberts, Schaefer, Wheeler, Wood. Total -- 12.

Absent and excused -- Bruneel, Crow, Gould, Loertscher, Pomeroy, Sali, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Acting Speaker declared **HCR 19** adopted and ordered the resolution transmitted to the Senate.

H 176 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **H 176** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Langford, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 64.

NAYS -- Kunz. Total -- 1.

Absent and excused -- Crow, Gould, Loertscher, Pomeroy, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Acting Speaker declared **H 176** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Ms. Jaquet asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the Legislative Day. Mrs. Kellogg objected.

Mr. Callister asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the Legislative Day. Mrs. Kellogg objected.

H 178 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mrs. Field(20) to open debate.

The question being, "Shall **H 178** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellsworth, Field(13), Field(20), Gagner, Hadley, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kunz, Lake, Langford, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pischner, Pomeroy, Raybould, Ridinger, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 55.

NAYS -- Barrett, Callister, Ellis, Eskridge, Hammond, Harwood, Kendell, McKague, Pearce, Roberts, Sali. Total -- 11.

Absent and excused -- Crow, Gould, Loertscher, Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Acting Speaker declared **H 178** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 124 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Pischner to open debate.

The question being, "Shall **H 124** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Trail, Wheeler, Wood, Young. Total -- 62.

NAYS -- Barrett, Callister, Sali. Total -- 3.

Absent and excused -- Crow, Gould, Loertscher, Tilman, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Acting Speaker declared **H 124** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

HCR 20 was read the third time at length and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mrs. Langford to open debate.

The question being, "Shall **HCR 20** be adopted?"

Whereupon the Acting Speaker declared **HCR 20** adopted by voice vote and ordered the resolution transmitted to the Senate.

Mr. Bruneel asked unanimous consent that **H 142** be moved to the top of the Third Reading Calendar and retain its place for one legislative day. There being no objection, it was so ordered.

Mr. Bruneel asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 10:45 a.m., Thursday, February 15, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Acting Speaker declared the House adjourned at 11:53 a.m.

TOM MOSS, Acting Speaker

ATTEST:
PAMM JUKER, Chief Clerk

THIRTY-NINTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 15, 2001

House of Representatives

The House convened at 10:45 a.m., Mrs. Wood in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Associate Pastor Don Hardenbrook.

The Pledge of Allegiance was led by Nichole Gordon, Page.

Approval of Journal

February 15, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-eighth Legislative Day and recommend that same be adopted as corrected. GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

February 14, 2001

Mr. Speaker:

I transmit herewith enrolled **S 1018** and **S 1019** for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced that enrolled **S 1018** and **S 1019** would be signed by the Speaker, and, when so signed, ordered them returned to the Senate.

February 14, 2001

Mr. Speaker:

I return herewith enrolled **H 93** and **H 126** which have been signed by the President.

WOOD, Secretary

Enrolled **H 93** and **H 126** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 14, 2001

Mr. Speaker:

I transmit herewith **SCR 106, SCR 107**, and **SCR 108** which have passed the Senate.

WOOD, Secretary

SCR 106, SCR 107, and **SCR 108** were filed for first reading.

Report of Standing Committees

February 15, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HJM 4, HJM 5, HJM 6, HCR 22, HCR 23, H 217, H 218, H 219, H 220, H 221, H 222, H 223, H 224, H 225, H 226, H 227, H 228, H 229, H 230, H 231, H 232, H 233, H 234, H 235, H 236, H 237, H 238, H 239, H 240, H 241, H 242, H 243, H 244, H 245, H 246, H 247, H 248, H 249, H 250, H 251, H 252, H 253**, and House amendments to **H 13, H 65**, and **H 24**.

GOULD, Chairman

HJM 4, HJM 5, H 220, H 221, H 222, H 223, and **H 224** were referred to the Resources and Conservation Committee.

HCR 22, H 225, and **H 226** were referred to the Commerce and Human Resources Committee.

HCR 23, H 239, H 240, H 241, H 242, H 243, H 244, H 245, H 246, H 247, H 248, H 249, and **H 250** were referred to the Judiciary, Rules, and Administration Committee.

H 219 was referred to the Education Committee.

H 227, H 228, H 229, H 230, H 231, H 233, H 234, H 235, H 236, H 237, and **H 238** were referred to the Business Committee.

H 232 was referred to the Local Government Committee.

H 251 was referred to the State Affairs Committee.

H 252 and **H 253** were referred to the Revenue and Taxation Committee.

HJM 6, H 217, and **H 218** were filed for second reading.

February 15, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 13**, as amended, **H 65**, as amended, and **H 24**, as amended.

GOULD, Chairman

H 13, as amended, **H 65**, as amended, and **H 24**, as amended, were filed for first reading of engrossed bills.

February 15, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 94, H 95**, and **H 36** to the Governor at 11:20 a.m., as of this date, February 14, 2001.

GOULD, Chairman

February 14, 2001

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 4** and recommend that it do pass.

SALI, Vice Chairman

H 4 was filed for second reading.

February 14, 2001

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 5, H 9, H 11**, and **H 14** and report them back with amendments attached to be placed on General Orders for consideration.

SALI, Vice Chairman

H 5, H 9, H 11, and **H 14** were placed on General Orders for consideration.

February 14, 2001

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 70, H 74, H 75**, and **H 168** and recommend that they do pass.

JONES, Chairman

H 70, H 74, H 75, and **H 168** were filed for second reading.

February 14, 2001

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 214, H 215**, and **H 216** and recommend that they do pass.

WOOD, Chairman

H 214, H 215, and **H 216** were filed for second reading.

February 15, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **SCR 104** and recommend that it do pass.

KELLOGG, Vice Chairman

SCR 104 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 24
BY ENVIRONMENTAL AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND EXPRESSING SUPPORT FOR THE CITY OF ST. MARIES IN ITS EFFORTS TO ENSURE RESPONSIBLE AND ECONOMICAL CLEANUP OF A QUESTIONABLE CREOSOTE SITE WHILE AVOIDING HAVING THE SITE PREMATURELY AND PERHAPS UNNECESSARILY LISTED AS A SUPERFUND SITE.

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

WHEREAS, the preliminary sampling of a site within the city of St. Maries indicates levels of creosote that exceed maximum allowable limits; and

WHEREAS, additional testing is necessary to determine the source, amount and extent of such suspected contamination; and

WHEREAS, funds of up to $200,000 have been committed for such testing by the Idaho Department of Environmental Quality and Carney Products Limited; and

WHEREAS, such testing is also expected to provide information that will identify potentially responsible parties or their successors in interest; and

WHEREAS, the results of such testing will also enable the city of St. Maries and other interested and/or potentially responsible parties to develop a cleanup plan that will address the problem; and

WHEREAS, the city of St. Maries has already expended $194,000 for testing and other expenses even though the city has never operated the site and ownership of the site is currently in question; and

WHEREAS, such expenditure has exhausted current municipal financial resources; and

WHEREAS, the city is interested in ensuring that cleanup is accomplished in an economical and responsible manner; and

WHEREAS, listing of the site as a Superfund site would be premature before testing has identified the amount and extent of any suspected contamination; and

WHEREAS, the stigma from such a premature listing would damage an already fragile economy.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature supports the city of St. Maries in its efforts to ensure responsible and economical cleanup of the site in question while avoiding having the site prematurely and perhaps unnecessarily listed as a Superfund site.

HOUSE CONCURRENT RESOLUTION NO. 25
BY AGRICULTURAL AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN RULES OF THE IDAHO DEPARTMENT OF AGRICULTURE GOVERNING BEEF CATTLE FEEDING OPERATIONS AND RELATING TO ADMINISTRATIVE APPEALS, DEFINITIONS, NUTRIENT MANAGEMENT, DESIGNATION OF BEEF CATTLE FEEDING OPERATIONS AND AUTHORITY TO INSPECT.

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 Department of Agriculture governing beef cattle feeding operations and relating to administrative appeals, definitions, nutrient management, designation of beef cattle feeding operations and authority to inspect, 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 Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 02.04.15, Section 003, in its entirety, relating to administrative appeals; Section 007, subsection 09, relating to manure, subsection 17, relating to process wastewater, and subsection 18, relating to runoff; Section 030, in its entirety, relating to nutrient management; Section 040, in its entirety, relating to designation of beef cattle feeding operations; and Section 050, subsection 03, relating to authority to inspect, rules of the Idaho Department of Agriculture governing beef cattle feeding operations, adopted as pending rules under Docket number 02-0415-0001, be, and the same are hereby rejected and declared null, void and of no force and effect.

HOUSE CONCURRENT RESOLUTION NO. 26
BY HEALTH AND WELFARE COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND URGING THE GOVERNOR AND DIRECTOR OF THE DEPARTMENT OF HEALTH AND WELFARE TO PURSUE OPPORTUNITIES TO COMPACT WITH OUR SISTER STATES TO PURCHASE PRESCRIPTION DRUGS AT ECONOMIC RATES, AND REQUESTING A REPORT.

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

WHEREAS, the cost of prescription drugs is among the issues which causes the greatest concern for citizens of the state of Idaho; and

WHEREAS, in 1999, the amount of money spent on prescription drugs increased by a record 17.4% and is predicted to continue to grow by similar amounts in coming years; and

WHEREAS, many senior citizens in particular are without any assistance in meeting the costs of prescription drugs; and

WHEREAS, anecdotes about concerned citizens, particularly seniors, who are resorting to skipping pills, cutting pills in half, or discontinuing their medications altogether are too common; and

WHEREAS, it is incumbent upon the Legislature to consider measures to address drug costs because they pose a dilemma with

direct impact on the health and well-being of every citizen of the state; and

WHEREAS, among the state responses to this concern has been the formation of the Northeast Legislative Association on Prescription Drug Prices, a coalition of the states of Connecticut, Maine, Massachusetts, New Hampshire, New York, Pennsylvania, Rhode Island and Vermont, with the purpose of making prescription drugs more affordable and accessible to the people of their states through the possibility of developing a compact to purchase prescription drugs; and

WHEREAS, many western states could benefit from a similar coalition and it would be a meaningful step in addressing prescription drug costs for our citizens.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge the executive branch, particularly the Governor and the Director of the Department of Health and Welfare, to pursue the opportunity to develop a compact with our sister states to facilitate purchases of prescription drugs by the most economic method. Such a program may require additional legislative consideration, and the Legislature stands ready to consult and cooperate in developing the terms of such an agreement. We ask that a report be made to the House of Representatives Health and Welfare Committee and the Senate Health and Welfare Committee in the first month of the Second Regular Session of the Fifty-sixth Idaho Legislature.

HCR 24, HCR 25, and **HCR 26** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

SCR 106 and **SCR 107**, by Education Committee, were introduced, read the first time by title, and referred to the Ways and Means Committee.

SCR 108, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 254
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO ASSAULT AND BATTERY; AMENDING CHAPTER 9, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-916A, IDAHO CODE, TO PROVIDE A MISDEMEANOR OFFENSE FOR OFFENSIVE CONTACT WITH A SPORTS OFFICIAL DURING A SPORTING EVENT.

HOUSE BILL NO. 255
BY ENVIRONMENTAL AFFAIRS COMMITTEE

AN ACT

RELATING TO PUBLIC SWIMMING POOLS; AMENDING SECTION 56-1003, IDAHO CODE, TO PROVIDE CONDITIONS UNDER WHICH A LIFEGUARD OR OTHER ADULT MAY BE REQUIRED AT PUBLIC SWIMMING POOLS.

HOUSE BILL NO. 256
BY ENVIRONMENTAL AFFAIRS COMMITTEE

AN ACT

RELATING TO WATER QUALITY; AMENDING SECTION 39-3613, IDAHO CODE, TO STRIKE PROVISIONS ESTABLISHING THE COEUR D'ALENE RIVER COMMISSION; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 81, TITLE 39, IDAHO CODE, TO ESTABLISH THE BASIN ENVIRONMENTAL IMPROVEMENT ACT, TO PROVIDE A SHORT TITLE, TO EXPRESS THE POLICY OF THE STATE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR ESTABLISHMENT OF AGREEMENTS OR COMPACTS FOR PARTICIPATION IN THE BASIN PROJECT, TO PROVIDE THAT THE GOVERNOR SHALL REQUEST RECIPROCAL LEGISLATION, TO PROVIDE FOR CREATION OF THE BASIN PROJECT AND TO PROVIDE FOR ESTABLISHMENT OF A BOARD OF COMMISSIONERS, COMPOSITION OF THE BOARD AND POWERS AND DUTIES, TO PROVIDE FOR ESTABLISHMENT OF A BASIN FUND AND FINANCING AUTHORITY AND ITS ADMINISTRATORS AND AUTHORITIES, TO PROVIDE THAT THE FINANCING AUTHORITY MAY ISSUE NOTES AND BONDS, TO PROVIDE THAT THE STATE WILL NOT IMPAIR VESTED RIGHTS CREATED BY NOTES AND BONDS, TO LIMIT LIABILITY AND PROVIDE THAT NOTES AND BONDS ARE NOT A DEBT OF THE STATE, TO PROVIDE THAT THE STATE MAY MAKE GRANTS TO THE FINANCING AUTHORITY, TO PROVIDE THAT NOTES AND BONDS OF THE FINANCING AUTHORITY ARE LEGAL INVESTMENTS, TO PROVIDE THAT NOTES AND BONDS OF THE FINANCING AUTHORITY ARE TAX EXEMPT, TO PROVIDE THAT THE CHAPTER IS SUPPLEMENTAL AND IS NOT A LIMITATION ON POWERS AND TO PROVIDE THAT THE CHAPTER PREVAILS IF OTHER LAWS ARE INCONSISTENT; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 257
BY ENVIRONMENTAL AFFAIRS COMMITTEE

AN ACT

RELATING TO DOMESTIC SEPTAGE MANAGEMENT; AMENDING THE CHAPTER HEADING OF CHAPTER 49, TITLE 31, IDAHO CODE; AMENDING SECTION 31-4901, IDAHO CODE, TO REVISE FINDINGS AND PURPOSE; AMENDING SECTION 31-4902, IDAHO CODE, TO FURTHER DEFINE TERMS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-4903, IDAHO CODE, TO PROVIDE FOR THE FORMATION OF A REGIONAL SOLID WASTE OR DOMESTIC SEPTAGE DISTRICT; AMENDING SECTION 31-4906, IDAHO CODE, TO PROVIDE FOR ADMINISTRATION OF DOMESTIC SEPTAGE REGULATIONS AND STANDARDS OF THE DISTRICT; AND AMENDING SECTION 31-4917, IDAHO CODE, TO PROVIDE REQUIREMENTS FOR OPERATION OF DOMESTIC SEPTAGE RECEIVING STATIONS.

HOUSE BILL NO. 258
BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO NATUROPATHIC MEDICINE; AMENDING TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 48, TITLE 54, IDAHO CODE, TO PROVIDE

A STATEMENT OF LEGISLATIVE INTENT, TO DEFINE TERMS, TO REQUIRE A LICENSE TO PRACTICE NATUROPATHIC MEDICINE, TO DEFINE THE SCOPE OF PRACTICE, TO PROVIDE THE PUBLIC HEALTH AUTHORITY AND RESPONSIBILITY, TO PROHIBIT CERTAIN ACTS, TO PROVIDE EXEMPTIONS, TO CREATE THE BOARD OF NATUROPATHIC MEDICAL EXAMINERS, TO PROVIDE POWERS OF THE BOARD, TO PROVIDE FOR DISPOSITION OF BOARD RECEIPTS, TO PROVIDE CIVIL IMMUNITY, TO PROVIDE FOR COMPENSATION, TO SPECIFY QUALIFICATIONS FOR LICENSURE, TO PROVIDE APPLICATION FOR LICENSURE OF CURRENT PRACTITIONERS, TO PROVIDE FOR EXAMINATION FOR LICENSURE, TO PROVIDE LICENSURE STANDARDS FOR OUT-OF-STATE APPLICANTS, TO PROVIDE FOR APPLICATION FOR LICENSURE, TO PROVIDE FOR LICENSE RENEWAL, TO SPECIFY CONTINUING EDUCATION REQUIREMENTS AND EXEMPTIONS, TO PROVIDE FOR APPROVAL OF CONTINUING EDUCATION PROGRAMS, TO REQUIRE REPORTS OF SUSPECTED VIOLATIONS, TO PROVIDE FOR INVESTIGATION, HEARING AND SUBPOENA, TO PROVIDE FOR SUSPENSION AND REVOCATION OF LICENSE, TO PROVIDE FOR LICENSE DENIAL OR REVOCATION, TO PROHIBIT UNAUTHORIZED EMPLOYMENT, TO PROVIDE PENALTIES, TO PROVIDE FOR ENFORCEMENT AND TO PROVIDE SEVERABILITY.

HOUSE BILL NO. 259
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO DAIRY ODOR MANAGEMENT; AMENDING TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 50, TITLE 22, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE A DECLARATION OF POLICY AND STATEMENT OF LEGISLATIVE INTENT, TO SPECIFY AUTHORITY AND DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE CONCERNING DAIRY ODORS, TO DEFINE TERMS, TO PROVIDE DESIGN AND CONSTRUCTION STANDARDS AND APPROVAL, TO REQUIRE AN ODOR MANAGEMENT PLAN, TO AUTHORIZE THE DEPARTMENT TO RESPOND TO COMPLAINTS AND TO PROVIDE PENALTIES FOR VIOLATIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 260
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO AGRICULTURE; AMENDING TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 50, TITLE 22, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE FOR AGRICULTURAL CONTRACTS, TO REQUIRE CERTAIN CONTRACTUAL LANGUAGE, TO PROVIDE FOR THE GOVERNING LAW, TO PROVIDE FOR INSPECTION AND COPYING OF CERTAIN CONTRACTS, TO PROVIDE FOR CONFIDENTIALITY, TO PROVIDE FOR EXEMPTIONS FROM THE PROVISIONS OF THE CHAPTER, TO AUTHORIZE RULEMAKING, TO PROVIDE FOR VIOLATIONS AND PENALTIES, TO PROVIDE FOR DISPOSITION OF PENALTY ASSESSMENTS AND TO PROVIDE FOR SEVERABILITY.

HOUSE BILL NO. 261
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO THE SOIL CONSERVATION COMMISSION AND DISTRICTS; AMENDING SECTION 22-2716, IDAHO CODE, TO REVISE LEGISLATIVE DETERMINATIONS AND DECLARATION OF POLICY AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 262
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO ANIMALS; AMENDING TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 38, TITLE 25, IDAHO CODE, TO PROVIDE A DECLARATION OF POLICY AND STATEMENT OF LEGISLATIVE INTENT, TO PROVIDE FOR THE AUTHORITY AND DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE, TO DEFINE TERMS, TO PROVIDE FOR THE DESIGN AND CONSTRUCTION OF CERTAIN LIQUID WASTE SYSTEMS, TO PROVIDE FOR FIRST TIME VIOLATORS AND TO PROVIDE FOR ODOR MANAGEMENT PLANS, TO PROVIDE FOR INSPECTIONS, TO PROVIDE FOR COMPLAINTS, TO PROVIDE FOR SUBSEQUENT VIOLATIONS, TO PROVIDE FOR PENALTIES, TO PROVIDE FOR OTHER ADMINISTRATIVE ACTION, TO PROVIDE FOR NOTICE AND HEARING, TO PROVIDE FOR COURT ACTION TO RECOVER ASSESSED PENALTIES, TO PROVIDE FOR APPEAL, TO PROVIDE FOR DEPOSIT OF MONEYS COLLECTED TO THE GENERAL FUND, TO PROVIDE FOR CERTAIN CONSIDERATION IN THE IMPOSITION OF MONETARY PENALTIES AND TO PROVIDE FOR CERTAIN DISCRETION OF THE DIRECTOR IN REGARD TO MINOR VIOLATIONS.

HOUSE BILL NO. 263
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO AGRICULTURE; AMENDING TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 51, TITLE 22, IDAHO CODE, TO CREATE THE IDAHO COALITION FOR AGRICULTURE, RURAL COMMUNITIES AND THE ENVIRONMENT, TO PROVIDE A PURPOSE, TO DEFINE TERMS, TO PROVIDE GOALS, TO PROVIDE FOR THE POWERS AND DUTIES OF THE COALITION, TO PROVIDE FOR A BOARD OF DIRECTORS, TO PROVIDE FOR ORGANIZATION BY THE BOARD, TO PROVIDE FOR A CHAIRMAN AND OTHER PERSONNEL, TO PROVIDE FOR BYLAWS AND RULES, TO PROVIDE THAT CERTAIN POWERS AND DUTIES SHALL BE VESTED IN THE BOARD, TO PROVIDE FOR A QUORUM AND TO PROVIDE FOR AN EXECUTIVE DIRECTOR, OFFICERS AND EMPLOYEES, TO PROVIDE FOR A FUND, TO PROVIDE FOR USE OF FUNDS FOR LOAN AND GRANT PROJECTS AND TO PROVIDE FOR ELIGIBLE ACTIVITIES, TO PROVIDE A PROCESS FOR PROPOSAL SUBMISSION AND APPROVAL AND TO PROVIDE FOR THE DISPOSITION OF FUNDS.

HOUSE BILL NO. 264
BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT

RELATING TO CERTAIN SPECIAL MOTOR VEHICLE LICENSE PLATE PROGRAMS FOR VETERANS; AMENDING

SECTION 49-404A, IDAHO CODE, TO PROVIDE THAT THE INITIAL AND ANNUAL PROGRAM FEES FOR THE ARMED FORCES RESERVE LICENSE PLATE PROGRAM SHALL BE DEPOSITED TO THE VETERANS CEMETERY MAINTENANCE FUND; AND AMENDING SECTION 49-418, IDAHO CODE, TO PROVIDE THAT THE INITIAL AND ANNUAL PROGRAM FEES FOR THE VETERANS LICENSE PLATE PROGRAM SHALL BE DEPOSITED TO THE VETERANS CEMETERY MAINTENANCE FUND AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 265
BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT

RELATING TO MOTOR VEHICLE TITLES; AMENDING CHAPTER 5, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-522A, IDAHO CODE, TO PROVIDE FOR DISPOSAL OF A VEHICLE WITHOUT A CERTIFICATE OF TITLE.

HOUSE BILL NO. 266
BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT

RELATING TO COMPLIANCE REVIEWS OF MOTOR CARRIERS; AMENDING SECTION 67-2901A, IDAHO CODE, TO PROVIDE FOR CIVIL PENALTIES, TO PROVIDE FOR THE RECOVERY OF CIVIL PENALTIES BY THE STATE OF IDAHO AND TO PROVIDE FOR THE DETERMINATION OF CIVIL PENALTY AMOUNTS.

HOUSE BILL NO. 267
BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT

RELATING TO OPERATING FEES FOR MOTOR VEHICLES WEIGHING IN EXCESS OF SIXTY THOUSAND POUNDS GROSS VEHICLE WEIGHT; AMENDING SECTION 49-114, IDAHO CODE, TO FURTHER DEFINE "MAXIMUM GROSS WEIGHT"; AMENDING SECTION 49-122, IDAHO CODE, TO DEFINE "USE FEE"; AMENDING SECTION 49-202, IDAHO CODE, TO REVISE DUTIES OF THE IDAHO TRANSPORTATION DEPARTMENT AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-434, IDAHO CODE, TO PROVIDE A STATUTORY FEE, TO REINSTATE THE USE FEE, TO DELETE LANGUAGE REGARDING REGISTRATION FEES AND TO DELETE LANGUAGE REGARDING THE INTERNATIONAL REGISTRATION PLAN; AMENDING SECTION 49-435, IDAHO CODE, TO PROVIDE AUDIT AND RECORDKEEPING REQUIREMENTS UNDER PROPORTIONAL REGISTRATION OF FLEETS OF COMMERCIAL VEHICLES; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-436, IDAHO CODE, TO PROVIDE FOR QUARTERLY REPORTS BY OWNERS OF COMMERCIAL OR FARM VEHICLES HAVING A MAXIMUM COMBINED GROSS WEIGHT IN EXCESS OF SIXTY THOUSAND POUNDS, TO PROVIDE FOR MAINTAINING RECORDS, TO PROVIDE PENALTIES, TO PROVIDE FOR DEPOSIT OR A BOND TO SECURE PAYMENT OF FEES AND TO PROVIDE FOR AN APPEAL; AMENDING SECTION 49-438, IDAHO CODE, TO PROVIDE REFERENCE TO USE FEES; AMENDING SECTION 49-439, IDAHO CODE, TO REVISE AUDIT GUIDELINES; AMENDING SECTION 49-504, IDAHO CODE, TO PROVIDE REFERENCE FOR USE FEES PAID FOR LADENED WEIGHT AND MILEAGE; AMENDING SECTION 49-1001, IDAHO CODE, TO DELETE REFERENCE TO REGISTRATION FEES, TO PROVIDE REFERENCE TO USE FEES AND TO CORRECT A CODIFIER'S ERROR; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 268
BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT

RELATING TO ROADS; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 40-117, IDAHO CODE, TO REVISE THE DEFINITION OF "PERSON" AND TO REVISE THE DEFINITION OF "PUBLIC RIGHT-OF-WAY"; AMENDING SECTION 40-202, IDAHO CODE, TO PROVIDE ADDITIONAL DUTIES OF BOARDS OF COUNTY AND HIGHWAY DISTRICT COMMISSIONERS REGARDING MAPPING RESPONSIBILITIES AND OBTAINING INFORMATION ON FEDERAL LAND RIGHTS-OF-WAY WITHIN THE COMMISSION'S JURISDICTION; AMENDING CHAPTER 2, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-202A, IDAHO CODE, TO PROVIDE FOR ACCESS RESTRICTIONS IN THE PUBLIC INTEREST; AMENDING SECTION 40-203, IDAHO CODE, TO PROVIDE THAT A BOARD OF COUNTY OR HIGHWAY DISTRICT COMMISSIONERS SHALL EXCLUSIVELY USE A STATUTORY PROCEDURE, TO PROVIDE REFERENCE TO FEDERAL LAND RIGHTS-OF-WAY, TO CLARIFY WHEN A COURT MAY DECLARE A ROAD ABANDONED, TO CLARIFY THAT A CHARGE PAYABLE TO THE COUNTY OR HIGHWAY DISTRICT MAY BE STIPULATED TO BETWEEN THE COMMISSIONERS AND THE ADJACENT LANDOWNER TO WHOM OWNERSHIP OF THE HIGHWAY OR PUBLIC RIGHT-OF-WAY WILL REVERT, TO CLARIFY THAT SUCH CHARGE SHALL NOT EXCEED THE FAIR MARKET VALUE OF THE PARCEL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 40-204A, IDAHO CODE, TO PROVIDE A STATEMENT OF PUBLIC POLICY REGARDING PRINCIPLES OF IDAHO SUBSTANTIVE REAL PROPERTY LAW RELATING TO FEDERAL GRANTS OF PUBLIC LAND RIGHTS-OF-WAY, TO PROVIDE FOR THE EXCLUSIVE METHOD FOR RECOGNIZING THE ABANDONMENT, VACATING OR OTHER RESTRICTION OR LOSS OF PUBLIC USE OF FEDERAL LAND RIGHTS-OF-WAY, TO PROVIDE THAT CERTAIN ALTERATIONS, RELOCATIONS AND DETOURS SHALL NOT CONSTITUTE ABANDONMENT OR VACATION OF FEDERAL LAND RIGHTS-OF-WAY, TO PROVIDE THAT PRIVATELY HELD FEDERAL LAND RIGHTS-OF-WAY ARE NOT SUBJECT TO CERTAIN PROVISIONS OF TITLE 40, IDAHO CODE, TO PROVIDE THAT PRIVATELY HELD FEDERAL LAND RIGHTS-OF-WAY MAY BE TAKEN OR LOST ONLY PURSUANT TO SPECIFIED REAL PROPERTY LAW AND TO PROVIDE THAT THE PROVISIONS OF TITLE 40, IDAHO CODE, SHALL BE CONSTRUED BROADLY TO MAINTAIN PUBLIC ACCESS TO FEDERAL LAND RIGHTS-OF-WAY; AMENDING SECTION 40-2319, IDAHO CODE, TO PROVIDE A CRIMINAL PENALTY FOR FAILURE TO REMOVE ENCROACHMENTS AND TO PROVIDE FOR INITIATION OF PROCEEDINGS TO REMOVE AN ENCROACHMENT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 269
BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT

RELATING TO THE RAIL SERVICE PRESERVATION PROGRAM; PROVIDING LEGISLATIVE INTENT; AMENDING TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 29, TITLE 49, IDAHO CODE, TO ESTABLISH A RAIL SERVICE PRESERVATION PROGRAM ADMINISTERED BY THE IDAHO TRANSPORTATION BOARD, TO PROVIDE DUTIES OF THE BOARD, TO CREATE A RAIL SERVICE PRESERVATION FUND AND TO REQUIRE THE DEVELOPMENT OF A STATE RAIL PLAN; AND AMENDING SECTION 62-424, IDAHO CODE, TO REQUIRE THE PUBLIC UTILITIES COMMISSION TO CONTINUE TO INTERVENE AS NECESSARY IN FEDERAL SURFACE TRANSPORTATION BOARD ABANDONMENT PROCEEDINGS ON RAILROAD BRANCH AND MAIN LINES TO PROTECT THE INTERESTS OF THE STATE OF IDAHO.

HOUSE BILL NO. 270
BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT

RELATING TO TEMPORARY REGISTRATION OF CERTAIN MOTOR VEHICLES; AMENDING SECTION 49-432, IDAHO CODE, TO INCREASE THE LENGTH OF TIME A TRIP PERMIT IS VALID, TO INCREASE FEES FOR TRIP PERMITS AND A FUEL PERMIT AND TO INCREASE THE LENGTH OF TIME A TRIP PERMIT IS VALID FOR CERTAIN VEHICLES OPERATED IN A FLEET.

HOUSE BILL NO. 271
BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT

RELATING TO REGISTRATION OF MOTOR VEHICLES WEIGHING IN EXCESS OF SIXTY THOUSAND POUNDS GROSS VEHICLE WEIGHT; AMENDING SECTION 49-434, IDAHO CODE, TO PROVIDE A SINGLE FEE FOR REGISTRATION OF VEHICLES WEIGHING BETWEEN EIGHT THOUSAND AND SIXTY THOUSAND POUNDS MAXIMUM GROSS WEIGHT, TO REVISE THE ANNUAL REGISTRATION FEE SCHEDULE FOR MOTOR VEHICLES WEIGHING IN EXCESS OF SIXTY THOUSAND POUNDS, TO PROVIDE FOR QUARTERLY INSTALLMENT PAYMENTS OF THE ANNUAL REGISTRATION FEE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 17, CHAPTER 418, LAWS OF 2000, TO DELETE LEGISLATIVE INTENT FOR FULL PAYMENT OF THE ANNUAL REGISTRATION FEE ON THE REGISTRATION FEE ONLY SYSTEM AT THE TIME OF REGISTRATION OR RENEWAL OF REGISTRATION FOR REGISTRATIONS AND RENEWAL OF REGISTRATIONS OCCURRING ON AND AFTER OCTOBER 1, 2001; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 272
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO PRODUCTION CONTRACT FACILITIES; AMENDING TITLE 69, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 6, TITLE 69, IDAHO CODE; TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO REQUIRE THAT CERTAIN FACILITIES BE LICENSED, TO PROVIDE FOR PENALTIES FOR OPERATING WITHOUT LICENSES AND FOR MISREPRESENTATION, TO PROVIDE FOR INSPECTION AND CLASSIFICATION OF WAREHOUSES, STORAGE, WAREHOUSING, WEIGHING AND CERTIFICATION OF COMMODITIES AND TO PROVIDE FOR DUTIES OF WAREHOUSEMEN, TO PROVIDE FOR ISSUANCE AND RENEWAL OF LICENSES TO WAREHOUSEMEN, PRODUCTION FACILITIES AND DEALERS, TO PROVIDE FOR TERMS OF LICENSES AND RENEWAL, TO REQUIRE CERTAIN BONDS FOR APPLICANTS FOR LICENSURE, TO PROVIDE ADDITIONAL OBLIGATIONS, TO PROVIDE FOR IRREVOCABLE LETTERS OF CREDIT IN LIEU OF BONDS, TO PROVIDE FOR AMOUNTS OF BONDS AND CANCELLATION OF BONDS, TO PROVIDE FOR ACTION ON BONDS BY INJURED PARTIES, TO PROVIDE FOR THE DESIGNATION OF A FACILITY AS A BONDED PRODUCTION CONTRACT FACILITY, TO PROVIDE FOR FEES, TO PROVIDE FOR LICENSES TO WEIGH COMMODITIES FOR STORAGE, TO PROVIDE FOR THE EXAMINATION OF STORED COMMODITIES AND SEED CROPS BY CERTAIN STATE INSPECTORS AND INVESTIGATORS, TO PROVIDE FOR THE EMPLOYMENT OF PERSONNEL, TO PROVIDE A RIGHT TO ASSESS AND COLLECT FEES, TO PROVIDE FOR THE INSPECTION AND GRADING OF DISEASED OR INSECT INFESTED COMMODITIES AND SEED CROPS, TO PROVIDE FOR RECEIPTS AND SCALE WEIGHT TICKETS, TO PROVIDE STANDARDS FOR AGRICULTURAL COMMODITIES AND SEED CROPS, TO PROVIDE FOR RECORDS OF PRODUCTION CONTRACT FACILITIES AND TO PROVIDE FOR THE CONDUCT OF A PRODUCTION CONTRACT FACILITY, TO PROVIDE FOR THE EXAMINATION OF CERTAIN COMMODITIES AND SEED CROPS AND RELATED RECORDS BY THE IDAHO STATE DEPARTMENT OF AGRICULTURE AND TO PROVIDE FOR THE PUBLICATION OF FINDINGS, TO PROVIDE FOR THE SUSPENSION AND REVOCATION OF LICENSES, TO PROVIDE FOR THE PUBLICATION OF REPORTS, TO PROVIDE FOR THE EXAMINATION OF CERTAIN BOOKS BY THE DEPARTMENT OF AGRICULTURE, TO AUTHORIZE RULEMAKING BY THE IDAHO STATE DEPARTMENT OF AGRICULTURE, TO PROVIDE FOR COOPERATION BETWEEN THE DEPARTMENT OF AGRICULTURE AND GOVERNMENTAL AGENCIES AND PRIVATE ASSOCIATIONS, TO PROVIDE FOR VIOLATIONS OF LAW AND PENALTIES, TO PROVIDE FOR RENT OF QUARTERS AND EMPLOYMENT OF ASSISTANTS, TO PROVIDE FOR THE EFFECT OF PARTIAL INVALIDITY OF THE LAW, TO PROVIDE FOR NONCOMPLIANCE, TO PROVIDE FOR FAILURE OF A FACILITY AND TO PROVIDE FOR CERTAIN REMEDIES OF THE DEPARTMENT OF AGRICULTURE, TO PROVIDE FOR CERTAIN FINANCIAL DIFFICULTIES AND TO REQUIRE CERTAIN ADDITIONAL BOND OR SECURITY, TO PROVIDE FOR DUTIES OF WAREHOUSEMAN AND TO PROVIDE FOR CONTENT OF RECORDS, TO PROVIDE FOR CERTAIN DISCRETIONARY ACTION BY THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE, TO PROVIDE FOR INSURANCE, TO PROVIDE A CANCELLATION PROCEDURE AND TO PROVIDE FOR SUSPENSION OF LICENSES, TO PROVIDE FOR INJUNCTIONS, TO PROVIDE A DUTY TO PROSECUTE VIOLATIONS OF THE CHAPTER, TO PROVIDE FOR LICENSE REISSUANCE FOLLOWING REVOCATION, TO

PROVIDE FOR CERTAIN DIRECTOR AUTHORITY, TO PROVIDE FOR APPEALS FROM DECISIONS OF THE DIRECTOR, TO PROVIDE FOR LICENSE DENIAL, TO PROVIDE THAT THE DRAWING OF CERTAIN INSUFFICIENT CHECKS CONSTITUTES A VIOLATION, TO PROVIDE FOR CERTAIN RECORDS, TO PROVIDE A SHORT TITLE FOR THE INDEMNITY FUND PROGRAM AND TO PROVIDE A START-UP PROCEDURE, TO PROVIDE FOR THE CREATION OF THE INDEMNITY FUND AND TO PROVIDE FOR CERTAIN USES OF THE FUND, TO PROVIDE FOR ASSESSMENTS, TO PROVIDE RATES AND TO PROVIDE FOR MINIMUM AND MAXIMUM ASSESSMENTS, TO PROVIDE FOR PAYMENTS OF ASSESSMENTS, TO PROVIDE FOR A MAXIMUM FUND BALANCE AND TO PROVIDE FOR CESSATION OF ASSESSMENTS, TO PROVIDE FOR AN ADVISORY COMMITTEE, TO PROVIDE FOR PROOF OF CLAIMS, TO PROVIDE FOR HEARINGS, TO PROVIDE FOR THE INVESTIGATION OF CLAIMS, TO PROVIDE FOR THE INSPECTION, EXAMINATION AND AUDIT OF CERTAIN FAILED FACILITIES, TO PROHIBIT APPROVAL AND PAYMENT OF CERTAIN CLAIMS AND TO PROVIDE FOR APPEALS OF CERTAIN FINAL DECISIONS OF THE DEPARTMENT OF AGRICULTURE, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE SHALL BE RELIEVED OF RESPONSIBILITY TO PAY CERTAIN PRODUCER CREDITOR CLAIMS, TO PROVIDE FOR A MINIMUM FUND BALANCE IN THE CROP SPECIFIC INDEMNITY FUND AND FOR CERTAIN PAYMENTS FROM THAT FUND, TO PROVIDE THAT THE FUND SHALL NOT BE LIABLE FOR CERTAIN CLAIMS BEYOND A DESIGNATED PERIOD OF TIME, TO PROVIDE FOR PAYMENTS FROM THE FUND, TO PROVIDE FOR CERTAIN REIMBURSEMENTS TO THE FUND AND TO PROVIDE FOR ACCRUALS OF CERTAIN CAUSES OF ACTION, TO PROVIDE FOR CLAIMS AGAINST CERTAIN WAREHOUSEMEN, DEALERS OR FACILITIES AND TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE SHALL HAVE CERTAIN REMEDIES, TO PROVIDE FOR EMERGENCY FUNDING; TO DECLARE AN EMERGENCY, TO PROVIDE EFFECTIVE DATES AND TO PROVIDE FOR TRANSITION.

HOUSE BILL NO. 273
BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO THE BONDED WAREHOUSE LAW; AMENDING SECTION 69-202, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 69-204, IDAHO CODE, TO PROVIDE PENALTIES FOR PERSONS OPERATING A PUBLIC WAREHOUSE, PRODUCTION FACILITY OR AS A DEALER WITHOUT A LICENSE OR MISREPRESENTING VALID LICENSURE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 69-205, IDAHO CODE, TO PROVIDE FOR LICENSE APPLICATION FOR PRODUCTION FACILITIES AND FOR DEALERS, TO PROVIDE FOR INVESTIGATION OF CERTAIN FACILITIES, TO PROVIDE FOR A DETERMINATION OF SUITABILITY OF CERTAIN STORAGE FACILITIES FOR SEED CROPS, TO PROVIDE FOR THE INSPECTION OF PRODUCTION FACILITIES, TO REQUIRE ANNUAL INSPECTIONS BY THE DEPARTMENT OF AGRICULTURE OF ALL LICENSED WAREHOUSES AND PRODUCTION FACILITIES, TO PROVIDE FOR THE CLASSIFICATION OF PRODUCTION FACILITIES AND DEALERS, TO PROVIDE FOR CERTAIN DUTIES IN REGARD TO SEED CROPS FOR CERTAIN WAREHOUSEMEN AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 69-206, IDAHO CODE, TO PROVIDE FOR PRODUCTION FACILITY AND DEALER LICENSES, TO PROVIDE FOR CERTAIN INSURANCE, TO PROVIDE FOR PROPER STORAGE OF SEED CROPS, TO REQUIRE APPROVAL BY THE DEPARTMENT OF AGRICULTURE OF DRAWINGS DEPICTING WAREHOUSE STORAGE FACILITIES AND CAPACITY, TO STRIKE A REFERENCE TO REVIEWED FINANCIAL STATEMENTS, TO STRIKE A REFERENCE TO LICENSED PUBLIC ACCOUNTANTS, TO PROVIDE A FINANCIAL REQUIREMENT, TO PROVIDE CORRECT TERMINOLOGY, TO STRIKE REFERENCE TO REGULATIONS AND TO INCREASE THE AMOUNT OF PENALTY FEE FOR CERTAIN EXPIRED LICENSES; AMENDING SECTION 69-207, IDAHO CODE, TO STRIKE REFERENCE TO REGULATIONS, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 69-208, IDAHO CODE, TO STRIKE REFERENCE TO CERTIFICATES OF DEPOSITS AND ANNUITIES, TO REQUIRE AS A CONDITION TO LICENSURE THAT WAREHOUSEMEN HOLDING SEED CROP DEPOSITS POST A CERTAIN BOND, TO PROVIDE THAT THE DEPARTMENT SHALL REQUIRE ADDITIONAL BOND IN CERTAIN SITUATIONS, TO REQUIRE THE DEPARTMENT SUSPEND OR REVOKE LICENSES OF WAREHOUSEMEN IN CERTAIN SITUATIONS, TO STRIKE REFERENCE TO ACCRUED INTEREST UPON CERTIFICATES OF DEPOSITS OR ANNUITIES, TO PROVIDE FOR LETTERS OF CREDIT, TO STRIKE REFERENCE TO CERTAIN REQUIREMENTS FOR ANNUITIES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 69-208A, IDAHO CODE, TO PROVIDE FOR BOND FOR SEED CROPS, TO PROVIDE FOR BOND WHERE A VARIETY OF COMMODITIES ARE STORED AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 69-210, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 69-211, IDAHO CODE, TO REVISE THE FEE SCHEDULE, TO REQUIRE A CERTAIN FEE BE ASSESSED BY THE DEPARTMENT FOR MAINTAINING AN EMPLOYEE AT A WAREHOUSE TO OVERSEE A CORRECTION OF CERTAIN VIOLATIONS, TO CORRECT A CODIFIER'S ERROR AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 69-212, IDAHO CODE, TO PROVIDE FOR POSTING OF CONDITIONING CHARGES, TO PROVIDE FOR POSTING OF DISCOUNTS, TO PROVIDE FOR CHARGES FOR THE HANDLING AND STORAGE OF SEED CROPS, TO PROVIDE FOR CERTAIN ACTION BY THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE REGARDING CHARGES FOR HANDLING AND STORAGE OF SEED CROPS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 69-213, IDAHO CODE, TO PROVIDE FOR THE EXAMINATION OF SEED CROPS STORED, TO PROVIDE CERTAIN CONDITIONS FOR THE EXAMINATION OF SEED CROPS AND TO PROVIDE FOR EMPLOYEES OF A WAREHOUSEMAN; AMENDING SECTION 69-214, IDAHO CODE, TO PROVIDE FOR EMPLOYMENT OF PERSONNEL, TO PROVIDE CORRECT TERMINOLOGY AND TO PROVIDE FOR EMPLOYMENT OF INVESTIGATORS; AMENDING SECTION 69-215, IDAHO CODE, TO PROVIDE AN

EXCEPTION TO THE REQUIREMENT OF A WEIGHMASTER LICENSE FOR CERTAIN SEED CROPS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 69-218, IDAHO CODE, TO PROVIDE FOR RECEIPT BY A WAREHOUSEMAN OF SEED CROPS FOR STORAGE; AMENDING SECTION 69-219, IDAHO CODE, TO PROVIDE FOR DELIVERY OF COMMODITIES AND SEED CROPS TO A WAREHOUSE FOR STORAGE, TO PROVIDE FOR COMMODITIES AND SEED CROPS DELIVERED TO A WAREHOUSE UNDER THE TERMS OF A CONTRACT, TO PROVIDE FOR DELIVERY, TO STRIKE REFERENCE TO STORAGE, TO PROVIDE FOR DELIVERY OF SEED CROPS AND TO STRIKE REFERENCE TO REGULATIONS; AMENDING SECTION 69-220, IDAHO CODE, TO PROVIDE FOR THE INSPECTION AND GRADING OF DISEASED OR INSECT INFESTED SEED CROPS, TO PROVIDE CERTAIN REQUIREMENTS FOR DISEASED OR INSECT INFESTED SEED CROPS AND TO STRIKE REFERENCE TO REGULATIONS; AMENDING SECTION 69-222, IDAHO CODE, TO STRIKE REFERENCE TO STORAGE, TO PROVIDE FOR SEED CROPS DELIVERED TO A LICENSED WAREHOUSE, TO PROVIDE FOR ISSUANCE OF RECEIPTS AND SCALE WEIGHT TICKETS FOR CERTAIN SEED CROPS AND TO PROVIDE THAT A PRODUCER MAY REQUEST A NEGOTIABLE RECEIPT; AMENDING SECTION 69-223, IDAHO CODE, TO PROVIDE FOR NEGOTIABLE WAREHOUSE RECEIPTS FOR SEED CROPS, TO STRIKE REFERENCE TO REGULATIONS, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 69-224, IDAHO CODE, TO PROVIDE FOR STANDARDS FOR SEED CROPS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 69-225, IDAHO CODE, TO PROVIDE FOR OUTSTANDING WAREHOUSE RECEIPTS FOR SEED CROPS AND TO PROVIDE FOR LOSS OF WAREHOUSE RECEIPTS FOR SEED CROPS; AMENDING SECTION 69-226, IDAHO CODE, TO STRIKE A REFERENCE TO REGULATIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 69-227, IDAHO CODE, TO PROVIDE FOR EXAMINATION OF SEED CROPS, TO PROVIDE FOR COMMODITIES RECEIVED IN LICENSED WAREHOUSES, TO PROVIDE CORRECT TERMINOLOGY, TO STRIKE A REFERENCE TO REGULATIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 69-228, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO STRIKE REFERENCE TO REGULATIONS; AMENDING SECTION 69-229, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 69-230, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 69-231, IDAHO CODE, TO STRIKE REFERENCE TO REGULATIONS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 69-232, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 69-233, IDAHO CODE, TO STRIKE A REFERENCE TO REGULATIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 69-236, IDAHO CODE, TO PROVIDE FOR CERTAIN REMEDIES IN SITUATIONS WHERE A WAREHOUSEMAN DOES NOT HAVE SUFFICIENT SEED CROPS IN HIS POSSESSION TO COVER OUTSTANDING RECEIPTS, TO PROVIDE FOR CERTAIN REMEDIES WHERE A WAREHOUSEMAN DOES NOT HAVE THE ABILITY TO PAY PRODUCERS FOR CONTRACT OBLIGATIONS, TO REQUIRE THE DEPARTMENT TO NOTIFY THE WAREHOUSEMEN TO COMPLY WITH DESIGNATED REQUIREMENTS IN CERTAIN SITUATIONS, TO RESTRICT THE AMOUNT OF TIME A WAREHOUSEMAN HAS TO COMPLY WITH THE TERMS OF A NOTICE OF REQUIRED ACTION, TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE SHALL PETITION CERTAIN DISTRICT COURTS FOR AUTHORITY TO SEIZE CERTAIN SEED CROPS, TO PROVIDE THAT THE DEPARTMENT SHALL NOTIFY CERTAIN HOLDERS AND PRODUCERS OF RECORD, TO PROVIDE THAT THE DEPARTMENT SHALL HAVE CERTAIN HOLDERS AND PRODUCERS OF RECORD PRESENT EVIDENCE OF OBLIGATIONS, TO PROVIDE THAT THE DEPARTMENT SHALL AUDIT THE AFFAIRS OF CERTAIN WAREHOUSES IN REGARD TO SEED CROPS IN WHICH THERE IS AN APPARENT SHORTAGE, TO REQUIRE THE DEPARTMENT TO RETAIN POSSESSION OF SEED CROPS PENDING SATISFACTION OF CERTAIN CLAIMS, TO PROVIDE FOR THOSE SITUATIONS IN WHICH THE OBLIGATIONS EXCEED THE AMOUNT OF BOND, TO PROVIDE FOR HOLDERS OF EVIDENCE OF OBLIGATIONS WHERE WAREHOUSEMEN ARE INSOLVENT, TO PROVIDE FOR ORDERS TO SHOW CAUSE BY A WAREHOUSE WHERE THE DEPARTMENT HAS TAKEN POSSESSION OF CERTAIN SEED CROPS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 69-237, IDAHO CODE, TO PROVIDE FOR PARTIAL WITHDRAWAL OF SEED CROPS BY A DEPOSITOR, TO PROVIDE FOR CERTAIN MODIFICATION OF NEGOTIABLE RECEIPTS AND TO PROVIDE LIABILITY FOR A WAREHOUSE THAT FAILS TO DELIVER CERTAIN SEED CROPS SPECIFIED IN A RECEIPT; AMENDING SECTION 69-238, IDAHO CODE, TO PROVIDE DUTY FOR WAREHOUSES TO DELIVER STORED SEED CROPS AND TO PROVIDE FOR DAMAGES WHEN A WAREHOUSE FAILS TO DELIVER STORED SEED CROPS; AMENDING SECTION 69-239, IDAHO CODE, TO PROVIDE FOR WAREHOUSE RECORDS OF CERTAIN SEED CROPS; AMENDING SECTION 69-242, IDAHO CODE, TO STRIKE A REFERENCE TO REGULATIONS; AMENDING SECTION 69-245, IDAHO CODE, TO PROVIDE FOR SERVICE ON LICENSE HOLDER BY FACSIMILE; AMENDING SECTION 69-248, IDAHO CODE, TO PROVIDE A VIOLATION FOR CERTAIN PAYMENTS BY WAREHOUSES TO PRODUCERS OF SEED CROPS MADE UPON AN ACCOUNT WITH INSUFFICIENT FUNDS; AMENDING SECTION 69-249, IDAHO CODE, TO PROVIDE FOR THE PURCHASE OF SEED CROPS BY CONTRACT, TO PROVIDE A CODE REFERENCE, TO PROVIDE FOR CERTAIN CONTRACTUAL TERMS, TO PROVIDE FOR TITLE TO SEED CROPS SOLD BY CONTRACT, TO STRIKE A REFERENCE TO CREDIT SALE AND TO PROVIDE FOR A DETERMINATION OF CERTAIN SEED CROP PRICES; AMENDING SECTION 69-250, IDAHO CODE, TO PROVIDE FOR DISCLOSURE OF CERTAIN PRODUCTION RECORDS; AMENDING SECTION 69-251, IDAHO CODE, TO PROVIDE FOR THE PAYMENT OF PURCHASE PRICE FOR SEED CROPS BY WAREHOUSES AND TO PROVIDE AN EXCEPTION FOR WRITTEN AGREEMENTS ALTERING TIME FOR PAYMENT; AMENDING SECTION 69-256, IDAHO CODE, TO PROVIDE FOR DISBURSEMENTS FROM THE PRODUCTION COMMODITY INDEMNITY FUND AS AUTHORIZED BY THE DIRECTOR AND DETERMINED BY THE ADVISORY COMMITTEE, TO PROVIDE CORRECT TERMINOLOGY AND TO PROVIDE FOR USE OF CERTAIN

INTEREST AND PRINCIPAL FROM THE COMMODITY INDEMNITY FUND FOR COSTS OF REINSURANCE FOR THE FUND; AMENDING SECTION 69-257, IDAHO CODE, TO STRIKE A REFERENCE TO REGULATIONS, TO PROVIDE A REFERENCE TO SEED CROPS, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 69-259, IDAHO CODE, TO INCREASE THE MAXIMUM FUND BALANCE, TO PROVIDE CORRECT CODE REFERENCES, TO STRIKE OUTDATED LANGUAGE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 69-261, IDAHO CODE, TO REQUIRE THAT THE ADVISORY COMMITTEE MEET AT LEAST TWICE A YEAR AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 69-262, IDAHO CODE, TO CORRECT A CODE REFERENCE AND TO PROVIDE A CODE REFERENCE, TO STRIKE REFERENCE TO WRITTEN EVIDENCE OF A SALE, TO PROVIDE FOR THE PROCESSING OF CERTAIN CLAIMS OF PRODUCERS, TO SET FORTH COMMODITIES COVERED BY THE INDEMNITY FUND PROGRAM, TO STRIKE UNNECESSARY TERMINOLOGY, TO PROVIDE FOR NOTICE BY THE DEPARTMENT OF AGRICULTURE TO CERTAIN PRODUCERS, TO PROVIDE FOR INVESTIGATION BY THE DEPARTMENT OF AGRICULTURE AND DETERMINATION OF THE NATURE OF CLAIMANTS' COMMODITIES, TO PROVIDE FOR REFERENCE TO THE CONTRACT PRICE IN DETERMINATION OF VALUE OF A PRODUCER'S CLAIM, TO PROVIDE FOR THE EXAMINATION OR AUDIT OF FAILED DEALERS, TO PROHIBIT THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE FROM APPROVING OR PAYING CERTAIN CLAIMS ON THE PRODUCTION CONTRACT INDEMNITY FUND, TO PROVIDE FOR APPEALS OF FINAL DECISIONS OF THE DEPARTMENT OF AGRICULTURE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 69-264, IDAHO CODE, TO INCREASE THE MINIMUM BALANCE OF THE FUND, TO PROVIDE A LIMITATION ON PAYMENT OF CERTAIN CLAIMS AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 274
BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO COMMODITY DEALER LAW; AMENDING SECTION 69-502, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 69-503, IDAHO CODE, TO PROVIDE FOR LICENSES FOR COMMODITY DEALERS THAT PURCHASE SEED CROPS, TO STRIKE A REFERENCE TO A LICENSED PUBLIC ACCOUNTANT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 69-504, IDAHO CODE, TO INCREASE THE PENALTY FEE FOR LICENSEES WITH CERTAIN EXPIRED LICENSES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 69-506, IDAHO CODE, TO STRIKE REFERENCE TO ANNUITY, TO PROVIDE BONDING REQUIREMENTS FOR COMMODITY DEALERS IN SEED CROPS, TO PROVIDE FOR IRREVOCABLE LETTERS OF CREDIT IN LIEU OF BOND AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 5, TITLE 69, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 69-506A, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE SHALL REQUIRE LICENSEES, UNABLE TO PAY PRODUCERS DUE TO FINANCIAL DIFFICULTY, TO POST CERTAIN SECURITY, TO AUTHORIZE RULEMAKING AND TO PROVIDE FOR SUSPENSION OR REVOCATION OF LICENSES; AMENDING SECTION 69-508, IDAHO CODE, TO INCREASE FEES, TO STRIKE REFERENCE TO A SEPARATE FUND, TO PROVIDE THAT DEPOSITED MONEYS SHALL BE CREDITED TO THE GENERAL ACCOUNT, TO STRIKE REFERENCE TO CERTAIN USES OF THE MONEYS BY THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 69-510, IDAHO CODE, TO PROVIDE FOR A WAREHOUSE PAYMENT OF PURCHASE PRICE FOR SEED CROPS AND TO PROVIDE AN EXCEPTION FOR WRITTEN AGREEMENTS ALTERING TIME FOR PAYMENT; AMENDING SECTION 69-511, IDAHO CODE, TO REQUIRE YEARLY INSPECTION BY THE DEPARTMENT OF AGRICULTURE OF COMMODITY DEALERS PREMISES AND TO PROVIDE FOR THE INSPECTION OF RECORDS REGARDING CERTAIN SEED CROPS; AMENDING SECTION 69-512, IDAHO CODE, TO STRIKE A REFERENCE TO CREDIT SALE, TO PROVIDE A CODE REFERENCE, TO PROVIDE REFERENCES TO SEED CROP; AMENDING SECTION 69-514, IDAHO CODE, TO PROVIDE FOR THE PURCHASE OF SEED CROPS BY CONTRACT, TO STRIKE A REFERENCE TO CREDIT SALE, TO PROVIDE FOR TITLE TO SEED CROPS AND TO PROVIDE FOR PAYMENT OF PURCHASE PRICE FOR SEED CROPS; AMENDING SECTION 69-515, IDAHO CODE, TO PROVIDE FOR PRODUCTION RECORDS; AMENDING SECTION 69-516, IDAHO CODE, TO STRIKE REFERENCE TO REGULATIONS AND TO STRIKE REFERENCE TO CREDIT SALE; AMENDING SECTION 69-517, IDAHO CODE, TO PROVIDE FOR SERVICE ON LICENSE HOLDER BY FACSIMILE; AMENDING SECTION 69-520, IDAHO CODE, TO PROVIDE A VIOLATION FOR CERTAIN PAYMENTS BY WAREHOUSES TO PRODUCERS OF SEED CROPS MADE UPON AN ACCOUNT WITH INSUFFICIENT FUNDS; AMENDING SECTION 69-521, IDAHO CODE, TO STRIKE A REFERENCE TO REVIEWED FINANCIAL STATEMENTS AND TO STRIKE A REFERENCE TO LICENSED PUBLIC ACCOUNTANT; AMENDING SECTION 69-523, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 69-524, IDAHO CODE, TO STRIKE A REFERENCE TO REGULATIONS; AMENDING SECTION 69-526, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 5, TITLE 69, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 69-527, IDAHO CODE, TO PROVIDE FOR THE PARTICIPATION OF PRODUCERS COVERED BY THE PROVISIONS OF THIS CHAPTER IN THE BONDED WAREHOUSE COMMODITY INDEMNITY FUND PROGRAM, TO PROVIDE FOR APPLICATION OF CERTAIN PROVISIONS AND TO PROVIDE FOR NOTICE TO LICENSED WAREHOUSES AND DEALERS OF THE EFFECTIVE DATE OF THE PROGRAM.

HOUSE BILL NO. 275
BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO INCOME TAX RELIEF; AMENDING SECTION 63-3024, IDAHO CODE, TO PROVIDE FOR A REDUCTION IN RATES FOR TAXABLE YEAR 2001 AND TO

PROVIDE FOR AN ADDITIONAL REDUCTION IN RATES FOR TAXABLE YEAR 2002 AND THEREAFTER; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3081, IDAHO CODE, TO PROVIDE A REBATE OF INCOME TAXES PAID BY INDIVIDUALS FOR TAXABLE YEARS BEGINNING IN 1999, TO DETERMINE THE RATE OF THE REBATE, TO SET MAXIMUM AND MINIMUM AMOUNTS, TO PROVIDE PROCEDURES, TO APPROPRIATE MONEYS AND TO AUTHORIZE CONTRACTS; REPEALING SECTION 63-3022D, IDAHO CODE; AMENDING SECTION 63-3022E, IDAHO CODE, TO INCREASE THE DEDUCTION FOR DEPENDENTS SIXTY-FIVE YEARS OF AGE OR OLDER OR PERSONS WITH DEVELOPMENTAL DISABILITIES FROM ONE THOUSAND DOLLARS TO FIVE THOUSAND DOLLARS; AMENDING SECTION 63-3022H, IDAHO CODE, TO INCREASE THE DEDUCTION ALLOWED FOR QUALIFIED CAPITAL GAINS AND TO ADD CERTAIN INVESTMENTS HELD BY IDAHO PRIVATE VENTURE CAPITAL COMPANIES FOR A PERIOD OF THREE YEARS TO THE PROPERTY QUALIFYING FOR THE CAPITAL GAINS DEDUCTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3024A, IDAHO CODE, TO INCREASE THE INCOME TAX CREDIT FOR SALES TAXES PAID BY INDIVIDUALS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3025, IDAHO CODE, TO REDUCE THE CORPORATE INCOME TAX RATE FROM EIGHT TO SEVEN AND SEVEN-TENTHS PERCENT FOR TAXABLE YEAR 2001 AND TO SEVEN AND FIVE-TENTHS PERCENT FOR TAXABLE YEAR 2002 AND THEREAFTER; AMENDING SECTION 63-3025A, IDAHO CODE, TO REDUCE THE CORPORATE FRANCHISE TAX RATE FROM EIGHT PERCENT TO THE RATE OF THE CORPORATE INCOME TAX AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3025D, IDAHO CODE, TO INCREASE THE PAYMENT FOR DEPENDENTS SIXTY-FIVE YEARS OF AGE OR OLDER OR PERSONS WITH DEVELOPMENTAL DISABILITIES FROM ONE HUNDRED DOLLARS TO FIVE HUNDRED DOLLARS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-3029B, IDAHO CODE, TO PROVIDE THAT TAXPAYERS MAKING EXPENDITURES FOR QUALIFIED BROADBAND EQUIPMENT ARE ENTITLED TO THE CREDIT AND TO REVISE PROCEDURES FOR RECAPTURE; AMENDING SECTIONS 63-3029E AND 63-3029F, IDAHO CODE, TO EXPAND THE NEW JOBS CREDIT BY REMOVING THE LIMITATION OF QUALIFYING TAXPAYERS TO REVENUE-PRODUCING ENTERPRISE CREATING VALUE-ADDED NATURAL RESOURCE PRODUCTS; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029G, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR CERTAIN EXPENDITURES RELATING TO RESEARCH ACTIVITIES CONDUCTED IN IDAHO, TO PROVIDE A SUNSET, TO PROVIDE A CARRYOVER OF UNUSED CREDITS, TO PROVIDE DEFINITIONS AND TO PROVIDE PROCEDURES; AMENDING SECTION 63-3029H, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029H, IDAHO CODE, TO PROVIDE A CREDIT FOR EXPENSES FOR HOUSEHOLD AND DEPENDENT CARE; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029I, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR CERTAIN EXPENDITURES RELATING TO HIGH SPEED BROADBAND COMMUNICATIONS ACCESS IN IDAHO, TO PROVIDE A SUNSET, TO PROVIDE A CARRYOVER OF UNUSED CREDITS, TO PROVIDE DEFINITIONS AND TO PROVIDE PROCEDURES; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029J, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR CERTAIN EXPENDITURES RELATING TO INVESTMENT IN AREAS IN IDAHO WITH HIGH UNEMPLOYMENT OR LOW PERSONAL INCOME AT THE ELECTION OF THE TAXPAYER, TO PROVIDE A SUNSET, TO PROVIDE A CARRYOVER OF UNUSED CREDITS, TO PROVIDE DEFINITIONS AND TO PROVIDE PROCEDURES; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029K, IDAHO CODE, TO PROVIDE A TEN PERCENT INCOME TAX CREDIT FOR INVESTMENTS IN IDAHO PRIVATE VENTURE CAPITAL COMPANIES, TO PROVIDE A SUNSET, TO PROVIDE A CARRYOVER OF UNUSED CREDITS, TO PROVIDE DEFINITIONS AND TO PROVIDE PROCEDURES; REPEALING SECTIONS 63-3029E AND 63-3029F, IDAHO CODE; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029E, IDAHO CODE, TO PROVIDE DEFINITIONS AND CONSTRUCTION OF TERMS; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029F, IDAHO CODE, TO PROVIDE SPECIAL CREDITS TO THE INCOME TAX FOR NEW EMPLOYEES FOR AN ENTERPRISE THAT PRODUCES, ASSEMBLES, FABRICATES OR PROCESSES NATURAL RESOURCE PRODUCTS; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3022Q, IDAHO CODE, TO PROVIDE FOR A DEDUCTION OF CAPITAL GAINS FOR QUALIFYING TAXPAYERS, TO PROVIDE LIMITATION, TO DEFINE TERMS AND TO PROVIDE PROCEDURES; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3024D, IDAHO CODE, TO PROVIDE FOR STATE INCOME TAX CREDITS FOR THE PAYMENT OF PERSONAL PROPERTY TAXES BY CERTAIN TAXPAYERS DURING TAX YEAR 2001, TO PROVIDE A DEFINITION OF "AGRICULTURAL MACHINERY AND EQUIPMENT", TO PROVIDE THE MAXIMUM AMOUNT OF THE CREDIT AND TO PROVIDE PROCEDURES; AMENDING CHAPTER 35, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-3529, IDAHO CODE, TO PROVIDE FOR TREATMENT OF A GENERAL FUND SURPLUS AND TO PROVIDE FOR REMITTANCE OF CERTAIN MONEYS TO THE STATE REFUND FUND AND TO PROVIDE FOR REMITTANCE TO THE GENERAL FUND; AMENDING SECTION 63-3067, IDAHO CODE, TO PROVIDE THAT MONEYS IN THE STATE REFUND FUND MAY BE USED FOR REPAYING TAXPAYERS FOR CERTAIN PERSONAL PROPERTY TAXES PAID AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029L, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR EACH QUALIFIED CHILD, FOR UP TO TWO QUALIFYING CHILDREN, CARED FOR AT HOME BY HIS OWN PARENT; PROVIDING FOR NONSEVERABILITY OF CERTAIN PROVISIONS OF THIS ACT; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION FOR CERTAIN PROVISIONS OF THIS ACT AND PROVIDING EFFECTIVE DATES.

H 254, H 255, H 256, H 257, H 258, H 259, H 260, H 261, H 262, H 263, H 264, H 265, H 266, H 267, H 268, H 269, H 270, H 271, H 272, H 273, H 274, and **H 275** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

First Reading of Engrossed Bills

H 13, as amended, by Mr. Speaker, requested by Bureau of Occupational Licenses, was introduced, read the first time by title and filed for second reading.

H 65, as amended, by Judiciary, Rules, and Administration Committee, was introduced, read the first time by title and filed for second reading.

H 24, as amended, by Mr. Speaker, requested by Board of Professional Engineers and Professional Land Surveyors, was introduced, read the first time by title and filed for second reading.

Second Reading of Bills and Joint Resolutions

H 134, by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

H 108, by Bieter, was read the second time by title and filed for third reading.

H 127, H 140, and **H 141**, by State Affairs Committee, were read the second time by title and filed for third reading.

S 1015, by State Affairs Committee, was read the second time by title and filed for third reading.

H 143 and **H 150**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Bruneel asked unanimous consent that **H 98** be placed on General Orders for consideration. There being no objection, it was so ordered.

H 142 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Stevenson to open debate.

The question being, "Shall **H 142** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Meyer. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 142** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1005 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Field(13) to open debate.

The question being, "Shall **S 1005** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Crow. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1005** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1006 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Boe to open debate.

The question being, "Shall **S 1006** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Crow, Hammond. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1006** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1007 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Pearce to open debate.

The question being, "Shall **S 1007** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Crow, Hammond. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1007** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1008 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Montgomery to open debate.

The question being, "Shall **S 1008** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Crow, Hammond. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1008** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 10:45 a.m., Friday, February 16, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 12:08 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

FORTIETH LEGISLATIVE DAY
FRIDAY, FEBRUARY 16, 2001

House of Representatives

The House convened at 10:45 a.m., Mrs. Field(13) in the Chair.

Roll call showed 66 members present.

Absent and excused – Black, Boe, Marley, Wheeler. Total -- 4.

Total -- 70.

Prayer was offered by Associate Pastor Don Hardenbrook.

The Pledge of Allegiance was led by Amber Worl, Page.

Approval of Journal

February 16, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-ninth Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

February 15, 2001

Mr. Speaker:

I transmit herewith **S 1023, S 1047**, and **S 1057** which have passed the Senate.

WOOD, Secretary

S 1023, S 1047, and **S 1057** were filed for first reading.

February 15, 2001

Mr. Speaker:

I return herewith **HCR 11, H 125**, and **H 12** which have passed the Senate.

WOOD, Secretary

HCR 11, H 125, and **H 12** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 16, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 24, HCR 25, HCR 26, H 254, H 255, H 256, H 257, H 258, H 259, H 260, H 261, H 262, H 263, H 264, H 265, H 266, H 267, H 268, H 269, H 270, H 271, H 272, H 273, H 274**, and **H 275**.

GOULD, Chairman

HCR 24, H 255, H 256, and **H 257** were referred to the Environmental Affairs Committee.

HCR 26 and **H 258** were referred to the Health and Welfare Committee.

H 254 was referred to the Judiciary, Rules, and Administration Committee.

H 259, H 260, H 261, H 262, H 263, H 272, H 273, and **H 274** were referred to the Agricultural Affairs Committee.

H 264, H 265, H 266, H 267, H 268, H 269, and **H 271** were referred to the Transportation and Defense Committee.

HCR 25, H 270, and **H 275** were filed for second reading.

February 16, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 93** and **H 126** to the Governor at 1:15 p.m., as of this date, February 15, 2001.

GOULD, Chairman

February 15, 2001

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **HCR 21** and recommend that it do pass.

DEAL, Chairman

HCR 21 was filed for second reading.

February 15, 2001

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENTAL AFFAIRS, report that we have had under consideration **H 211** and recommend it be referred to the Agricultural Affairs Committee.

BARRACLOUGH, Chairman

H 211 was referred to the Agricultural Affairs Committee.

February 15, 2001

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **S 1020** and **S 1021** and recommend that they do pass.

SCHAEFER, Chairman

S 1020 and **S 1021** were filed for second reading.

February 15, 2001

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **H 177** and recommend that it do pass.

WHEELER, Chairman

H 177 was filed for second reading.

February 15, 2001

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **H 179** and report it back without recommendation.

WHEELER, Chairman

H 179 was filed for second reading.

February 15, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 181, H 182**, and **H 183** and recommend that they do pass.

GOULD, Chairman

H 181, H 182, and **H 183** were filed for second reading.

February 15, 2001

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 26, H 34, H 132, H 205**, and **H 237** and recommend that they do pass.

BLACK, Chairman

H 26, H 34, H 132, H 205, and **H 237** were filed for second reading.

February 16, 2001

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 128, S 1024**, and **S 1025** and recommend that they do pass.

DEAL, Chairman

H 128, S 1024, and **S 1025** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE JOINT MEMORIAL NO. 7
BY STATE AFFAIRS 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, AND TO THE

CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Fifty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the cornerstone of the first Idaho State Veterans Home was laid on May 23, 1894, and was truly a state occasion attended by 1,200 people including Governor William J. McConnell and the community recognized the value of its soldiers; and

WHEREAS, the city, state, nation and world have changed dramatically since 1894, as World Wars I and II, Korea, Vietnam and the Persian Gulf have threatened peace and freedom, and were successfully completed because of the gallant men and women of our armed services; and

WHEREAS, like other states, there is still a home for old soldiers in Idaho; its face has changed, but its mission remains the same "... to care for him who shall have borne the battle and for his widow..."; and

WHEREAS, changes in the way we care for our soldiers and their families are inevitable, and we need to be vigilant to defend them as they defended us; and

WHEREAS, Idaho State Veterans Homes are currently in the process of being certified for Medicaid and federal regulations currently allow Tax Equity and Fiscal Responsibility Act (TEFRA) and Estate Recovery liens to be placed against the property of veterans who reside in State Veterans Homes and participate in the Medicaid Program; and

WHEREAS, veterans and their families understand and support our government's fiscal responsibility measures; however, government would not and could not exist without the men and women of the Armed Forces who placed themselves in harm's way for their country and they are due a debt that can never be fully paid; and

WHEREAS, we need to reaffirm our commitment to veterans by taking small steps of gratitude for the great gift of freedom they gave us: We have goodness, plenty, joy and peace because of these "old soldiers." They are the cornerstones of our freedom and we owe them the exemption of liens on their property as a small way of expressing our appreciation.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we support an amendment to 42 U.S.C. Section 1396p (Liens, Adjustments and Recoveries), to exempt veterans in State Veterans Homes from having liens placed on their property if they participate in the Medicaid Program.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives 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, and the congressional delegation representing the State of Idaho in the Congress of the United States.

HOUSE JOINT MEMORIAL NO. 8
BY REVENUE AND TAXATION COMMITTEE

A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES, 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 House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Fifty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the Clearwater Basin Elk Habitat Initiative (CEI) is a coalition of partners working toward habitat and wildlife population restoration in the six million acre Clearwater Basin in the state of Idaho; and

WHEREAS, the following commissions, state and federal agencies, organizations, commercial enterprises, industry union locals, industry associations and individual citizens, as well as others have committed to their involvement: sportsmen, Idaho Fish and Game Commission, Idaho Department of Fish and Game, United States Forest Service, University of Idaho, Rocky Mountain Elk Foundation, United States Army Corps of Engineers, Potlatch Corporation, Intermountain Forest Association, United States Bureau of Land Management, Citizens' Clearwater Elk Recovery Team, Idaho Department of Lands, Safari Club International, Treasure Valley Chapter, Outfitters; and

WHEREAS, the following are areas in which those who have committed to their involvement and others can render assistance:

(1) Sanction resource managers to make timely, effective and collaborative project decisions that integrate fire use and protection and wildlife and vegetative management to restore natural disturbance patterns for ecosystem restoration. Work with agency managers to implement the more than fifty National Fire Plan projects and Stewardship projects supported by CEI.

(2) Continue to support, expand and fund wildland fire use in the Basin. Recognize the Clearwater Basin has one of the largest wildland fire use programs in the nation.

(3) Support and fund development of the Management Effectiveness Model as a management and accountability tool.

(4) Support and fund Department of Fish and Game, Department of Lands, Department of Correction and county efforts to gather timely and adequate elk population information, implementation prescribed burning and use correction crews for vegetation work; and

WHEREAS, the following states the Clearwater Basin Elk Habitat Initiative key philosophies:

(1) Collaboration is necessary in wildlife and wildland management.

(2) Safe fire and active management are positive forces in maintaining healthy habitats.

(3) Fire protection is necessary near communities.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we find the following actions are deemed necessary for success:

(1) Scientific understanding of how fire and vegetative management can be safe, effective tools benefiting Clearwater Basin species: elk, lynx, neotropical migrant birds and others.

(2) Implement wildland fire use inside and outside of wilderness areas.

(3) Implement the National Fire Plan including over fifty

federally identified Clearwater Basin projects; increase local on-the-ground multiresource management actions through collaboration; and continue state and private project implementation.

(4) Jointly develop and fund the Management Effectiveness Model to assess management effectiveness and provide accountability.

(5) Inform the public and agency personnel of the benefits of fire and vegetative management to restore and maintain wildlife benefits in Idaho's ecosystem.

(6) Improve federal land management processes and increase local collaboration to allow project completion in months rather than years.

(7) Accountability is imperative in all aspects from all parties, including those who choose not to participate or choose to participate late in the progress.

(8) Link habitat and population management through a coalition of partners.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives 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, and the congressional delegation representing the State of Idaho in the Congress of the United States.

HOUSE CONCURRENT RESOLUTION NO. 27
BY EDUCATION COMMITTEE
A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN RULES OF THE IDAHO STATE BOARD OF EDUCATION GOVERNING THOROUGHNESS AND RELATING TO STATE ACHIEVEMENT STANDARDS.

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 Board of Education governing thoroughness and relating to state achievement standards 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 Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 08.02.03, Section 004, subsection 02, rules of the Idaho State Board of Education governing thoroughness and relating to incorporation by reference of 9-12 State Achievement Standards, adopted as a pending rule under Docket number 08-0203-0002, be, and the same is hereby rejected and declared null, void and of no force and effect.

BE IT FURTHER RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that sections of material incorporated by reference under IDAPA 08.02.03, Section 004, subsection 01, rules of the Idaho State Board of Education governing thoroughness and relating to incorporation by reference of K-8 State Achievement Standards, adopted as a pending rule under Docket number 08-0203-0002, and as they appear in the "Idaho State Board of Education K-8 Achievement Standards," approved October 19, 2000 by the Idaho State Board of Education as follows:

Section 547 (Achievement Standards - Mathematics Grade 4), the entire section, as it appears on pages 26 and 27;

Section 588 (Achievement Standards - Mathematics Grade 8), the entire section, as it appears on pages 50 and 51;

Section 687 (Achievement Standards - Geography), the entire section, as it appears on pages 102 and 103;

Section 863 (Achievement Standards - Reading Grade 4), the entire section, as it appears on pages 202 and 203;

Section 864 (Achievement Standards - Communications: Listening, Speaking, and Viewing Grade 4), the entire section, as it appears on pages 203 and 204;

Section 897 (Performance Standards - Grade 8 Reading), the entire section, as it appears on pages 253 and 254; and

Section 898 (Achievement Standards - Grade 8 Communication: Listening, Speaking and Viewing), the entire section, as it appears on pages 254, 255 and 256;

be, and the same are hereby rejected and declared null, void and of no force and effect.

BE IT FURTHER RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Idaho State Board of Education shall publish notice of the rejected material pursuant to Section 67-5291, Idaho Code, and shall remove the rejected language only from the "Idaho State Board of Education K-8 Achievement Standards," approved October 19, 2000, by the Idaho State Board of Education, which document has been incorporated by reference under IDAPA 08.02.03, Section 004, subsection 01, rules of the Idaho State Board of Education governing thoroughness, adopted as a pending rule under Docket number 08-0203-0002, and approved with the understanding that the Idaho State Board of Education intends to begin the rulemaking process to publish the revised "Idaho State Board of Education K-8 Achievement Standards" in the Idaho Administrative Code.

HOUSE CONCURRENT RESOLUTION NO. 28
BY EDUCATION COMMITTEE
A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN RULES OF THE IDAHO DIVISION OF VOCATIONAL REHABILITATION CONCERNING CLIENT APPEALS AND RELATING TO ADMINISTRATIVE REVIEW AND FAIR HEARING.

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 Division of Vocational Rehabilitation concerning client appeals and relating to administrative review and fair hearing 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 Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 47.01.01, Section 100, subsection 02 relating to administrative review and subsection 04 relating to fair hearing, rules of the Idaho Division of Vocational Rehabilitation concerning client appeals, adopted as pending rules under Docket number

47-0101-0001, be, and the same are hereby rejected and declared null, void and of no force and effect.

HOUSE CONCURRENT RESOLUTION NO. 29
BY EDUCATION COMMITTEE
A CONCURRENT RESOLUTION

DIRECTING THE STATE BOARD OF EDUCATION TO UNDERTAKE A COMPREHENSIVE REVIEW OF THE ALLOCATION FORMULA FOR THE GENERAL FUND LUMP SUM APPROPRIATION TO THE PUBLIC INSTITUTIONS OF HIGHER EDUCATION, TO DEVELOP AND APPLY A REVISED AND UNIFORM METHODOLOGY AND TO REPORT ON IMPLEMENTATION OF THE FORMULA.

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

WHEREAS, the public institutions of higher education of the state of Idaho have a well deserved and hard earned reputation for seeking excellence in meeting the needs of their students; and

WHEREAS, fiscal concerns of the colleges and universities are before the Legislature each year as the costs to students continue to climb and appropriation requests escalate; and

WHEREAS, the current distribution of the General Fund lump sum appropriation has evolved in a historical method in that each year's distribution evolves from the base of the previous year; and

WHEREAS, it is incumbent upon the State Board of Education to assure the inherent fairness and uniformity of the funding distribution to assure the balanced and even-handed treatment of all of our excellent state institutions; and

WHEREAS, in current practice, the State Board of Education has developed a standard unit for evaluating enrollment totals among the various institutions defined as a full-time equivalent (FTE); and

WHEREAS, to achieve equality, the basic unit of the "weighted credit hour" which is the actual credit hours influenced by weighting factors determined by course level and discipline, should be integral to the formula; and

WHEREAS, the shared goal of the Legislature, the State Board of Education and the citizens of the state of Idaho is the maintenance and continued development of a strong, vibrant system of higher education.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the State Board of Education should undertake a thorough review of the methodology used by the Board to distribute the annual General Fund lump sum appropriation to institutions of higher education. In the development of a revised formula, the board should focus primarily on two factors: enrollment as calculated by full-time equivalents (FTE), and weighted credit hours as defined in the current methodology. Upon development of a uniform methodology, such methodology should be applied over a time certain, not to exceed seven years, to the entire General Fund lump sum appropriation without the inherent inequities evolving from building from the base of the previous year. In the development of a revised formula, the State Board of Education should seek input from the broadest scope of the public, involving students, educators, policymakers and other stakeholders throughout the state.

BE IT FURTHER RESOLVED that beginning December 1, 2002, and annually thereafter until December 1, 2008, the State Board of Education shall issue a report to the Legislature evaluating progress being made toward the implementation of the new General Fund lump sum allocation formula.

HJM 7, HJM 8, HCR 27, HCR 28, and **HCR 29** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 276
BY EDUCATION COMMITTEE
AN ACT

RELATING TO SCHOOL UNIFORMS; AMENDING SECTION 33-512, IDAHO CODE, TO PROVIDE THAT THE BOARD OF TRUSTEES OF EACH SCHOOL DISTRICT SHALL HAVE THE POWER AND DUTY TO DEVELOP A POLICY REGARDING SCHOOL UNIFORMS, TO ALLOW BOARDS TO DEVELOP POLICY WHICH DOES NOT REQUIRE SCHOOL UNIFORMS TO BE WORN, TO ALLOW BOARDS TO LIMIT APPLICATION OF A POLICY WHICH DOES REQUIRE SCHOOL UNIFORMS TO BE WORN, TO REQUIRE BOARDS WHOSE POLICY REQUIRES UNIFORMS TO BE WORN, TO ASSIST, UPON REQUEST, IN SEEKING FINANCIAL ASSISTANCE IN OBTAINING UNIFORMS FOR ANY PUPIL WHOSE PARENT OR GUARDIAN IS ECONOMICALLY DISADVANTAGED AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 277
BY EDUCATION COMMITTEE
AN ACT

RELATING TO COURSES OF INSTRUCTION IN PUBLIC SCHOOLS; AMENDING SECTION 33-1608, IDAHO CODE, TO PROVIDE THAT IF A SCHOOL DISTRICT INTRODUCES A PROGRAM ON FAMILY LIFE AND SEX EDUCATION, THE CONTENT OF THAT INSTRUCTION SHALL BE DETERMINED SOLELY AT THE LOCAL LEVEL AND TO EXTEND THE MEANING OF SELF-DISCIPLINE TO INCLUDE ABSTINENCE AS THE ONLY SAFE METHOD TO COMBAT UNWANTED PREGNANCY, HIV/AIDS AND SEXUALLY TRANSMITTED DISEASES.

HOUSE BILL NO. 278
BY EDUCATION COMMITTEE
AN ACT

RELATING TO CHARTER SCHOOL FINANCIAL SUPPORT; AMENDING SECTION 33-5208, IDAHO CODE, TO AUTHORIZE ADVANCE PAYMENT UNDER SPECIFIED CONDITIONS.

HOUSE BILL NO. 279
BY EDUCATION COMMITTEE
AN ACT

RELATING TO TEACHERS; AMENDING CHAPTER 37, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-3723, IDAHO CODE, TO PROVIDE A PROGRAM FOR REPAYMENT BY THE BOARD OF EDUCATION OF CERTAIN STUDENT LOANS INCURRED BY CERTIFIED TEACHERS, TO PROVIDE ELIGIBILITY REQUIREMENTS, TO PROVIDE AMOUNTS, TO PROVIDE LIMITATIONS, TO PROVIDE ACCESS TO LOAN INFORMATION, TO PROVIDE FOR PAYMENTS, TO PROVIDE FOR CESSATION OF PAYMENTS AND TO AUTHORIZE RULEMAKING.

HOUSE BILL NO. 280
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO PURCHASES OF LAND BY THE UNITED STATES GOVERNMENT; AMENDING SECTION 58-702, IDAHO CODE, TO PROVIDE THAT TO THE MAXIMUM EXTENT POSSIBLE, THE UNITED STATES SHALL COORDINATE ITS REAL PROPERTY ACQUISITIONS WITH THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY IN WHICH THE LAND IS LOCATED.

HOUSE BILL NO. 281
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO CROP REVENUE PROTECTION INSURANCE; AMENDING SECTION 41-306, IDAHO CODE, TO PROVIDE THAT CERTAIN INSURERS WHO ARE OTHERWISE EXCEPTED FROM THE REQUIREMENT TO OBTAIN A CERTIFICATE OF AUTHORITY SHALL NOT BE EXCEPTED FOR TRANSACTIONS OF CROP REVENUE PROTECTION INSURANCE; AMENDING SECTION 41-308, IDAHO CODE, TO PROVIDE CONDITIONS FOR ELIGIBILITY FOR CERTIFICATE OF AUTHORITY FOR INSURERS TRANSACTING CROP REVENUE PROTECTION INSURANCE; AMENDING SECTION 41-506, IDAHO CODE, TO DEFINE CROP REVENUE PROTECTION INSURANCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-3603, IDAHO CODE, TO PROVIDE THAT AN INSURER TRANSACTING CROP REVENUE PROTECTION INSURANCE SHALL BE A MEMBER IN THE IDAHO INSURANCE GUARANTY ASSOCIATION NOTWITH-STANDING ANY OTHER EXEMPTION WHICH MIGHT APPLY TO INSURERS OFFERING PROTECTION AGAINST INVESTMENT RISKS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 282
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO EXPENDITURE LIMITS FOR STATE GOVERNMENT; AMENDING SECTION 67-6803, IDAHO CODE, TO PROVIDE THAT THE LEGISLATURE SHALL NOT SET A GENERAL FUND BUDGET FOR THE FOLLOWING FISCAL YEAR THAT EXCEEDS SIX AND FIVE HUNDRED FIFTY-FIVE TEN THOUSANDTHS PERCENT OF THE ESTIMATED TOTAL PERSONAL INCOME OF THE STATE FOR THAT FISCAL YEAR AS DETERMINED BY THE ECONOMIC ESTIMATES COMMISSION, TO PROVIDE THE GENERAL FUND BUDGET SHALL INCLUDE THE TRANSFER OF GENERAL FUND MONEYS TO ANY OTHER FUND, ONGOING GENERAL FUND APPROPRIATIONS, AND ONE-TIME GENERAL FUND APPROPRIATIONS AND TO PROVIDE NECESSARY DATE CHANGES.

HOUSE BILL NO. 283
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO SCHOOL DISTRICT FUNDS; AMENDING SECTION 33-1002D, IDAHO CODE, TO PROVIDE AN ANNUAL AMOUNT TO BE DISTRIBUTED AS PROPERTY TAX RELIEF FOR SCHOOL SUPPORT, TO REVISE THE DISTRIBUTION FORMULA TO DISTRICTS AND TO PROVIDE A DISTRIBUTION TO THE SCHOOL SAFETY AND HEALTH REVOLVING LOAN FUND; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE THE LOCAL DISTRICT'S CALCULATION CONTRIBUTION; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE A TRANSFER FROM THE SALES TAX RECEIPTS TO THE SCHOOL PROPERTY TAX REPLACEMENT AND TO THE SCHOOL SAFETY AND HEALTH REVOLVING LOAN FUND, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-316, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 284
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO PUBLIC SCHOOL LEVIES AND PROPERTY TAX REPLACEMENT; AMENDING SECTION 33-802, IDAHO CODE, TO REDUCE THE MAXIMUM MAINTENANCE AND OPERATION LEVIES FOR SCHOOL DISTRICTS BY ONE-TENTH OF ONE PERCENT DURING TAX YEAR 2001 AND THEREAFTER AND TO CORRECT A CODE REFERENCE; AMENDING SECTION 33-1002D, IDAHO CODE, TO REVISE PROPERTY TAX REPLACEMENT FORMULAS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 285
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO PUBLIC SCHOOL LEVIES AND PROPERTY TAX REPLACEMENT; AMENDING SECTION 33-802, IDAHO CODE, TO REDUCE THE MAXIMUM MAINTENANCE AND OPERATION LEVIES FOR SCHOOL DISTRICTS BY FIVE-HUNDREDTHS OF ONE PERCENT DURING TAX YEAR 2001 AND THEREAFTER AND TO CORRECT A CODE REFERENCE; AMENDING SECTION 33-1002D, IDAHO CODE, TO REVISE PROPERTY TAX REPLACEMENT FORMULAS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

H 276, H 277, H 278, H 279, H 280, H 281, H 282, H 283, H 284, and **H 285** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1023 and **S 1047**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1057, by Local Government and Taxation Committee, was introduced, read the first time by title, and referred to the Local Government Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HJM 6, by State Affairs Committee, was read the second time by title and filed for third reading.

H 217 and **H 218**, by Appropriations Committee, were read the second time by title and filed for third reading.

H 4, by Mr. Speaker, requested by Board of Nursing, was read the second time by title and filed for third reading.

H 70, H 74, H 75, and **H 168**, by Agricultural Affairs Committee, were read the second time by title and filed for third reading.

H 214, H 215, and **H 216**, by Transportation and Defense Committee, were read the second time by title and filed for third reading.

SCR 104, by Local Government and Taxation Committee, was read the second time by title and filed for third reading.

H 13, as amended, by Mr. Speaker, requested by Board of Occupational Licenses, was read the second time by title and filed for third reading.

H 65, as amended, by Judiciary, Rules and Administration Committee, was read the second time by title and filed for third reading.

H 24, as amended, by Mr. Speaker, requested by Board of Professional Engineers and Professional Land Surveyors, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

S 1009 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Sellman to open debate.

The question being, "Shall **S 1009** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bieter, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 63.
NAYS -- None.
Absent and excused -- Bell, Black, Boe, Mader, Marley, Smith, Wheeler. Total -- 7.
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1009** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1010 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Roberts to open debate.

The question being, "Shall **S 1010** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bieter, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 62.
NAYS -- None.
Absent and excused -- Bell, Black, Boe, Gould, Mader, Marley, Smith, Wheeler. Total -- 8.
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1010** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 72 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Langford to open debate.

The question being, "Shall **H 72** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bieter, Bolz, Bradford, Campbell, Chase, Clark, Collins, Crow, Cuddy, Denney, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Trail, Young, Mr. Speaker. Total -- 54.
NAYS -- Bedke, Bruneel, Callister, Ellis, Hornbeck, Ridinger, Roberts, Tilman, Wood. Total -- 9.
Absent and excused -- Bell, Black, Boe, Deal, Mader, Marley, Wheeler. Total -- 7.
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 72** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 73 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Young to open debate.

The question being, "Shall **H 73** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bieter, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck,

Jaquet, Jones, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Trail, Wood, Young, Mr. Speaker. Total -- 62.

NAYS -- Kendell, Tilman. Total -- 2.

Absent and excused -- Bell, Black, Boe, Deal, Marley, Wheeler. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 73** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel asked unanimous consent that **H 76, H 108**, and **H 127** retain their places on the Third Reading Calendar until Monday, February 19, 2001. There being no objection, it was so ordered.

H 170 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Field(20) to open debate.

The question being, "Shall **H 170** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Black, Boe, Marley, Wheeler. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 170** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 164 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Barraclough to open debate.

The question being, "Shall **H 164** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Black, Boe, Marley, Wheeler. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 164** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 2 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Jaquet to open debate.

The question being, "Shall **H 2** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Black, Boe, Denney, Marley, Wheeler. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 2** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 10 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Henbest to open debate.

The question being, "Shall **H 10** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Bolz, Bradford, Bruneel, Campbell, Chase, Collins, Crow, Cuddy, Deal, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Henbest, Jaquet, Jones, Kellogg, Kunz, Lake, Loertscher, Mader, Montgomery, Mortensen, Moss, Moyle, Pomeroy, Raybould, Robison, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Trail, Mr. Speaker. Total -- 43.

NAYS -- Barrett, Callister, Clark, Denney, Ellis, Hadley, Hammond, Harwood, Higgins, Hornbeck, Kendell, Langford, McKague, Meyer, Pearce, Pischner, Ridinger, Roberts, Sali, Schaefer, Tilman, Wood, Young. Total -- 23.

Absent and excused -- Black, Boe, Marley, Wheeler. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 10** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 8 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Moss to open debate.

The question being, "Shall **H 8** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 66.
NAYS -- None.
Absent and excused -- Black, Boe, Marley, Wheeler. Total -- 4.
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 8** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 167 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Cuddy to open debate.

The question being, "Shall **H 167** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone(Stone), Swan, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 66.
NAYS -- None.
Absent and excused -- Black, Boe, Marley, Wheeler. Total -- 4.
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 167** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

HCR 17 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Hornbeck to open debate.

The question being, "Shall **HCR 17** be adopted?"

Whereupon the Speaker Pro Tem declared **HCR 17** adopted by voice vote and ordered the resolution transmitted to the Senate.

HJM 1 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Harwood to open debate.

The question being, "Shall **HJM 1** be adopted?"

Whereupon the Speaker Pro Tem declared **HJM 1** adopted by voice vote and ordered the memorial transmitted to the Senate.

Mr. Bruneel asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, February 19, 2001.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 9:30 a.m., Monday, February 19, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 12:02 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

FORTY-THIRD LEGISLATIVE DAY
MONDAY, FEBRUARY 19, 2001

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused -- Callister. Total -- 1.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Jakobi Beck, Page.

Approval of Journal

February 19, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fortieth Legislative Day and recommend that same be adopted as corrected. GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

At this time, the Speaker put the House as ease.

MEMORIAL SERVICE

Opening Comments . . . . . Representative Deal

Caldwell High School Concord Chorale . . . . . "Ave Maria"
"Think on Me"

Solo Performance . . . . . Elaina Hall
"Oh Divine Redeemer"

Closing . . . . . Representative Henbest

A HOUSE MEMORIAL

WHEREAS, Representative George F. Johnson has passed on since the close of the Second Regular Session of the Fifty-fifth Idaho Legislature; and

WHEREAS, the late Representative Johnson served in this House, in the interest of District 6 during the Forty-sixth through Forty-eighth Legislatures covering the years 1981 through 1986.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Fifty-sixth Legislature draw public attention by the Memorial to the life and works of George F. Johnson.

BE IT FURTHER RESOLVED that the House of Representatives of the Fifty-sixth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Johnson family.

Representative Bruneel paid tribute to the former Representative Johnson.

A HOUSE MEMORIAL

WHEREAS, Representative Paul W. Worthen has passed on since the close of the Second Regular Session of the Fifty-fifth Idaho Legislature; and

WHEREAS, the late Representative Worthen served in this House, in the interest of District 16 during the Fortieth through Forty-second and Forty-fourth Legislatures covering the years 1969 through 1974 and 1977 through 1978.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Fifty-sixth Legislature draw public attention by the Memorial to the life and works of Paul W. Worthen.

BE IT FURTHER RESOLVED that the House of Representatives of the Fifty-sixth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Worthen family.

Representative Ellsworth paid tribute to the former Representative Worthen.

A HOUSE MEMORIAL

WHEREAS, Representative Carl P. Braun has passed on since the close of the First Regular Session of the Fifty-fifth Idaho Legislature; and

WHEREAS, the late Representative Braun served in this House, in the interest of District 7 during the Forty-third through Fiftieth Legislatures covering the years 1975 through 1990.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Fifty-sixth Legislature draw public attention by the Memorial to the life and works of Carl P. Braun.

BE IT FURTHER RESOLVED that the House of Representatives of the Fifty-sixth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of Braun family.

Representative Cuddy paid tribute to the former Representative Braun.

A HOUSE MEMORIAL

WHEREAS, Representative John T. (Jack) Hawley has passed on since the close of the First Regular Session of the Fifty-fifth Idaho Legislature; and

WHEREAS, the late Representative Hawley served in this House, in the interest of Ada County during the Thirty-second Legislature covering the years 1953 through 1954.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Fifty-sixth Legislature draw public attention by the Memorial to the life and works of John T. (Jack) Hawley.

BE IT FURTHER RESOLVED that the House of Representatives of the Fifty-sixth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Hawley family.

Representative Bieter paid tribute to the former Representative Hawley.

A HOUSE MEMORIAL

WHEREAS, Representative John H. Brooks has passed on since the close of the Second Regular Session of the Fifty-fifth Idaho Legislature; and

WHEREAS, the late Representative Brooks served in this House, in the interest of District 22 during the Forty-third through Forty-seventh Legislatures covering the years 1975 through 1984.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Fifty-sixth Legislature draw public attention by the Memorial to the life and works of John H. Brooks.

BE IT FURTHER RESOLVED that the House of Representatives of the Fifty-sixth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Brooks family.

Representative Ridinger paid tribute to the former Representative Brooks.

A HOUSE MEMORIAL

WHEREAS, Representative Mack W. Neibaur has passed on since the close of the Second Regular Session of the Fifty-fifth Idaho Legislature; and

WHEREAS, the late Representative Neibaur served in this House, in the interest of District 24 during the Forty-fourth through Fiftieth Legislatures covering the years 1977 through 1990.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Fifty-sixth Legislature draw public attention by the Memorial to the life and works of Mack W. Neibaur.

BE IT FURTHER RESOLVED that the House of Representatives of the Fifty-sixth Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Neibaur family.

Representatives Stevenson and Jaquet paid tribute to the former Representative Neibaur.

Prior to going at ease, the House was at the Third Order.

Approval of Journal

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

February 16, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 126, H 95, H 94, H 93, H 84, H 83, H 82, H 81, H 69, H 68, H 55, H 36, H 21, H 20, and **H 17**

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

February 16, 2001

Mr. Speaker:

I return herewith **H 15**, as amended, which has passed the Senate.

WOOD, Secretary

H 15, as amended, was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 19, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HJM 7, HJM 8, HCR 27, HCR 28, HCR 29, H 276, H 277, H 278, H 279, H 280, H 281, H 282, H 283, H 284**, and **H 285**.

GOULD, Chairman

HJM 7 was referred to the State Affairs Committee.

HJM 8 and **H 280** were referred to the Resources and Conservation Committee.

HCR 27, HCR 28, HCR 29, H 276, H 277, H 278, and **H 279** were referred to the Education Committee.

H 281 was referred to the Business Committee.

H 282, H 283, H 284, and **H 285** were referred to the Revenue and Taxation Committee.

February 19, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 11, H 125**, and **H 12**.

GOULD, Chairman

The Speaker announced he was about to sign enrolled **HCR 11, H 125**, and **H 12**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 16, 2001

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **SCR 103** and recommend that it do pass.

LOERTSCHER, Chairman

SCR 103 was filed for second reading.

February 19, 2001

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **HCR 7** and **HCR 18** and recommend that they do pass.

DEAL, Chairman

HCR 7 and **HCR 18** were filed for second reading.

February 19, 2001

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 53** and **HCR 1** and recommend that they do pass. TILMAN, Chairman

H 53 and **HCR 1** were filed for second reading.

Mr. Deal asked unanimous consent that **H 127** be returned to the State Affairs Committee. There being no objection, it was so ordered.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 25, by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

H 270, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

H 275, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

HCR 21 and **H 128**, by State Affairs Committee, were read the second time by title and filed for third reading.

S 1020 and **S 1021**, by Commerce and Human Resources Committee, were read the second time by title and filed for third reading.

H 177 and **H 179**, by Resources and Conservation Committee, were read the second time by title and filed for third reading.

H 181, H 182, and **H 183**, by Judiciary, Rules, and Administration Committee, were read the second time by title and filed for third reading.

H 26 and **H 34**, by Mr. Speaker, requested by Department of Finance, were read the second time by title and filed for third reading.

H 132, H 205, and **H 237**, by Business Committee, were read the second time by title and filed for third reading.

S 1024 and **S 1025**, by State Affairs Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 76 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Marley to open debate.

The question being, "Shall **H 76** pass?"

Roll call resulted as follows:

AYES -- Bedke, Bell, Bieter, Boe, Bolz, Bradford, Chase, Collins, Cuddy, Deal, Ellis, Ellsworth, Field(13), Field(20), Hammond, Harwood, Henbest, Higgins, Jaquet, Jones, Kellogg, Kunz, Lake, Langford, Marley, Meyer, Montgomery, Moss, Moyle, Pearce, Pomeroy, Raybould, Roberts, Robison, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Trail, Young. Total -- 43.

NAYS -- Barraclough, Barrett, Bruneel, Campbell, Clark, Crow, Denney, Eskridge, Gould, Hadley, Hornbeck, Kendell, Loertscher, Mader, McKague, Mortensen, Pischner, Ridinger, Schaefer, Tilman, Wheeler, Wood, Mr. Speaker. Total -- 23.

Absent and excused -- Black, Callister, Gagner, Sali. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 76** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 144 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smylie to open debate.

The question being, "Shall **H 144** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bieter, Black, Callister, Gagner, Jones, Sali. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 144** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 146 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **H 146** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 65.

NAYS -- Wood. Total -- 1.

Absent and excused -- Black, Callister, Jones, Sali. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 146** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 134 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cuddy to open debate.

The question being, "Shall **H 134** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 66.
NAYS -- None.
Absent and excused -- Black, Callister, Jones, Wood. Total -- 4.
Total -- 70.

Whereupon the Speaker declared **H 134** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Ms. Gould asked unanimous consent that **H 108** be placed on General Orders for consideration. There being no objection, it was so ordered.

H 140 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 140** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 65.
NAYS -- Barrett, Sali, Schaefer, Wood. Total -- 4.
Absent and excused -- Callister. Total -- 1.
Total -- 70.

Whereupon the Speaker declared **H 140** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 141 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 141** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 68.
NAYS -- None.
Absent and excused -- Callister, Pischner. Total -- 2.
Total -- 70.

Whereupon the Speaker declared **H 141** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1015 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Hornbeck to open debate.

The question being, "Shall **S 1015** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 67.
NAYS -- None.
Absent and excused -- Boe, Callister, Pischner. Total -- 3.
Total -- 70.

Whereupon the Speaker declared **S 1015** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 143 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Chase and Mrs. Wood to open debate.

The question being, "Shall **H 143** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher,

Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- Bieter, Eskridge. Total -- 2.

Absent and excused -- Callister, Pischner. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 143** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 150 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith and Mrs. Kellogg to open debate.

The question being, "Shall **H 150** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Callister, Denney. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 150** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

HJM 6 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

The question being, "Shall **HJM 6** be adopted?"

Whereupon the Speaker declared **HJM 6** adopted by voice vote and ordered the memorial transmitted to the Senate.

H 217 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Bell to open debate.

The question being, "Shall **H 217** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Cuddy, Deal, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Callister, Crow, Denney, Hammond, Pearce. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 217** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 218 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 218** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Callister. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 218** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 4 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **H 4** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Callister, Schaefer. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 4** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 70 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 70** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bieter, Black, Boe, Bolz, Bradford, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Hadley, Hammond, Harwood, Henbest, Higgins, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stone, Swan, Tilman, Trail, Young, Mr. Speaker. Total -- 57.

NAYS -- Barrett, Bell, Bruneel, Gagner, Gould, Hornbeck, McKague, Schaefer, Stevenson, Wheeler, Wood. Total -- 11.

Absent and excused -- Callister, Loertscher. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 70** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 74 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **H 74** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Langford, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 61.

NAYS -- Barrett, Gould, McKague, Wood. Total -- 4.

Absent and excused -- Bruneel, Callister, Kunz, Loertscher, Ridinger. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 74** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 75 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Trail to open debate.

The question being, "Shall **H 75** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Trail, Wheeler, Young. Total -- 59.

NAYS -- Barrett, Gould, Mader, McKague, Tilman, Wood, Mr. Speaker. Total -- 7.

Absent and excused -- Bruneel, Callister, Loertscher, Ridinger. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 75** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 168 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 168** pass?"

Roll call resulted as follows:

AYES -- Bell, Bieter, Black, Boe, Bolz, Bradford, Chase, Deal, Ellsworth, Field(13), Field(20), Gould, Henbest, Jones, Kellogg, Marley, Montgomery, Mortensen, Moss, Moyle, Pomeroy, Raybould, Robison, Sellman, Shepherd, Smylie, Stevenson, Trail, Young. Total -- 29.

NAYS -- Barraclough, Barrett, Bedke, Campbell, Clark, Collins, Crow, Cuddy, Denney, Ellis, Eskridge, Gagner, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Pearce, Pischner, Roberts, Sali, Schaefer, Smith, Stone, Swan, Tilman, Wheeler, Wood, Mr. Speaker. Total -- 38.

Absent and excused -- Bruneel, Callister, Ridinger. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 168** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

H 214 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood to open debate.

The question being, "Shall **H 214** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Bruneel, Callister, Ridinger. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 214** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that the House recess until 1:15 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

RECESS

Afternoon Session

The House reconvened at 1:15 p.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused -- Ridinger. Total -- 1.
Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 215 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bieter to open debate.

The question being, "Shall **H 215** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Swan, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 65.
NAYS -- Higgins. Total -- 1.
Absent and excused -- Mader, Ridinger, Stone, Wheeler. Total -- 4.
Total -- 70.

Whereupon the Speaker declared **H 215** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel asked unanimous consent that **H 216** and **SCR 104** retain their places on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

H 13, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Swan to open debate.

The question being, "Shall **H 13**, as amended, pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 66.
NAYS -- None.
Absent and excused -- Mader, Ridinger, Sali, Stone. Total -- 4.
Total -- 70.

Whereupon the Speaker declared **H 13**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 65, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hammond to open debate.

The question being, "Shall **H 65**, as amended, pass?"

Roll call resulted as follows:
AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hammond, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Marley, Meyer, Montgomery, Mortensen, Moss, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Swan, Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 54.
NAYS -- Barrett, Callister, Campbell, Crow, Gagner, Hadley, Harwood, Lake, Loertscher, McKague, Moyle, Smith. Total -- 12.
Absent and excused -- Mader, Ridinger, Stone, Wood. Total -- 4.
Total -- 70.

Whereupon the Speaker declared **H 65**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel asked unanimous consent that **H 24**, as amended, retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 10:30 a.m., Tuesday, February 20, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 1:40 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

FORTY-FOURTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 20, 2001

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 66 members present.

Absent and excused -- Hornbeck, Ridinger, Roberts, Stevenson. Total -- 4.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Laureen Vickery, Page.

Approval of Journal

February 20, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-third Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Bruneel moved that the following persons be approved as attaches to serve the House of Representatives for and during the First Regular Session of the Fifty-sixth Idaho Legislature. Seconded by Ms. Jaquet.

Pages:

T.J. Anderson	Josie Noah
Jakobi Beck	Jessica Peters
Emily Bedke	Aaron Roberts
Jennifer Blake	Erika Shaffer
Ashley Evans	Julia Sharp
Hattie Hiatt	Laureen Vickery
Bryant Jones	Annie Ward
Emilee Nielson	Sally Wrigley

Whereupon the Speaker declared the motion carried by voice vote and administered the oath of office to the above named attaches.

House of Representatives
State of Idaho

February 19, 2001

The Honorable Tom Loertscher, Chairman
Health and Welfare Committee

Dear Representative Loertscher:

I hereby designate the Health and Welfare Committee a privileged committee for the purpose of introducing RS 10935 on Tuesday, February 20, 2001.

Sincerely,
/s/ BRUCE NEWCOMB
Speaker of the House

The letter was ordered filed in the Office of the Chief Clerk.

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

February 19, 2001

Mr. Speaker:

I transmit herewith enrolled **S 1005, S 1006, S 1007**, and **S 1008** for the signature of the Speaker. WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1005, S 1006, S 1007**, and **S 1008** and, when so signed, ordered them returned to the Senate.

Report of Standing Committees

February 20, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 15**, as amended. GOULD, Chairman

The Speaker announced he was about to sign enrolled **H 15**, as amended, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 19, 2001

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 154** and **H 155** and recommend that they do pass. BLACK, Chairman

H 154 and **H 155** were filed for second reading.

February 19, 2001

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 23** and report it back with amendments attached to be placed on General Orders for consideration.

BLACK, Chairman

H 23 was placed on General Orders for consideration.

February 19, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 244** and recommend that it do pass.

FIELD(13), Vice Chairman

H 244 was filed for second reading.

February 19, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 18** and report it back with amendments attached to be placed on General Orders for consideration.

FIELD(13), Vice Chairman

H 18 was placed on General Orders for consideration.

February 20, 2001

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 190** and **H 188** and recommend that they do pass.

DEAL, Chairman

H 190 and **H 188** were filed for second reading.

February 20, 2001

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 189** and **H 191** and report them back with amendments attached to be placed on General Orders for consideration.

DEAL, Chairman

H 189 and **H 191** were placed on General Orders for consideration.

Mr. Black asked unanimous consent that **H 23** be returned to the Business Committee. There being no objection, it was so ordered.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 286
BY WAYS AND MEANS COMMITTEE
AN ACT

RELATING TO REGISTRATION OF MOTOR VEHICLES WEIGHING IN EXCESS OF SIXTY THOUSAND POUNDS GROSS VEHICLE WEIGHT; AMENDING SECTION 49-434, IDAHO CODE, TO REVISE THE ANNUAL REGISTRATION FEE SCHEDULE FOR MOTOR VEHICLES WEIGHING IN EXCESS OF SIXTY THOUSAND POUNDS AND TO PROVIDE FOR QUARTERLY INSTALLMENT PAYMENTS OF THE ANNUAL REGISTRATION FEE; AMENDING SECTION 17, CHAPTER 418, LAWS OF 2000, TO DELETE LEGISLATIVE INTENT FOR FULL PAYMENT OF THE ANNUAL REGISTRATION FEE ON THE REGISTRATION FEE ONLY SYSTEM AT THE TIME OF REGISTRATION OR RENEWAL OF REGISTRATION FOR REGISTRATIONS AND RENEWAL OF REGISTRATIONS OCCURRING ON AND AFTER OCTOBER 1, 2001; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 287
BY WAYS AND MEANS COMMITTEE
AN ACT

RELATING TO REGISTRATION OF MOTOR VEHICLES WEIGHING IN EXCESS OF EIGHT THOUSAND POUNDS; AMENDING SECTION 49-434, IDAHO CODE, TO PROVIDE A SINGLE FEE FOR REGISTRATION OF VEHICLES WEIGHING BETWEEN EIGHT THOUSAND AND SIXTY THOUSAND POUNDS MAXIMUM GROSS WEIGHT; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 288
BY WAYS AND MEANS COMMITTEE
AN ACT

RELATING TO REGISTRATION OF MOTOR VEHICLES WEIGHING IN EXCESS OF SIXTY THOUSAND POUNDS GROSS VEHICLE WEIGHT; AMENDING SECTION 49-434, IDAHO CODE, TO REVISE THE ANNUAL REGISTRATION FEE SCHEDULE FOR MOTOR VEHICLES WEIGHING IN EXCESS OF SIXTY THOUSAND POUNDS AND TO PROVIDE FOR QUARTERLY INSTALLMENT PAYMENTS OF THE ANNUAL REGISTRATION FEE; AMENDING SECTION 17, CHAPTER 418, LAWS OF 2000, TO DELETE LEGISLATIVE INTENT FOR FULL PAYMENT OF THE ANNUAL REGISTRATION FEE ON THE REGISTRATION FEE ONLY SYSTEM AT THE TIME OF REGISTRATION OR RENEWAL OF REGISTRATION FOR REGISTRATIONS AND RENEWAL OF REGISTRATIONS OCCURRING ON AND AFTER OCTOBER 1, 2001; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 289
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO APPLICATION FOR ABSENTEE BALLOT; AMENDING SECTION 34-1002, IDAHO CODE, TO PROVIDE CRITERIA TO GOVERN A VALID APPLICATION FOR ABSENTEE BALLOT AND TO PROHIBIT DISTRIBUTION OF ABSENTEE BALLOT REQUESTS WITH ANY RETURN ADDRESS OTHER THAN THAT OF THE APPROPRIATE COUNTY CLERK.

HOUSE BILL NO. 290
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO CRIMINAL PROCEDURE; AMENDING SECTION 19-401, IDAHO CODE, TO PROVIDE THAT THERE IS NO LIMITATION OF THE TIME WITHIN WHICH PROSECUTIONS FOR RAPE MUST BE COMMENCED; AMENDING SECTION 19-402, IDAHO CODE, TO PROVIDE

THAT CERTAIN TIME LIMITATIONS IN WHICH PROSECUTIONS MUST BE COMMENCED DO NOT APPLY TO CRIMES OF RAPE; AMENDING SECTION 19-625, IDAHO CODE, TO STRIKE THE PROVISION REQUIRING THE RETURN OF EVIDENCE AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

H 286, H 287, H 288, H 289, and **H 290** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

SCR 103, by Health and Welfare Committee, was read the second time by title and filed for third reading.

HCR 7, by Ways and Means Committee, was read the second time by title and filed for third reading.

HCR 18, by State Affairs Committee, was read the second time by title and filed for third reading.

H 53, by Mr. Speaker, requested by Division of Military, was read the second time by title and filed for third reading.

HCR 1, by Mortensen, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Bruneel asked unanimous consent that **H 216** retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

Mr. Bruneel asked unanimous consent that **H 270, S 1020**, and **H 179** retain their places on the Third Reading Calendar until Wednesday, February 28, 2001. There being no objection, it was so ordered.

Mr. Bruneel asked unanimous consent that **H 275** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

H 275 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Crow to open debate.

The question being, "Shall **H 275** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Kellogg, Kendell, Kunz, Lake, Langford, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Sali, Schaefer, Sellman, Smith, Stevenson, Swan, Tilman, Wheeler, Wood, Young, Mr. Speaker. Total -- 54.

NAYS -- Bieter, Black, Boe, Chase, Henbest, Jaquet, Jones, Loertscher, Marley, Robison, Shepherd, Smylie, Stone, Trail. Total -- 14.

Absent and excused -- Ridinger, Roberts. Total -- 2.

Paired Votes:

AYE -- Hornbeck. NAY -- Stone.

AYE -- Stevenson. NAY -- Shepherd.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 275** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel moved that the House recess until 1:15 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

RECESS

Afternoon Session

The House reconvened at 1:15 p.m., the Speaker in the Chair.

Roll call showed 66 members present.

Absent and excused -- Hornbeck, Ridinger, Roberts, Stevenson. Total -- 4.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

SCR 104 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Gould to open debate.

The question being, "Shall **SCR 104** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Crow, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 59.

NAYS -- None.

Absent and excused -- Campbell, Deal, Field(20), Gagner, Hornbeck, Jones, Mader, Pischner, Ridinger, Roberts, Stevenson. Total -- 11.

Total -- 70.

Whereupon the Speaker declared **SCR 104** adopted and ordered the resolution returned to the Senate.

Mr. Bruneel asked unanimous consent that **HCR 25** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

HCR 25 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **HCR 25** be adopted?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 63.
NAYS -- None.
Absent and excused -- Campbell, Hornbeck, Jones, Pischner, Ridinger, Roberts, Stevenson. Total -- 7.
Total -- 70.

Whereupon the Speaker declared **HCR 25** adopted and ordered the resolution transmitted to the Senate.

H 24, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Stone to open debate.

At this time, Mr. Bruneel took the Chair.

The question being, "Shall **H 24**, as amended, pass?"

Roll call resulted as follows:
AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Henbest, Higgins, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Pomeroy, Raybould, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Swan, Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 54.
NAYS -- Barrett, Crow, Ellis, Harwood, Lake, McKague, Moyle, Pearce, Sali, Wood. Total -- 10.
Absent and excused -- Campbell, Hornbeck, Pischner, Ridinger, Roberts, Stevenson. Total -- 6.
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 24**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

HCR 21 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Deal and Mr. Speaker to open debate.

The question being, "Shall **HCR 21** be adopted?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Higgins, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Pearce, Pischner, Pomeroy, Raybould, Sali, Sellman, Smith, Smylie, Stone, Swan, Tilman, Trail, Young, Mr. Speaker. Total -- 51.
NAYS -- Bieter, Boe, Chase, Cuddy, Henbest, Jaquet, Marley, Moyle, Robison, Shepherd, Wheeler, Wood. Total -- 12.
Absent and excused -- Crow, Gagner, Hornbeck, Ridinger, Roberts, Schaefer, Stevenson. Total -- 7.
Total -- 70.

Whereupon the Speaker Pro Tem declared **HCR 21** adopted and ordered the resolution transmitted to the Senate.

S 1021 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Trail to open debate.

The question being, "Shall **S 1021** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 62.
NAYS -- None.
Absent and excused -- Black, Crow, Gagner, Hornbeck, Ridinger, Roberts, Schaefer, Stevenson. Total -- 8.
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1021** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 177 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Marley and Mr. Kunz to open debate.

The question being, "Shall **H 177** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Henbest, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Mader, Marley, McKague,

Meyer, Montgomery, Mortensen, Moss, Moyle, Pomeroy, Raybould, Robison, Sellman, Shepherd, Smith, Smylie, Stone, Swan, Trail, Wheeler, Young. Total -- 52.

NAYS -- Ellis, Hammond, Harwood, Higgins, Lake, Pearce, Pischner, Sali, Schaefer, Tilman, Wood. Total -- 11.

Absent and excused -- Crow, Gagner, Hornbeck, Ridinger, Roberts, Stevenson, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 177** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 181 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Young to open debate.

The question being, "Shall **H 181** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 63.

NAYS -- None.

Absent and excused -- Crow, Gagner, Hornbeck, Ridinger, Roberts, Stevenson, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 181** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

Consideration of General Orders

Mr. Mader moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Denney in the Chair.

When the Committee of the Whole House rose, the Speaker Pro Tem returned to the Chair and the House was in order.

Report of the Committee of the Whole House

February 20, 2001

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 5, H 9, H 11**, and **H 14** and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO H 5

AMENDMENT TO SECTION 2

On page 2 of the printed bill, in line 26, delete "four (4)" and insert: "eight (8)".

CORRECTION TO TITLE

On page 1, in line 6, delete "FOUR" and insert: "EIGHT".

HOUSE AMENDMENT TO H 9

AMENDMENTS TO THE BILL

On page 2 of the printed bill, delete lines 37 through 53; on page 3, delete lines 1 through 39; and in line 40, delete "SECTION 3" and insert: "SECTION 2".

CORRECTION TO TITLE

On page 1, in line 5, delete "AMENDING SECTION 54-707, IDAHO CODE, TO"; delete line 6; and in line 7, delete "SICIANS WITH REGARD TO LICENSES AND PERMITS;".

HOUSE AMENDMENT TO H 11

AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 9 through 43; on page 2, delete lines 1 through 10; and renumber subsequent sections accordingly.

CORRECTION TO TITLE

On page 1, in line 2, delete "AMENDING SECTION 54-2305,"; and in line 3, delete "IDAHO CODE, TO PROVIDE OTHER DISCIPLINE OPTIONS TO THE BOARD;".

HOUSE AMENDMENTS TO H 14

AMENDMENT TO SECTION 5

On page 4 of the printed bill, delete lines 17 through 19 and insert: "~~and which is similar to the counselor licensing board, provided that the requirements of such certification or licensure are substantially similar to the requirements of this chapter~~ and who meets the qualifications established by board rule".

AMENDMENT TO THE BILL

On page 4, delete lines 20 through 33; and in line 34, delete "SECTION 7" and insert: "SECTION 6".

CORRECTIONS TO TITLE

On page 1, in line 11, following "RECIPROCITY" insert: ","; in line 12, delete "AND"; and also in line 12, following "ENDORSEMENT" delete the remainder of the line and insert: "AND TO PROVIDE THAT PERSONS SEEKING ENDORSEMENT MUST MEET THE QUALIFICATIONS ESTABLISHED BY BOARD RULE;"; delete line 13; and in line 14, delete "BOARD AND TO MAKE A TECHNICAL CORRECTION;".

We have also had under consideration **H 98** and **H 108**, report progress and beg leave to sit again.

DENNEY, Chairman

Mr. Denney moved that the report be adopted. Seconded by Mr. Mader.

Whereupon the Speaker Pro Tem declared the report adopted.

H 5, as amended, **H 9**, as amended, **H 11**, as amended, and **H 14**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

H 98 and **H 108** were retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE RESOLUTION NO. 2
BY EDUCATION COMMITTEE
A HOUSE RESOLUTION

DECLARING THE IMPORTANCE OF READING TO CHILDREN AND ENCOURAGING IDAHO PARENTS, EDUCATORS AND OTHER ADULTS TO MAKE READING TO CHILDREN A PRIORITY.

Be It Resolved by the House or Representatives of the State of Idaho:

WHEREAS, the House of Representatives believes that achieving the goal of teaching every child to read and comprehend by the end of the third grade is among our state's most important priorities; and

WHEREAS, reading research tells us that children who can read and comprehend successfully are dramatically less likely to drop out of school or end up in prison; and

WHEREAS, experts agree that children need to be motivated to read and that the model of family and other adults reading to them sends a powerful message about the importance of reading; and

WHEREAS, the Idaho Legislature believes that assisting the children in our state to become successful adults by learning to read and comprehend at an early age should be a focus of this legislative session; and

WHEREAS, March 2, 2001, is the 97th anniversary of the birth of Dr. Seuss, the well-known author of children's books; and

WHEREAS, the Idaho Legislature believes there is no other more appropriate day to encourage Idahoans to read to all the children in our state.

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives, assembled in the First Regular Session of the Fifty-sixth Idaho Legislature, that Friday, March 2, 2001, shall be declared "Read Across Idaho Day"; and

BE IT FURTHER RESOLVED that the members of the House of Representatives, by declaring March 2, 2001, as "Read Across Idaho Day", do hereby encourage all parents, educators and other adults to spend a minimum of fifteen minutes that day reading to a child; and

BE IT FURTHER RESOLVED that the members of the House of Representatives do hereby encourage all adult citizens of the great state of Idaho to advance the cause of education, introduce the wonders of books, and help our state's children succeed by taking every opportunity, every day, to read to a child.

HOUSE CONCURRENT RESOLUTION NO. 30
BY EDUCATION COMMITTEE
A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE THAT THE TEACHING PROFESSION IS INDEED AMONG THE MOST RESPONSIBLE AND SIGNIFICANT TO THE FUTURE OF OUR SOCIETY AND TO SET A GOAL OF A MINIMUM SALARY FOR TEACHERS.

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

WHEREAS, the people of the state of Idaho have historically recognized the consequence of a quality education for their children; and

WHEREAS, the constitution of the state of Idaho found that education was essential to the "stability of a republican form of government"; and

WHEREAS, a teacher is at once a mentor, instructor, guide, counselor, advisor and leader and the influence of a teacher reaches far beyond the classroom into the full term of a person's life; and

WHEREAS, after the family, many people cite a special teacher as the person who had the most influence in their life; and

WHEREAS, it may once have been adequate to look upon teaching as a career choice where the aspect of public service could be substituted for compensation; and

WHEREAS, today we demand of the teacher the highest level of preparation, excellent ability in the classroom, and commitment to continuing education; and

WHEREAS, to assure the quality we expect of teachers, the teaching career must be given the monetary reward to place it in competition with other professions which require, as a minimum, a bachelor's degree and which encourage further education.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we find and declare that the teaching profession is indeed among the most responsible and significant to the future of our society. To assure the quality we expect from teachers, we establish as a goal that the minimum salary of a teacher should be fixed at $30,000 and that we should seek to attain this goal as rapidly as reasonably possible.

HR 2 and **HCR 30** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 291
BY EDUCATION COMMITTEE
AN ACT

RELATING TO ELECTRICAL CONTRACTORS AND JOURNEYMEN; AMENDING SECTION 54-1002, IDAHO CODE, TO PROVIDE FOR LICENSURE OF SPECIALTY

ELECTRICAL CONTRACTORS, RESIDENTIAL WIREMEN AND APPRENTICE RESIDENTIAL WIREMEN AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1003, IDAHO CODE, TO PROVIDE THAT THE ADMINISTRATOR OF THE DIVISION OF BUILDING SAFETY IS AUTHORIZED TO ISSUE LICENSES FOR A RESIDENTIAL WIREMAN AND AN APPRENTICE RESIDENTIAL WIREMAN; AMENDING SECTION 54-1003A, IDAHO CODE, TO DEFINE "RESIDENTIAL WIREMAN" AND "APPRENTICE RESIDENTIAL WIREMAN"; AMENDING SECTION 54-1007, IDAHO CODE, TO PROVIDE QUALIFICATIONS NECESSARY TO APPLY FOR A RESIDENTIAL WIREMAN'S LICENSE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-1010, IDAHO CODE, TO PROVIDE THAT CERTAIN ELECTRICAL INSTALLATIONS SHALL BE DONE BY OR UNDER THE DIRECT SUPERVISION OF A RESIDENTIAL WIREMAN, TO PROVIDE THAT A LIST OF EMPLOYEES UNDER AN ELECTRICAL CONTRACTOR SHALL INCLUDE RESIDENTIAL WIREMEN, TO REQUIRE THAT AN INDIVIDUAL WORKING AS AN APPRENTICE RESIDENTIAL WIREMAN MUST BE APPROPRIATELY REGISTERED WITH THE DIVISION OF BUILDING SAFETY, TO PROVIDE THAT IT IS UNLAWFUL TO WORK WITHOUT POSSESSION OF A CURRENT REGISTRATION CERTIFICATE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1014, IDAHO CODE, TO PROVIDE FEES; AND AMENDING SECTION 54-1017, TO PROVIDE A PENALTY FOR WORKING AS A RESIDENTIAL WIREMAN OR AS AN APPRENTICE RESIDENTIAL WIREMAN WITHOUT HAVING OBTAINED PROPER LICENSURE OR REGISTRATION AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 292
BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION OF STUDENTS IN JUVENILE DETENTION FACILITIES; AMENDING SECTION 33-1002B, IDAHO CODE, TO PROVIDE THAT SCHOOL DISTRICTS WHICH EDUCATE STUDENTS IN A JUVENILE DETENTION FACILITY WITH A SUMMER SCHOOL PROGRAM SHALL BE ELIGIBLE FOR A TUITION-EQUIVALENCY ALLOWANCE IN ADDITION TO SUPPORT UNIT FUNDING; AMENDING SECTION 33-1002C, IDAHO CODE, TO PROVIDE THAT SCHOOL DISTRICTS WHICH EDUCATE STUDENTS IN A JUVENILE DETENTION FACILITY MAY ESTABLISH A SUMMER SCHOOL PROGRAM WHICH SHALL BE INCLUDED IN THE CALCULATION OF THE DISTRICT'S EXCEPTIONAL EDUCATION SUPPORT UNITS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 293
BY EDUCATION COMMITTEE
AN ACT

RELATING TO SCHOOL AGE; AMENDING SECTION 33-201, IDAHO CODE, TO AUTHORIZE A SERIES OF DEVELOPMENT AND READINESS INSTRUMENTS TO ASSESS EXCEPTIONAL TALENT AND ABILITIES THAT WARRANT ADMISSION TO KINDERGARTEN OR FIRST GRADE.

HOUSE BILL NO. 294
BY EDUCATION COMMITTEE
AN ACT

RELATING TO CHARTER SCHOOLS; AMENDING SECTION 33-5206, IDAHO CODE, TO PROVIDE THAT A NEW OR CONVERSION CHARTER SCHOOL SHALL SPECIFY AN ATTENDANCE AREA FOR ADMISSION PREFERENCE.

HOUSE BILL NO. 295
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO URBAN RENEWAL LAW; AMENDING SECTION 50-2006, IDAHO CODE, TO PROVIDE THAT A COMMISSIONER MAY BE REMOVED FOR CONFLICT OF INTEREST AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 50-2017, IDAHO CODE, TO PROVIDE THAT NO PUBLIC OFFICIAL, EMPLOYEE OF A MUNICIPALITY OR BOARD OR COMMISSION THEREOF, NOR COMMISSIONER OR EMPLOYEE OF AN URBAN RENEWAL AGENCY SHALL HAVE ANY PERSONAL INTEREST IN ANY URBAN RENEWAL PROJECT OR IN ANY PROPERTY OR ANY CONTRACT OR PROPOSED CONTRACT CONNECTED WITH SUCH URBAN RENEWAL PROJECT.

HOUSE BILL NO. 296
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO URBAN RENEWAL LAW; AMENDING SECTION 50-2008, IDAHO CODE, TO PROVIDE FOR A PUBLIC HEARING AND AN ELECTION TO APPROVE MODIFICATION OF AN URBAN RENEWAL PLAN AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 297
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO URBAN RENEWAL LAW; AMENDING SECTION 50-2006, IDAHO CODE, TO REQUIRE ADDITIONAL FINANCIAL DISCLOSURE, TO PROVIDE THAT FAILURE TO DO SO IS CAUSE FOR REMOVAL FROM OFFICE AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 298
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO INCOME TAX CREDITS; AMENDING SECTION 63-3029C, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR CONTRIBUTIONS TO YOUTH MENTORING PROGRAMS AND TO DEFINE THE TERM "YOUTH MENTORING PROGRAMS"; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 299
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO PROPERTY TAX RELIEF; AMENDING SECTION 63-701, IDAHO CODE, TO PROVIDE A DEDUCTION FOR CERTAIN EXPENSES RELATED TO FUNERALS IN THE DETERMINATION OF INCOME AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 300
BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO INCENTIVES FOR TARGETED GROWTH THROUGH VENTURE CAPITAL RISK TAX CREDIT; PROVIDING A STATEMENT OF LEGISLATIVE INTENT; AMENDING TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 43, TITLE 63, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO REQUIRE AN ANNUAL REPORT, TO AUTHORIZE ADOPTION OF RULES AND AUDITS, TO PROVIDE FOR APPOINTMENT OF AN ADVISORY COMMITTEE AND PROVIDE DUTIES, TO AUTHORIZE A VENTURE CAPITAL RISK TAX CREDIT IN AN AMOUNT PROVIDED, TO GOVERN THE DETERMINATION OF THE CREDIT ALLOWED AND TO PROVIDE FOR SELECTION OF THE INVESTOR GROUP, TO REQUIRE AN ANNUAL REPORT AND TO PROVIDE THAT THE PROVISIONS OF THIS CHAPTER ARE NOT A RESTRICTION OR LIMITATION ON THE DEPARTMENT POWERS.

H 291, H 292, H 293, H 294, H 295, H 296, H 297, H 298, H 299, and **H 300** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 10 a.m., Wednesday, February 21, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 2:20 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

FORTY-FIFTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 21, 2001

House of Representatives

The House convened at 10 a.m., Mr. Mader in the Chair.

Roll call showed 67 members present.
Absent and excused -- Hornbeck, Ridinger, Roberts. Total -- 3.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Aaron Roberts, Page.

Approval of Journal

February 21, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-fourth Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

At this time, the Speaker Pro Tem put the House at ease.

At this time, the Speaker introduced Congressman Michael Simpson, who spoke briefly to the Members of the House.

Prior to going at ease, the House was at the Third Order of Business.

Approval of Journal

Consideration of Messages from the Governor and the Senate

February 20, 2001

Mr. Speaker:

I transmit herewith enrolled **S 1009** and **S 1010** for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced that enrolled **S 1009** and **S 1010** would be signed by the Speaker, and, when so signed, ordered them returned to the Senate.

February 20, 2001

Mr. Speaker:

I return herewith enrolled **HCR 11, H 125**, and **H 12** which have been signed by the President.

WOOD, Secretary

Enrolled **HCR 11** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Enrolled **H 125** and **H 12** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 20, 2001

Mr. Speaker:

I transmit herewith **SCR 109, S 1048, S 1085, S 1060, S 1053, S 1059, S 1050, S 1052, S 1075, S 1017, S 1016, S 1039, S 1073, S 1074, S 1063, S 1091, S 1095, S 1078**, and **S 1096** which have passed the Senate.

WOOD, Secretary

SCR 109, S 1048, S 1085, S 1060, S 1053, S 1059, S 1050, S 1052, S 1075, S 1017, S 1016, S 1039, S 1073, S 1074, S 1063, S 1091, S 1095, S 1078, and **S 1096** were filed for first reading.

February 20, 2001

Mr. Speaker:

I return herewith **H 114** which has passed the Senate.

WOOD, Secretary

H 114 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 21, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 286, H 287, H 288, H 289, H 290, H 291, H 292, H 293, H 294, H 295, H 296, H 297, H 298, H 299, H 300, HR 2, HCR 30** and House amendments to **H 5, H 9, H 11**, and **H 14**.

GOULD, Chairman

H 286, H 287, and **H 288** were referred to the Transportation and Defense Committee.

H 289 was referred to the State Affairs Committee.

H 290 was referred to the Judiciary, Rules, and Administration Committee.

HR 2, HCR 30, H 292, H 293, and **H 294** were referred to the Education Committee.

H 291 was referred to the Business Committee.

H 295, H 296, H 297, H 298, H 299, and **H 300** were referred to the Revenue and Taxation Committee.

February 21, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 5**, as amended, **H 9**, as amended, **H 11**, as amended, and **H 14**, as amended.

GOULD, Chairman

H 5, as amended, **H 9**, as amended, **H 11**, as amended, and **H 14**, as amended, were filed for first reading of engrossed bills.

February 20, 2001

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration **H 193** and recommend that it do pass.

STONE, Chairman

H 193 was filed for second reading.

February 20, 2001

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENTAL AFFAIRS, report that we have had under consideration **HCR 24** and **H 257** and recommend that they do pass.

BARRACLOUGH, Chairman

HCR 24 and **H 257** were filed for second reading.

February 20, 2001

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 268** and recommend that it do pass.

WOOD, Chairman

H 268 was filed for second reading.

February 20, 2001

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 169** and report it back with amendments attached to be placed on General Orders for consideration.

JONES, Chairman

H 169 was placed on General Orders for consideration.

February 20, 2001

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 7** and report it back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

H 7 was placed on General Orders for consideration.

February 21, 2001

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **SCR 101** and recommend that it do pass.

DEAL, Chairman

SCR 101 was filed for second reading.

February 21, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 148, H 174**, and **H 195** and recommend that they do pass.

CROW, Chairman

H 148, H 174, and **H 195** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

SCR 109, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

At this time, the Speaker took the Chair.

HOUSE BILL NO. 301
BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2002; DIRECTING THE

STATE CONTROLLER TO TRANSFER CERTAIN FUNDS AS REQUESTED; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

HOUSE BILL NO. 302
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE DIVISION OF HUMAN RESOURCES FOR FISCAL YEAR 2002; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

HOUSE BILL NO. 303
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS FOR THE STATE LIQUOR DISPENSARY FOR FISCAL YEAR 2002; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES TO THE OFFICE OF THE GOVERNOR FOR THE STATE LIQUOR DISPENSARY.

HOUSE BILL NO. 304
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS FOR THE PUBLIC EMPLOYEE RETIREMENT SYSTEM FOR FISCAL YEAR 2002; CLARIFYING THE APPROPRIATION FOR THE PORTFOLIO INVESTMENT PROGRAM; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

HOUSE BILL NO. 305
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE PUBLIC WORKS CONTRACTORS LICENSE BOARD; AMENDING SECTION 54-1905, IDAHO CODE, TO PROVIDE DUTIES OF THE ADMINISTRATOR OF THE DIVISION OF BUILDING SAFETY AND TO REVISE THE MEMBERSHIP AND TERMS OF OFFICE OF THE PUBLIC WORKS CONTRACTORS LICENSE BOARD; AMENDING SECTION 54-1908, IDAHO CODE, TO PROVIDE THAT THREE MEMBERS SHALL CONSTITUTE A QUORUM OF THE BOARD; AMENDING SECTION 54-1910, IDAHO CODE, TO PROVIDE DUTIES OF THE ADMINISTRATOR REGARDING EXAMINATIONS, QUALIFICATIONS AND APPLICATIONS FOR A PUBLIC WORKS CONTRACTORS LICENSE, TO PROVIDE AN ALTERNATIVE TO THE COMPLETE FINANCIAL STATEMENT REQUIRED AS PART OF THE APPLICATION AND TO MAKE TECHNICAL CORRECTIONS; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 306
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO SALARIES OF MEMBERS OF THE PUBLIC UTILITIES COMMISSION AND THE INDUSTRIAL COMMISSION; AMENDING SECTION 61-215, IDAHO CODE, TO PROVIDE A SALARY INCREASE; AND AMENDING SECTION 72-503, IDAHO CODE, TO PROVIDE A SALARY INCREASE.

HOUSE BILL NO. 307
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE INVESTMENT OF PUBLIC FUNDS; AMENDING SECTION 57-720, IDAHO CODE, TO PROVIDE FOR SEPARATE ACCOUNTING OF EARNINGS RESERVE FUNDS AND PERMANENT ENDOWMENT FUNDS AND TO PROVIDE FOR CERTAIN ALLOCATION OF GAINS AND LOSSES BETWEEN THE PERMANENT ENDOWMENT FUNDS AND THE EARNINGS RESERVE FUNDS AT THE END OF EACH FISCAL YEAR; AMENDING SECTION 57-724, IDAHO CODE, TO PROVIDE FOR GAINS AND LOSSES TO PERMANENT ENDOWMENT FUNDS, TO PROVIDE A METHOD OF DETERMINATION OF GAINS AND LOSSES TO PERMANENT ENDOWMENT FUNDS, TO PROVIDE FOR CERTAIN TRANSFERS TO MAKE UP LOSSES TO THE PUBLIC SCHOOL PERMANENT ENDOWMENT FUND, TO PROVIDE FOR CERTAIN LEGISLATIVE TRANSFERS OR APPROPRIATIONS, AND TO PROVIDE THAT LOSSES TO PERMANENT ENDOWMENT FUNDS OTHER THAN PUBLIC SCHOOL PERMANENT ENDOWMENT FUNDS SHALL BE MADE UP FROM CERTAIN EARNINGS RESERVE FUND MONEYS; AND AMENDING SECTION 57-724A, IDAHO CODE, TO REVISE THE DEFINITION OF EARNINGS.

HOUSE BILL NO. 308
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO CITY IRRIGATION SYSTEMS; AMENDING SECTION 50-1807, IDAHO CODE, TO CLARIFY THE PROVISIONS GOVERNING THE DATE FOR MAKING AN ESTIMATE OF THE EXPENSES FOR THE SYSTEM FOR PURPOSES OF ASSESSMENTS AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 309
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO ABORTION; AMENDING CHAPTER 6, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-601, IDAHO CODE, TO PROVIDE THAT STATE STATUTES, RULES AND CONSTITUTIONAL PROVISIONS SHALL BE INTERPRETED TO PREFER LIVE CHILDBIRTH OVER ABORTION; AMENDING SECTION 18-601, IDAHO CODE, TO REDESIGNATE THE SECTION; AND AMENDING SECTION 56-209c, IDAHO CODE, TO DELETE LANGUAGE PROVIDING THAT PUBLIC FUNDS MAY BE USED TO PAY FOR ABORTIONS IF TWO CONSULTING PHYSICIANS RECOMMEND THAT THE ABORTION IS NECESSARY TO SAVE THE HEALTH OF THE MOTHER.

HOUSE BILL NO. 310
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO THE DUTIES OF THE COUNTY ASSESSOR; AMENDING SECTION 63-301A, IDAHO CODE, TO FURTHER DEFINE CONSTRUCTION TO BE SHOWN ON THE NEW CONSTRUCTION ROLL TO INCLUDE CERTAIN EQUIPMENT OR FACILITIES USED IN CONJUNCTION WITH GENERATION OF ELECTRICITY AND TO PROVIDE EXCEPTIONS.

HOUSE BILL NO. 311
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO INCOME TAX CREDITS; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029M, IDAHO CODE, TO PROVIDE TAX CREDIT FOR QUALIFYING DONATIONS MADE TO QUALIFYING STUDENTS IN SUPPORT OF THE EDUCATION OF THE STUDENT WHO IS EDUCATED OUTSIDE THE PUBLIC SCHOOL SYSTEM; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 312
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO INCOME TAX; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3022P, IDAHO CODE, TO PROVIDE FOR A STATE INCOME TAX DEDUCTION FOR FIFTY PERCENT OF THE PREMIUMS FOR LONG-TERM CARE INSURANCE; DECLARING AN EMERGENCY AND PROVIDING FOR RETROACTIVE APPLICATION.

H 301, H 302, H 303, H 304, H 305, H 306, H 307, H 308, H 309, H 310, H 311, and **H 312** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1048, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

S 1060, by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

S 1053, S 1059, and **S 1063**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1050, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Business Committee.

S 1052, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Business Committee.

S 1075, S 1017, S 1016, S 1095, and **S 1078**, by Transportation Committee, were introduced, read the first time by title, and referred to the Transportation and Defense Committee.

S 1039, S 1073, and **S 1074**, by Health and Welfare Committee, were introduced, read the first time by title, and referred to the Health and Welfare Committee.

S 1091, by Local Government and Taxation Committee, was introduced, read the first time by title, and referred to the Local Government Committee.

S 1096, by Transportation Committee, was introduced, read the first time by title, and referred to the Revenue and Taxation Committee.

S 1085, by Finance Committee, was introduced, read the first time by title, and filed for second reading.

At this time, the Speaker put the House at ease.

At this time, Representative Barraclough introduced Senator Mike Crapo, who spoke briefly to the Members of the House.

Prior to going at ease, the House was at the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

First Reading of Engrossed Bills

H 5, as amended, **H 9**, as amended, **H 11**, as amended, and **H 14**, as amended, by Mr. Speaker, requested by Bureau of Occupational Licenses, were introduced, read the first time by title and filed for second reading.

Second Reading of Bills and Joint Resolutions

H 154 and **H 155**, by Business Committee, were read the second time by title and filed for third reading.

H 244, by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

H 190 and **H 188**, by State Affairs Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Bruneel asked unanimous consent that **H 216** retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

H 182 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Young to open debate.

The question being, "Shall **H 182** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Crow, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Collins, Deal, Field(20), Hornbeck, Ridinger, Roberts, Smith, Wheeler. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **H 182** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 183 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bieter to open debate.

The question being, "Shall **H 183** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 64.
NAYS -- Crow, McKague. Total -- 2.
Absent and excused -- Collins, Hornbeck, Ridinger, Roberts. Total -- 4.
Total -- 70.

Whereupon the Speaker declared **H 183** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

At this time Mr. Bruneel took the Chair.

H 26 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Meyer to open debate.

The question being, "Shall **H 26** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 65.
NAYS -- None.
Absent and excused -- Collins, Hornbeck, Ridinger, Roberts, Mr. Speaker. Total -- 5.
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 26** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 34 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Deal to open debate.

The question being, "Shall **H 34** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Swan, Tilman, Trail, Young. Total -- 60.
NAYS -- None.
Absent and excused -- Collins, Hornbeck, Lake, Mader, Ridinger, Roberts, Stevenson, Wheeler, Wood, Mr. Speaker. Total -- 10.
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 34** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 132 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Tilman to open debate.

The question being, "Shall **H 132** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Bedke, Bell, Black, Boe, Bolz, Bradford, Callister, Campbell, Chase, Clark, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Moss, Pearce, Pischner, Pomeroy, Raybould, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Swan, Tilman, Trail, Young. Total -- 53.
NAYS -- Barrett, Bieter, Bruneel, Eskridge, Lake, Moyle, Robison. Total -- 7.
Absent and excused -- Collins, Hornbeck, Mader, Mortensen, Ridinger, Roberts, Stevenson, Wheeler, Wood, Mr. Speaker. Total -- 10.
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 132** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 10:30 a.m., Thursday, February 22, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 11:43 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

FORTY-SIXTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 22, 2001

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 67 members present.
Absent and excused -- Boe, Montgomery, Ridinger. Total -- 3.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Hattie Hiatt, Page.

Approval of Journal

February 22, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-fifth Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

February 21, 2001

Mr. Speaker:
I transmit herewith enrolled **S 1015** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1015** and, when so signed, ordered it returned to the Senate.

February 21, 2001

Mr. Speaker:
I return herewith enrolled **H 15**, as amended, which has been signed by the President.

WOOD, Secretary

Enrolled **H 15**, as amended, was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 21, 2001

Mr. Speaker:
I transmit herewith **SJM 105** which has passed the Senate.

WOOD, Secretary

SJM 105 was filed for first reading.

February 21, 2001

Mr. Speaker:
I return herewith **HCR 13, HCR 14, HCR 15**, and **HCR 16** which have passed the Senate. WOOD, Secretary

HCR 13, HCR 14, HCR 15, and **HCR 16** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 22, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 301, H 302, H 303, H 304, H 305, H 306, H 307, H 308, H 309, H 310, H 311**, and **H 312**. GOULD, Chairman

H 305 was referred to the Business Committee.

H 306 and **H 307** were referred to the State Affairs Committee.

H 308 was referred to the Local Government Committee.

H 309 was referred to the Health and Welfare Committee.

H 310, H 311, and **H 312** were referred to the Revenue and Taxation Committee.

H 301, H 302, H 303, and **H 304** were filed for second reading.

February 22, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 114**.

GOULD, Chairman

The Speaker announced he was about to sign enrolled **H 114**, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 22, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 125** and **H 12** to the Governor at 10:45 a.m., as of this date, February 21, 2001. GOULD, Chairman

February 22, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 11** to the Secretary of State at 10:47 a.m., as of this date, February 21, 2001.

GOULD, Chairman

February 21, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 247, H 249**, and **H 290** and recommend that they do pass.

GOULD, Chairman

H 247, H 249, and **H 290** were filed for second reading.

February 21, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 151** and **H 185** and report them back with amendments attached to be placed on General Orders for consideration.

GOULD, Chairman

H 151 and **H 185** were placed on General Orders for consideration.

February 21, 2001

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 25** and **H 186** and recommend that they do pass.

BLACK, Chairman

H 25 and **H 186** were filed for second reading.

February 21, 2001

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 28, H 29, H 33**, and **H 35** and report them back with amendments attached to be placed on General Orders for consideration.

BLACK, Chairman

H 28, H 29, H 33, and **H 35** were placed on General Orders for consideration.

February 21, 2001

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **H 223, H 224, HJM 4**, and **SJM 102** and recommend that they do pass.

WHEELER, Chairman

H 223, H 224, HJM 4, and **SJM 102** were filed for second reading.

February 22, 2001

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 227** and recommend it be referred to the Commerce and Human Resources Committee.

BLACK, Chairman

H 227 was referred to the Commerce and Human Resources Committee.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Bruneel moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Denney in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

February 22, 2001

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 98, H 108, H 18, H 189, H 191, H 169, H 7, H 185, H 28, H 29**, and **H 33** and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO H 98

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 18, delete ", in its sole discretion,".

AMENDMENT TO THE BILL

On page 1, following line 7, insert:

"SECTION 1. That Section 9-340B, Idaho Code, be, and the same is hereby amended to read as follows:

9-340B. Records exempt from disclosure -- Law enforcement records, investigatory records of agencies, worker's compensation. The following records are exempt from disclosure:

(1) Investigatory records of a law enforcement agency, as defined in section 9-337(6), Idaho Code, under the conditions set forth in section 9-335, Idaho Code.

(2) Juvenile records of a person maintained pursuant to chapter 5, title 20, Idaho Code, except that facts contained in such records shall be furnished upon request in a manner determined by the court to persons and governmental and private agencies and institutions conducting pertinent research studies or having a legitimate interest in the protection, welfare and treatment of the juvenile who is thirteen (13) years of age or younger. If the juvenile is petitioned or charged with an offense which would be a criminal offense if committed by an adult, the name, offense of which the juvenile was petitioned or charged and disposition of the court shall be subject to disclosure as provided in section 20-525, Idaho Code. Additionally, facts contained in any records of a juvenile maintained under chapter 5, title 20, Idaho Code, shall be furnished upon request to any school district where the juvenile is enrolled or is seeking enrollment.

(3) (a) Until July 1, 2001, records of the department of correction to the extent that disclosure thereof would interfere with the secure and orderly conduct of their operations, or the rehabilitation of any person in the custody of the department of correction, or would substantially prejudice or prevent the carrying out of the functions of the department of correction if

the public interest in confidentiality clearly outweighs the public interest in disclosure. Records exempt from disclosure shall include, but not be limited to, those containing the names and addresses of witnesses or victims or those containing information identifying victims or witnesses.

(b) Operation and security manuals, plans or codes of county jails and buildings owned or leased by Idaho state government, a county or a city. "Operation manuals" are those internal documents of any state government agency, county or city building or jail that define the procedures utilized to maintain security within the building or jail. "Plans or codes" relate only to those documents, the release of which could jeopardize the safety of workers in those buildings, or adversely affect the public safety.

(c) Records of the commission of pardons and parole shall be exempt from public disclosure pursuant to section 20-213A, Idaho Code, and section 20-223, Idaho Code. Records exempt from disclosure shall also include those containing the names, addresses and written statements of victims.

(4) Voting records of the sexual offender classification board. In accordance with section 18-8315, Idaho Code, the written record of the vote to classify an offender as a violent sexual predator by each board member in each case reviewed by that board member shall be exempt from disclosure to the public and shall be made available upon request only to the governor, the chairman of the senate judiciary and rules committee, and the chairman of the house of representatives judiciary, rules and administration committee, for all lawful purposes.

(5) Records of the sheriff or Idaho state police received or maintained pursuant to section 18-3302, Idaho Code, relating to an applicant or licensee.

(6) Records of investigations prepared by the department of health and welfare pursuant to its statutory responsibilities dealing with the protection of children, the rehabilitation of youth, adoptions and the commitment of mentally ill persons.

(7) Records including, but not limited to, investigative reports, resulting from investigations conducted into complaints of discrimination made to the Idaho human rights commission unless the public interest in allowing inspection and copying of such records outweighs the legitimate public or private interest in maintaining confidentiality of such records. A person may inspect and copy documents from an investigative file to which he or she is a named party if such documents are not otherwise prohibited from disclosure by federal law or regulation or state law. The confidentiality of this subsection will no longer apply to any record used in any judicial proceeding brought by a named party to the complaint or investigation, or by the Idaho human rights commission, relating to the complaint of discrimination.

(8) Records containing information obtained by the manager of the Idaho state insurance fund pursuant to chapter 9, title 72, Idaho Code, from or on behalf of employers or employees contained in underwriting and claims for benefits files.

(9) The worker's compensation records of the Idaho industrial commission provided that the industrial commission shall make such records available:

(a) To the parties in any worker's compensation claim and to the industrial special indemnity fund of the state of Idaho; or

(b) To employers and prospective employers subject to the provisions of the Americans with disabilities act, 42 U.S.C. 12112, or other statutory limitations, who certify that the information is being requested with respect to a worker to whom the employer has extended an offer of employment and will be used in accordance with the provisions of the Americans with disabilities act, 42 U.S.C. 12112, or other statutory limitations; or

(c) To employers and prospective employers not subject to the provisions of the Americans with disabilities act, 42 U.S.C. 12112, or other statutory limitations, provided the employer presents a written authorization from the person to whom the records pertain; or

(d) To others who demonstrate that the public interest in allowing inspection and copying of such records outweighs the public or private interest in maintaining the confidentiality of such records, as determined by a civil court of competent jurisdiction; or

(e) To governmental agencies as may be provided in section 72-517, Idaho Code.

(10) Records of investigations compiled by the commission on aging involving vulnerable adults, as defined in section 18-1505, Idaho Code, alleged to be abused, neglected or exploited.

(11) Criminal history records and fingerprints, as defined by section 67-3001, Idaho Code, and compiled by the Idaho state police. Such records shall be released only in accordance with chapter 30, title 67, Idaho Code."; and renumber the subsequent section of the bill accordingly.

CORRECTION TO TITLE

On page 1, in line 2, following "COMMISSION;" insert: "AMENDING SECTION 9-340B, IDAHO CODE, TO PROVIDE THAT WORKER'S COMPENSATION RECORDS MAY BE MADE AVAILABLE BY THE INDUSTRIAL COMMISSION TO CERTAIN GOVERNMENTAL AGENCIES AS PROVIDED IN SECTION 72-517, IDAHO CODE; AND".

HOUSE AMENDMENT TO H 108

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 13, following "person" delete the remainder of the line; delete lines 14 and 15; and insert: "may stand on a highway to solicit charitable contributions if authorized to do so by the local authority having jurisdiction over the highway.".

CORRECTION TO TITLE

On page 1, in line 3, following "PERSON", delete the remainder of the line; delete lines 4 and 5; and insert: "MAY STAND ON A HIGHWAY TO SOLICIT CHARITABLE CONTRIBUTIONS IF AUTHORIZED TO DO SO BY THE LOCAL AUTHORITY HAVING JURISDICTION OVER THE HIGHWAY.".

HOUSE AMENDMENTS TO H 18

AMENDMENTS TO SECTION 2

On page 2, following line 49, insert:

"(i) Records of which the public interest in confidentiality, public safety, security and habilitation clearly outweighs the public interest in disclosure as identified pursuant to the authority of the Idaho board of correction under section 20-212, Idaho Code;";

and in line 50, delete "(i)" and insert: "(ii)".

On page 3, delete lines 2 through 6; in line 14, delete ", ~~or~~" and insert: "or"; in lines 14 and 15, delete ", shift summaries or briefings, or logs"; in line 19, delete ", ~~or~~" and insert: "or"; and also in line 19, delete ", shift summaries or briefings, or logs"; in

line 21, following "workers" insert: ", visitors or prisoners"; and also in lines 21 and 22, delete "prisoners or persons confined in those buildings,".

AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 11 through 43; on page 2, delete lines 1 through 21; and in line 22, delete "SECTION 2" and insert: "SECTION 1".

CORRECTIONS TO TITLE

On page 1, in line 2, following "WRITINGS;" delete the remainder of the line, delete all of line 3, and in line 4, delete "OF CORRECTION AND TO MAKE TECHNICAL CORRECTIONS; AND"; in line 6, delete ", TO BROADEN THE RECORDS DIS-" and delete lines 7 through 9, and insert: ".".

HOUSE AMENDMENT TO H 189

AMENDMENT TO SECTION 2

On page 1 of the printed bill, in line 38, following "permitted" insert: "supplemental maintenance and operation levy".

HOUSE AMENDMENT TO H 191

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 43, delete "that had been initiated at the" and on page 2 in line 1, delete "request of petitioners," and insert: "~~that had been initiated at the request of petitioners,~~"; and on page 2, in line 3, following "proposal," delete the remainder of the line and all of lines 4 through 11, and in line 12, delete "in the election, should approve the proposal," and insert: "~~the board of trustees shall within sixty (60) days after notification of the approval of such proposal submit to the school district electors residing in the district, in an election to be held not less than thirty (30) days prior to the date of the next ensuing annual election of school district trustees, the question of approving or disapproving the proposal to change trustee zones. Notice of such election shall be posted and published, the election shall be held and conducted and the ballots canvassed, as provided in chapter 4, title 33, Idaho Code. If a majority of the school district electors residing in the district, and voting in the election, should approve the proposal,~~".

CORRECTION TO TITLE

On page 1, in line 4, following "CENSUS" insert: "AND TO STRIKE A PROVISION TO REQUIRE AN ELECTION".

HOUSE AMENDMENT TO H 169

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 15, delete ", or"; and also in line 15, delete "purposes".

HOUSE AMENDMENT TO H 7

AMENDMENT TO SECTION 2

On page 1 of the printed bill, in line 21, delete ", or take other disciplinary"; and in line 22, delete "action,".

CORRECTION TO TITLE

On page 1, in line 4, delete "TO PROVIDE THAT THE DEPARTMENT MAY"; delete line 5; and in line 6, delete "OF A LICENSE FOR UNPROFESSIONAL CONDUCT AND".

HOUSE AMENDMENTS TO H 185

AMENDMENT TO SECTION 1

On page 3 of the printed bill, in line 10, delete ", homelessness, or unstable home environment" and insert: "or homelessness".

AMENDMENTS TO SECTION 5

On page 6, in line 21, delete ", homelessness or unstable home environment" and insert: "or homelessness"; and in lines 30 and 31, delete "provisions of this chapter" and insert: "~~provisions of this chapter~~ jurisdiction of the court upon the grounds set forth in section 16-1603, Idaho Code".

AMENDMENT TO SECTION 6

On page 7, in line 42, following "appears" insert: "that the court has jurisdiction upon the grounds set forth in section 16-1603, Idaho Code, and".

AMENDMENTS TO SECTION 8

On page 9, in line 7, following "chapter" insert: "upon the grounds set forth in section 16-1603, Idaho Code"; and in line 24, following "that" insert: ", in addition to the findings required in subsection (c) of this section,".

CORRECTIONS TO TITLE

On page 1, in line 5, delete "AND UNSTABLE HOME ENVIRONMENTS"; in lines 15 and 16, delete "OR UNSTABLE HOME ENVIRONMENTS"; in line 16, following "," insert: "TO REQUIRE THAT PETITIONS SET FORTH THE FACTS SUPPORTING CERTAIN GROUNDS WHICH BRING A CHILD WITHIN THE JURISDICTION OF THE COURT,".

HOUSE AMENDMENTS TO H 28

AMENDMENTS TO SECTION 3

On page 2 of the printed bill, in line 41, delete "~~two (2) years of~~ a twelfth grade high school education" and insert: "two (2) years of high school"; in line 42, delete "~~education~~" and insert: "education"; also in line 42, delete "~~an examination conducted by~~" and insert: "an examination conducted by"; in line 45, delete "and temperate habits" and insert: "~~and temperate habits~~"; on page 3, delete lines 8 and 9, and insert:

"(a) Has two (2) years of high school or an equivalent education as determined by an examination conducted by the board; and"; in line 11, delete "and temperate habits"; and in line 13, delete "one thousand two hundred (1,200)" and insert: "nine hundred (900)".

AMENDMENTS TO SECTION 4

On page 3, in line 35, delete "one thousand two" and insert: "nine"; and in line 36, delete "(1,200)" and insert: "(900)".

AMENDMENTS TO SECTION 8

On page 5, in line 23, following "BARBERING" insert: "OR BARBER-STYLING"; in line 25, delete "and temperate habits" and insert: "~~and temperate habits~~"; in line 27, following "barber" insert: "or barber-stylist"; in line 29, following "barbers" insert: "or barber-stylists"; in line 30, following "barber" insert: "or barber-stylist"; and in line 32, following "barber" insert: "or barber-stylist".

AMENDMENTS TO SECTION 10

On page 5, in line 45, delete "PERMIT OR"; in line 47, delete "or impose any other discipline upon"; on page 6, delete lines 17 through 28; in line 29, delete "(9)" and insert: "(8)"; and also in line 29, delete "act" and insert: "chapter".

AMENDMENTS TO SECTION 11

On page 6, in line 34, delete "permit or"; and in line 46, delete "permit or".

AMENDMENTS TO SECTION 12

On page 6, in line 51, delete "permits"; and on page 7, in line 2, delete ", permits".

CORRECTIONS TO TITLE

On page 1, in line 14, following "CODE," insert: "TO PROVIDE REFERENCES TO BARBER-STYLISTS, TO DELETE LANGUAGE REFERRING TO TEMPERATE HABITS,"; in line 17, delete "TO BROADEN DISCIPLINARY AUTHORITY OF THE BOARD"; in line 18, delete "OF BARBER EXAMINERS, TO PROVIDE" and insert: "TO CLARIFY GROUNDS"; in line 19, delete "PERMITS AND"; also in line 19, delete "TO CLARIFY BASIS FOR DISCIPLINE" and insert: "TO PROVIDE REFERENCE TO LICENSE, TO DELETE LANGUAGE REFERRING TO SUSPENSION OF LICENSE IF AN OWNER OR OPERATOR FAILS TO MEET SANITARY REQUIREMENTS OR EMPLOYS UNLICENSED BARBERS, TO PROVIDE THAT A LICENSE MAY BE REFUSED, REVOKED OR SUSPENDED BASED UPON CERTAIN VIOLATIONS"; in line 22, delete "PERMIT OR"; and in line 23, delete "PERMIT AND LICENSE".

HOUSE AMENDMENTS TO H 29

AMENDMENTS TO SECTION 3

On page 3 of the printed bill, in line 46, delete "~~two (2) years'~~ a twelfth grade" and insert: "two (2) years'".

On page 4, in line 26, delete "~~two (2) years of~~ a twelfth grade" and insert: "two (2) years of"; in line 28, delete "six" and insert: "four"; in line 29, delete "(~~3~~600)" and insert: "(3400); in line 30, delete "one thousand two" and insert: "eight", and also in line 30, delete "(~~6~~1,200)" and insert: "(~~6~~800); in line 40, delete "~~two (2) years of~~ a twelfth grade" and insert: "two (2) years of"; in line 54, delete "~~two (2) years of~~ a twelfth grade" and insert: "two (2) years of".

On page 5, in line 1, delete "~~six~~ nine hundred (~~6~~900)" and insert: "six hundred (600)"; and in line 3, delete "eight hundred (1,~~0~~800)" and insert: "two hundred (1,~~0~~200)".

AMENDMENTS TO SECTION 10

On page 8, in line 31, delete "and temperate habits" and insert: "~~and temperate habits~~", and also in line 31, delete "~~two (2) years~~" and insert: "two (2) years"; in line 32, delete "~~of~~ a twelfth grade high school education" and insert: "of high school".

AMENDMENT TO SECTION 12

On page 9, in line 9, delete "or impose any other discipline upon"; in line 22, delete "act" and insert: "~~act~~ chapter"; and delete lines 24 through 38 and insert:

"~~9. The board may refuse to issue or renew a certificate or license for a person who is in default in the repayment of any student loan guaranteed or insured by the student loan fund of Idaho, inc. or otherwise issued by a financial institution if, at the time the loan was incurred, the student is provided notice of the power of the board to refuse to issue or renew a certificate or license in the event of a default in the repayment, which notice shall be in writing and acknowledged by the signature of the student six (6) months prior to the refusal to issue or renew a certificate or license. The board shall not renew the certificate or license until the person in default enters into a payment agreement with the student loan fund of Idaho, inc. or the financial institution and the board is notified by the fund or the financial institution that the agreement is in effect.~~".

CORRECTIONS TO TITLE

On page 1, in line 20, delete "TO BROADEN DISCIPLINARY"; in line 21, delete "AUTHORITY, TO CLARIFY BASIS FOR DISCIPLINE" and insert: "TO DELETE REFERENCES TO CERTIFICATES, TO PROVIDE REFERENCES TO LICENSES AND REGISTRATION, TO DELETE LANGUAGE RELATING TO THE REFUSAL TO ISSUE OR RENEW CERTIFICATES OR LICENSES BASED UPON A DEFAULT IN THE REPAYMENT OF CERTAIN STUDENT LOANS".

HOUSE AMENDMENT TO H 33

AMENDMENT TO THE BILL

On page 2 of the printed bill, delete lines 36 through 51; and on page 3, delete lines 1 through 35.

CORRECTION TO TITLE

On page 1, in line 8, delete "; AND AMENDING SECTION 54-1116, IDAHO", delete line 9 and insert: ".".

DENNEY, Chairman

Mr. Denney moved that the report be adopted. Seconded by Mr. Bruneel.

At this time, Mr. Mader took the Chair.

Whereupon the Speaker Pro Tem declared the report adopted.

H 98, as amended, **H 108**, as amended, **H 18**, as amended, **H 189**, as amended, **H 191**, as amended, **H 169**, as amended, **H 7**, as amended, **H 185**, as amended, **H 28**, as amended, **H 29**, as amended, and **H 33**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 31
BY WAYS AND MEANS 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 ELECTRONIC COMMERCE AND RELATED TECHNOLOGY.

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

WHEREAS, the economic well-being of the state of Idaho and its communities depends on the belief of its citizens that their state and community are places where families can live in safety and security, where quality health care is readily available, where the educational system meets the needs of learners of all ages, where government services are provided in an efficient and effective manner, where opportunities for business and commercial growth are encouraged and supported, and where the state's natural heritage and quality of life are protected and enjoyed; and

WHEREAS, rapid technological advances have significantly altered society and have dramatically changed business practices, methods of communication, and lifestyles in just the last decade. As technology proliferates, governments are naturally affected and must keep up with the so called "New Economy" revolution that will notably transform the lives of citizens and the nature of commerce; and

WHEREAS, citizens of the state of Idaho, both urban and rural, can benefit through high speed access to the Internet and the information it provides. The number of Idaho households and businesses utilizing online services and digital technologies is increasing with the growing trend toward business-to-consumer, business-to-business, and business-to-government e-commerce. There are growing employment opportunities for rural and urban citizens who are skilled in electronic technologies; and

WHEREAS, it is the intent of the legislature to provide the communities of this state with a process to assist them in meeting the economic and societal challenges that have arisen and will continue to arise as new electronic technologies, including wireless, digital subscriber line (DSL) and integrated services digital network (ISDN), are developed, enhanced and marketed. There is a need to review and examine policies and make specific legislative proposals to ensure that electronic technologies and commerce will continue to grow and prosper while delivering social and economic benefits to Idaho's citizens, government and businesses.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of electronic commerce and technology. 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 Fifty-sixth Idaho Legislature and shall make a report detailing its findings, recommendations and proposed legislation, if any, to the First Regular Session of the Fifty-seventh Idaho Legislature.

HCR 31 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

SJM 105, by Resources and Environment Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 313
BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE LIEUTENANT GOVERNOR FOR FISCAL YEAR 2002; EXPRESSING LEGISLATIVE INTENT WITH RESPECT TO CERTAIN EXPENDITURES; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

HOUSE BILL NO. 314
BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO LARGE SWINE AND POULTRY FEEDING OPERATIONS; AMENDING SECTION 39-104A, IDAHO CODE, TO PROVIDE THAT THOSE FACILITIES COVERED BY CHAPTER 79, TITLE 39, IDAHO CODE, SHALL MEET THE REQUIREMENTS OF SECTION 39-7907, IDAHO CODE, AND RULES OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY REGULATING SWINE AND POULTRY FACILITIES PRIOR TO THE ISSUANCE OF A FINAL PERMIT BY THE DIRECTOR, TO PROVIDE FOR FACILITY REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 315
BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO SAFE SCHOOL FACILITIES; AMENDING SECTION 33-804A, IDAHO CODE, TO INCLUDE A REFERENCE TO THE UNIFORM SCHOOL BUILDING SAFETY ACT AND TO RESTRICT QUALIFICATION FOR LOANS TO NEW LOANS; AMENDING SECTION 33-1017, IDAHO CODE, TO AUTHORIZE GRANTS WITHIN THE SCOPE OF THE SCHOOL SAFETY AND HEALTH REVOLVING LOAN FUND, TO PROVIDE ELIGIBILITY FOR GRANTS AND METHOD OF DETERMINING THE QUALIFYING PERCENTAGE; AMENDING SECTION 33-1613, IDAHO CODE, TO REQUIRE SAFE SCHOOL FACILITIES IN PUBLIC SCHOOLS AND CERTAIN OTHER SPECIFIED SCHOOLS; AMENDING SECTION 39-8003, IDAHO CODE, TO EXTEND THE SCOPE OF THE UNIFORM SCHOOL BUILDING SAFETY ACT TO CHARTER SCHOOLS AND CERTAIN SCHOOLS OPERATED BY THE STATE OF IDAHO; AMENDING SECTION 39-8008, IDAHO CODE, TO PROVIDE AUTHORITY OF THE ADMINISTRATOR TO CAUSE PERSONS TO BE RESTRAINED FROM ENTERING AN UNSAFE AREA; AND DECLARING AN EMERGENCY.

H 313, H 314, and **H 315** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 193 and **H 195**, by Local Government Committee, were read the second time by title and filed for third reading.

HCR 24 and **H 257**, by Environmental Affairs Committee, were read the second time by title and filed for third reading.

H 268, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

SCR 101, by State Affairs Committee, was read the second time by title and filed for third reading.

H 148 and **H 174**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

S 1085, by Finance Committee, was read the second time by title and filed for third reading.

H 5, as amended, **H 9**, as amended, **H 11**, as amended, and **H 14**, as amended, by Mr. Speaker, requested by Bureau of Occupational Licenses, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

HJM 2 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Stone to open debate.

The question being, "Shall **HJM 2** be adopted?"

Whereupon the Speaker Pro Tem declared **HJM 2** adopted by voice vote and ordered the memorial transmitted to the Senate.

H 216 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Wood to open debate.

The question being, "Shall **H 216** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stone, Tilman, Trail, Wheeler, Wood, Young. Total -- 60.

NAYS -- None.

Absent and excused -- Boe, Gould, Hammond, Lake, Montgomery, Ridinger, Smith, Stevenson, Swan, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 216** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 205 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Gagner to open debate.

The question being, "Shall **H 205** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Tilman, Trail, Wheeler, Wood, Young. Total -- 61.

NAYS -- None.

Absent and excused -- Boe, Gould, Hammond, Lake, Montgomery, Ridinger, Stevenson, Swan, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 205** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 237 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Gagner to open debate.

The question being, "Shall **H 237** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young. Total -- 62.

NAYS -- None.

Absent and excused -- Boe, Gould, Hammond, Lake, Montgomery, Ridinger, Swan, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 237** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 128 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Kunz to open debate.

The question being, "Shall **H 128** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Mader, Marley, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young. Total -- 60.

NAYS -- Barrett, McKague. Total -- 2.

Absent and excused -- Boe, Gould, Hammond, Lake, Montgomery, Ridinger, Swan, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 128** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1024 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Hornbeck to open debate.

The question being, "Shall **S 1024** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young. Total -- 63.

NAYS -- None.

Absent and excused -- Boe, Gould, Hammond, Montgomery, Ridinger, Swan, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1024** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1025 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Smylie to open debate.

The question being, "Shall **S 1025** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Young. Total -- 61.

NAYS -- None.

Absent and excused -- Boe, Gagner, Gould, Hammond, Montgomery, Ridinger, Swan, Wood, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1025** passed the House. Title was approved and the bill was ordered returned to the Senate.

SCR 103 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Moyle to open debate.

The question being, "Shall **SCR 103** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Young. Total -- 59.

NAYS -- Langford, Sellman. Total -- 2.

Absent and excused -- Boe, Gagner, Gould, Hammond, Montgomery, Ridinger, Swan, Wood, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Speaker Pro Tem declared **SCR 103** adopted and ordered the resolution returned to the Senate.

Mr. Bruneel moved that the House recess until 1:15 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

RECESS

Afternoon Session

The House reconvened at 1:15 p.m., Mr. Bruneel in the Chair.

Roll call showed 64 members present.

Absent and excused -- Gould, Montgomery, Ridinger, Robison, Schaefer, Mr. Speaker. Total -- 6.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

HCR 7 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Deal to open debate.

The question being, "Shall **HCR 7** be adopted?"

Roll call resulted as follows:

AYES -- Barrett, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Field(13), Field(20), Gagner, Hadley, Harwood, Henbest, Higgins, Hornbeck, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Sali, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young. Total -- 54.

NAYS -- None.

Absent and excused -- Barraclough, Bedke, Bell, Bieter, Boe, Eskridge, Gould, Hammond, Jaquet, Jones, Montgomery, Ridinger, Robison, Schaefer, Swan, Mr. Speaker. Total -- 16.

Total -- 70.

Whereupon the Speaker Pro Tem declared **HCR 7** adopted and ordered the resolution transmitted to the Senate.

HCR 18 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Clark to open debate.

The question being, "Shall **HCR 18** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Field(13), Field(20), Gagner, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Sali, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young. Total -- 56.

NAYS -- None.

Absent and excused -- Bedke, Bell, Bieter, Boe, Eskridge, Gould, Jones, Kellogg, Montgomery, Ridinger, Robison, Schaefer, Swan, Mr. Speaker. Total -- 14.

Total -- 70.

Whereupon the Speaker Pro Tem declared **HCR 18** adopted and ordered the resolution transmitted to the Senate.

H 53 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Trail to open debate.

The question being, "Shall **H 53** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Field(13), Field(20), Gagner, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Sali, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young. Total -- 59.

NAYS -- None.

Absent and excused -- Bedke, Bell, Bieter, Eskridge, Gould, Montgomery, Ridinger, Robison, Schaefer, Swan, Mr. Speaker. Total -- 11.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 53** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

HCR 1 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Mortensen to open debate.

The question being, "Shall **HCR 1** be adopted?"

Whereupon the Speaker Pro Tem declared **HCR 1** adopted by voice vote and ordered the resolution transmitted to the Senate.

H 154 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Kellogg and Mr. Tilman to open debate.

The question being, "Shall **H 154** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 60.

NAYS -- None.

Absent and excused -- Gould, Jones, Langford, Montgomery, Ridinger, Robison, Sali, Schaefer, Smith, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 154** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 155 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Kellogg and Mr. Gagner to open debate.

The question being, "Shall **H 155** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Sali, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 61.

NAYS -- None.

Absent and excused -- Gould, Jones, Langford, Montgomery, Ridinger, Robison, Schaefer, Smith, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 155** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 244 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Higgins to open debate.

The question being, "Shall **H 244** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Eskridge, Field(13), Field(20), Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Sali, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 59.

NAYS -- None.

Absent and excused -- Ellsworth, Gagner, Gould, Jones, Langford, Montgomery, Ridinger, Robison, Schaefer, Smith, Mr. Speaker. Total -- 11.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 244** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that **H 190** retain its place on the Third Reading Calendar until Tuesday, February 27, 2001. There being no objection, it was so ordered.

H 188 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Campbell to open debate.

The question being, "Shall **H 188** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Eskridge, Field(13), Field(20), Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Sali, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 59.

NAYS -- None.

Absent and excused -- Ellsworth, Gagner, Gould, Jones, Langford, Montgomery, Ridinger, Robison, Schaefer, Smith, Mr. Speaker. Total -- 11.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 188** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 10:30 a.m., Friday, February 23, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 1:54 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

FORTY-SEVENTH LEGISLATIVE DAY
FRIDAY, FEBRUARY 23, 2001

House of Representatives

The House convened at 10:30 a.m., Mr. Denney in the Chair.

Roll call showed 63 members present.

Absent and excused -- Chase, Gould, Kendell, Montgomery, Ridinger, Smith, Mr. Speaker. Total -- 7.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Emily Bedke, Page.

Approval of Journal

February 23, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-sixth Legislative Day and recommend that same be adopted as corrected.

FIELD(13), Vice Chairman

Mrs. Field(13) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

February 22, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 12 and **H 125**

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

February 22, 2001

Mr. Speaker:

I transmit herewith enrolled **S 1021** and **SCR 104** for the signature of the Speaker.

WOOD, Secretary

The Acting Speaker announced that enrolled **S 1021** and **SCR 104** would be signed by the Speaker, and, when so signed, ordered them returned to the Senate.

February 22, 2001

Mr. Speaker:

I transmit herewith **S 1165, S 1118, S 1130**, and **S 1145** which have passed the Senate.

WOOD, Secretary

S 1165, S 1118, S 1130, and **S 1145** were filed for first reading.

Report of Standing Committees

February 23, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 31, H 313, H 314, H 315** and House Amendments to **H 98, H 108, H 18, H 189, H 191, H 169, H 7, H 185, H 28, H 29**, and **H 35**.

FIELD(13), Vice Chairman

HCR 31 was referred to the State Affairs Committee.

H 314 was referred to the Ways and Means Committee.

H 315 was referred to the Education Committee.

H 313 was filed for second reading.

February 23, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 13, HCR 14, HCR 15**, and **HCR 16**.

FIELD(13), Vice Chairman

The Acting Speaker announced that enrolled **HCR 13, HCR 14, HCR 15**, and **HCR 16** would be signed by the Speaker, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 23, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 98**, as amended, **H 108**, as amended, **H 18**, as amended, **H 189**, as amended, **H 191**, as amended, **H 169**, as amended, **H 7**, as amended, **H 185**, as amended, **H 28**, as amended, **H 29**, as amended, and **H 33**, as amended.

FIELD(13), Vice Chairman

H 98, as amended, **H 108**, as amended, **H 18**, as amended, **H 189**, as amended, **H 191**, as amended, **H 169**, as amended, **H 7**, as amended, **H 185**, as amended, **H 28**, as amended, **H 29**, as amended, and **H 33**, as amended, were filed for first reading of engrossed bills.

February 23, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 15**, as amended, to the Governor at 11:05 a.m., as of this date, February 22, 2001.

FIELD(13), Vice Chairman

February 22, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 80, H 201**, and **H 202** and recommend that they do pass.

CROW, Chairman

H 80, H 201, and **H 202** were filed for second reading.

February 22, 2001

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **HCR 27** and **HCR 28** and recommend that they do pass.

TILMAN, Chairman

HCR 27 and **HCR 28** were filed for second reading.

February 22, 2001

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1046** and recommend that it do pass.

DEAL, Chairman

S 1046 was filed for second reading.

February 22, 2001

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 58** and recommend that it do pass.

LOERTSCHER, Chairman

H 58 was filed for second reading.

February 22, 2001

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **HCR 26** and report it back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

HCR 26 was placed on General Orders for consideration.

February 22, 2001

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration **H 196, H 194**, and **H 162** and recommend that they do pass.

STONE, Chairman

H 196, H 194, and **H 162** were filed for second reading.

February 22, 2001

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 210** and recommend that it do pass.

JONES, Chairman

H 210 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE RESOLUTION NO. 3
BY STATE AFFAIRS COMMITTEE
A HOUSE RESOLUTION

RECOMMENDING INTRASTATE ATHLETIC COMPETITIONS AMONG THE BASKETBALL TEAMS OF THE UNIVERSITY OF IDAHO, BOISE STATE UNIVERSITY AND IDAHO STATE UNIVERSITY ON AN ANNUAL BASIS FOR BOTH MEN'S AND WOMEN'S BASKETBALL TEAMS.

Be It Resolved by the House of Representatives of the State of Idaho:

WHEREAS, the House of Representatives recognizes that competitions held for various sporting events at the university level are conducted in several different conferences;

WHEREAS, these multi-conference competitions also occur within the same sport;

WHEREAS, it is now rare that Idaho universities compete against one another in the same sport;

WHEREAS, it is important to alumni groups as well as the students participating in the various sport programs that Idaho universities compete with one another on a regular basis;

WHEREAS, the House of Representatives encourages intrastate athletic competitions in the same sport by teams from the University of Idaho, Boise State University and Idaho State University.

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives, assembled in the First Regular Session of the Fifty-sixth Idaho Legislature, that we enthusiastically recommend annually scheduling men's and women's basketball games so that in each year there is a men's basketball game between the University of Idaho and Boise State University, between the University of Idaho and Idaho State University, and between Boise State University and Idaho State University; and there is a women's basketball game between the University of Idaho and Boise State University, between the University of Idaho and Idaho State University, and between Boise State University and Idaho State University.

BE IT FURTHER RESOLVED that the location of the games shall rotate from one university to the next in each succeeding year, for each of the men's and the women's games.

BE IT FURTHER RESOLVED that the Legislature acknowledges the costs involved to each sports program in the implementation of this recommendation, but nonetheless aspires to create healthy, regional competitions in basketball and eventually other sports as economics allow.

HOUSE JOINT MEMORIAL NO. 9
BY EDUCATION COMMITTEE
A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Fifty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, service members of the United States Armed Forces courageously battled Japanese military forces on the Bataan peninsula in the Philippines from December 1941 to April 1942; and

WHEREAS, many of those American soldiers were taken prisoner of war on April 9, 1942, by Japanese military forces and were ordered to march eighty-five miles from the Bataan peninsula to a prisoner of war camp; and

WHEREAS, more than 10,000 American soldiers died as a result of starvation, disease and executions by the Japanese military forces while marching from the Bataan peninsula to the prisoner of war camp; and

WHEREAS, over 36,000 American soldiers were forced by the Japanese military forces into prisoner of war camps during World War II, and nearly forty percent of American prisoners of war died in those camps; and

WHEREAS, more than 1,600 of the American prisoners of war were taken to Japan and ordered to work in inhumane and torturous conditions for private Japanese companies; and

WHEREAS, the American prisoners of war were treated barbarically and denied the most basic human necessities such as food, health care and sanitary living and working quarters as provided under the terms of the Geneva Convention; and

WHEREAS, many of the American soldiers who survived the Japanese prisoner of war camps still suffer from poor health due to the conditions of their imprisonment and forced labor;

WHEREAS, private Japanese companies benefited from the forced labor of these American soldiers; and

WHEREAS, as a matter of justice, these American soldiers should receive compensation from those private Japanese companies benefitting from their forced labor; and

WHEREAS, the United States government has neither supported these Americans in their efforts to seek justice in the courts of the United States nor attempted to engage all parties in settlement discussions; and

WHEREAS, by contrast, the United States government has facilitated settlement discussions regarding claims by individuals who were forced into slave labor by the Third Reich of Germany during World War II for the benefit of private German businesses; and

WHEREAS, Armed Forces Units serving at Bataan during World War II received many heroic citations, including three Presidential Unit Citations and the Philippine Presidential Unit Citation for heroism, yet individual members of these units who were taken prisoner of war have been denied the right to seek justice based upon a treaty governing postwar reparations from the Japanese government; and

WHEREAS, treaties made by the United States government have denied these American soldiers many basic rights which are impliedly guaranteed in the United States Constitution;

WHEREAS, American soldiers held as prisoners of war by the Japanese government during World War II received reparations based only on the time held as a prisoner of war and not for the slave labor performed while a prisoner of war; and

WHEREAS, the Japanese government's position is that its liability for any compensation payments based upon its World War II improprieties expired in 1952.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that it is in the interest of justice that the United States, through the Secretary of State or other appropriate officials, facilitate discussions between the interested parties in order to provide redress for the American soldiers who were taken as prisoners of war by the Japanese government during World War II and forced to perform slave labor under inhumane conditions for the benefit of private Japanese companies.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

HR 3 and **HJM 9** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 316
BY EDUCATION COMMITTEE

AN ACT

RELATING TO TECHNOLOGICAL INSTRUCTION; AMENDING SECTION 33-1003C, IDAHO CODE, TO PROVIDE FOR CONTINUING TECHNOLOGICAL INSTRUCTION BY SPECIAL APPLICATION OF THE SCHOOL FOUNDATION PROGRAM.

HOUSE BILL NO. 317
BY EDUCATION COMMITTEE

AN ACT

RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING SECTION 33-5202, IDAHO CODE, TO REVISE LEGISLATIVE INTENT TO PROVIDE FOR THE UTILIZATION OF VIRTUAL DISTANCE LEARNING AND ON-LINE LEARNING IN WHICH FINANCIAL APPORTIONMENT IS BASED UPON STUDENT COURSE COMPLETION.

HOUSE BILL NO. 318
BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION FOR THE DEPARTMENT OF CORRECTION; REPEALING CHAPTER 408, LAWS OF 2000; REPEALING SECTION 7, CHAPTER 481, LAWS OF 2000; AMENDING SECTION 1, CHAPTER 394, LAWS OF 2000, TO APPROPRIATE ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 319
BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO THE SALES TAX; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 63-3623, IDAHO CODE, TO PROVIDE THAT SALES AND USE TAX RETURNS CONTAIN INFORMATION ABOUT THE COUNTY WITHIN WHICH THE SALES OCCURRED AND THE DOLLAR AMOUNT OF THE SALES PER COUNTY AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3623C, IDAHO CODE, TO PROVIDE THAT THE STATE TAX COMMISSION SHALL MAKE STATISTICS AVAILABLE ABOUT THE AMOUNT OF SALES PER COUNTY THAT ARE SUBJECT TO THE SALES AND USE TAX.

HOUSE BILL NO. 320
BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO PROPERTY TAXES; AMENDING CHAPTER 6, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-602EE, IDAHO CODE, TO PROVIDE THAT THE SPECULATIVE VALUE OF LOW-INCOME HOUSING PROJECTS FOR ASSESSMENT PURPOSES SHALL

BE EXEMPT FROM TAXATION, TO DEFINE TERMS, TO PROVIDE FOR APPLICATION FOR EXEMPTION, TO REQUIRE THE COUNTY AUDITOR TO INCLUDE THE VALUE OF EXEMPTIONS ON THE ABSTRACT OF PROPERTY ENTERED ON THE PROPERTY ROLLS; TO PROVIDE THAT THE LEGISLATURE DECLARES THAT THIS EXEMPTION IS NECESSARY AND JUST; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

HOUSE BILL NO. 321
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO UNLAWFUL POSSESSION AND USE OF DESTRUCTIVE DEVICES OR BOMBS; AMENDING SECTION 18-3318, IDAHO CODE, TO REVISE DEFINITIONS FOR "BOMB" AND "DESTRUCTIVE DEVICE" AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 18-3319, IDAHO CODE, TO PROVIDE REFERENCE TO BOMBS AND TO PROVIDE THAT THE UNLAWFUL POSSESSION OF A BOMB OR DESTRUCTIVE DEVICE SHALL CONSTITUTE A FELONY; AMENDING SECTION 18-3320, IDAHO CODE, TO PROVIDE THAT A PERSON WHO TRANSPORTS A BOMB OR DESTRUCTIVE DEVICE SHALL BE GUILTY OF A FELONY AND TO DELETE LANGUAGE REQUIRING AN INTENT TO INJURE THE PERSON OR PROPERTY OF ANOTHER BY SUCH TRANSPORT; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 322
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE ADDITION OF POINTS TO COMPETITIVE EXAMINATION RATINGS FOR DISABLED VETERANS; AMENDING SECTION 65-506, IDAHO CODE, TO PROVIDE THAT VETERANS PREFERENCE POINTS SHALL BE USED BY ALL DISABLED VETERANS AND WIDOWS OR WIDOWERS OF DISABLED VETERANS AND TO DEFINE INITIAL APPOINTMENT; AMENDING SECTION 65-507, IDAHO CODE, TO PROVIDE A DEFINITION FOR DISABLED VETERAN, TO DELETE THE DEFINITION FOR DISABLED WAR VETERAN AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 67-5309, IDAHO CODE, TO PROVIDE THAT VETERANS PREFERENCE POINTS SHALL BE USED BY ALL DISABLED VETERANS AND WIDOWS OR WIDOWERS OF DISABLED VETERANS AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 323
BY EDUCATION COMMITTEE
AN ACT

RELATING TO STAFF ALLOWANCE FOR SCHOOL DISTRICTS; AMENDING SECTION 33-1004, IDAHO CODE, TO INCREASE THE MULTIPLIER FOR CALCULATION OF THE CLASSIFIED STAFF ALLOWANCE.

HOUSE BILL NO. 324
BY EDUCATION COMMITTEE
AN ACT

RELATING TO NONCERTIFICATED EMPLOYEES OF PUBLIC SCHOOL DISTRICTS; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 33-517B, 33-517C, 33-517D AND 33-517E, IDAHO CODE, TO PROVIDE THAT A SCHOOL DISTRICT AND AN EDUCATION ORGANIZATION REPRESENTING NONCERTIFICATED EMPLOYEES OF THE SCHOOL DISTRICT MAY ENTER INTO MEET AND CONFER AGREEMENTS, TO PROVIDE DEFINITIONS, TO PROVIDE FOR REPRESENTATION OF EACH PARTY IN MEETING AND CONFERRING, AND TO PROVIDE INTENT REGARDING THE EXISTING POWERS, DUTIES AND RESPONSIBILITIES OF THE LEGISLATURE, STATE BOARD OF EDUCATION AND LOCAL BOARDS OF TRUSTEES OF SCHOOL DISTRICTS.

HOUSE BILL NO. 325
BY EDUCATION COMMITTEE
AN ACT

RELATING TO NONCERTIFICATED EMPLOYEES OF PUBLIC SCHOOL DISTRICTS; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 33-517B, 33-517C, 33-517D, 33-517E, 33-517F AND 33-517G, IDAHO CODE, TO PROVIDE THAT A SCHOOL DISTRICT AND AN EDUCATION ORGANIZATION REPRESENTING NONCERTIFICATED EMPLOYEES OF THE SCHOOL DISTRICT MAY ENTER INTO A NEGOTIATION AGREEMENT, TO PROVIDE DEFINITIONS, TO PROVIDE FOR REPRESENTATION OF EACH PARTY IN THE NEGOTIATIONS, TO PROVIDE FOR APPOINTMENT AND COMPENSATION OF MEDIATORS, TO PROVIDE FOR APPOINTMENT AND DUTIES OF A FACT-FINDER AND TO PROVIDE INTENT REGARDING THE EXISTING POWERS, DUTIES AND RESPONSIBILITIES OF THE LEGISLATURE, STATE BOARD OF EDUCATION AND LOCAL BOARDS OF TRUSTEES OF SCHOOL DISTRICTS.

HOUSE BILL NO. 326
BY EDUCATION COMMITTEE
AN ACT

RELATING TO ATTENDANCE AT SCHOOLS; AMENDING SECTION 33-205, IDAHO CODE, TO PROVIDE THAT THE BOARD OF TRUSTEES MAY DENY SCHOOL ATTENDANCE AND GOVERN PROCEDURE; AND AMENDING SECTION 33-206, IDAHO CODE, TO PROVIDE THE PROCEDURE FOR THE BOARD OF TRUSTEES OF A SCHOOL DISTRICT WHEN A CHILD IS DETERMINED TO BE IN VIOLATION OF ATTENDANCE REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 327
BY EDUCATION COMMITTEE
AN ACT

RELATING TO SELF-FUNDED HEALTH CARE PLANS; AMENDING SECTION 41-4003, IDAHO CODE, TO EXEMPT COUNTIES OF THIS STATE FROM REGISTRATION REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 328
BY EDUCATION COMMITTEE
AN ACT

RELATING TO INCOME TAX CREDITS; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029AA, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR THE PURCHASE OF BOOKS OR SCHOOL SUPPLIES BY AN INDIVIDUAL WHO IS A CERTIFICATED SCHOOL TEACHER TEACHING

IN AN ACCREDITED PUBLIC OR PRIVATE SCHOOL IN IDAHO AND TO PROVIDE THE MAXIMUM AMOUNT OF THE CREDIT; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 329
BY EDUCATION COMMITTEE
AN ACT

RELATING TO INCOME TAX CREDITS; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029O, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR THE PURCHASE OF CLASSROOM SUPPLIES BY A TAXPAYER WHO IS A CERTIFICATED PUBLIC SCHOOL TEACHER; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE JOINT RESOLUTION NO. 1
BY EDUCATION COMMITTEE
A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 1, ARTICLE IX, OF THE CONSTITUTION OF THE STATE OF IDAHO, TO CLARIFY THAT THE PROVISIONS OF THIS SECTION OF THE CONSTITUTION OF THE STATE OF IDAHO REQUIRING THE LEGISLATURE OF IDAHO TO ESTABLISH AND MAINTAIN A GENERAL, UNIFORM AND THOROUGH SYSTEM OF PUBLIC, FREE COMMON SCHOOLS SHALL NOT APPLY TO BUILDINGS OR FACILITIES OF SCHOOL DISTRICTS; 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.

H 316, H 317, H 318, H 319, H 320, H 321, H 322, H 323, H 324, H 325, H 326, H 327, H 328, H 329, and **HJR 1** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1165, by Finance Committee, was introduced, read the first time by title, and filed for second reading.

S 1118, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1130, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Business Committee.

S 1145, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

At this time, the Acting Speaker put the House at ease.

At this time, Representative Pearce introduced Senator Larry Craig, who spoke briefly to the Members of the House.

Prior to going at ease, the House was at the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

First Reading of Engrossed Bills

H 98, as amended, by Commerce and Human Resources Committee, was introduced, read the first time by title and filed for second reading.

H 108, as amended, by Bieter, was introduced, read the first time by title and filed for second reading.

H 18, as amended, by Mr. Speaker, requested by Department of Correction, was introduced, read the first time by title and filed for second reading.

H 189, as amended, and **H 191**, as amended, by State Affairs Committee, were introduced, read the first time by title and filed for second reading.

H 169, as amended, by Agricultural Affairs Committee, was introduced, read the first time by title and filed for second reading.

H 7, as amended, **H 28**, as amended, **H 29**, as amended, and **H 33**, as amended, by Mr. Speaker, requested by Bureau of Occupational Licenses, were introduced, read the first time by title and filed for second reading.

H 185, as amended, by Judiciary, Rules, and Administration Committee, was introduced, read the first time by title and filed for second reading.

Second Reading of Bills and Joint Resolutions

H 301, H 302, H 303, and **H 304**, by Appropriations Committee, were read the second time by title and filed for third reading.

H 247 and **H 249**, by Judiciary, Rules, and Administration Committee, were read the second time by title and filed for third reading.

H 290, by State Affairs Committee, was read the second time by title and filed for third reading.

H 25, by Mr. Speaker, requested by Department of Insurance, was read the second time by title and filed for third reading.

H 186, by Business Committee, was read the second time by title and filed for third reading.

H 223, H 224, and **HJM 4**, by Resources and Conservation Committee, were read the second time by title and filed for third reading.

SJM 102, by Resources and Environment Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 193 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mrs. Shepherd to open debate.

The question being, "Shall **H 193** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Eskridge, Field(13), Field(20), Gagner, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan, Trail, Wheeler, Wood, Young. Total -- 57.

NAYS -- None.

Absent and excused -- Bell, Chase, Ellsworth, Gould, Hammond, Jones, Kendell, Montgomery, Moyle, Ridinger, Smith, Tilman, Mr. Speaker. Total -- 13.

Total -- 70.

Whereupon the Acting Speaker declared **H 193** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

HCR 24 was read the third time at length and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Harwood to open debate.

The question being, "Shall **HCR 24** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Eskridge, Field(13), Field(20), Hadley, Harwood, Henbest, Hornbeck, Jaquet, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 57.

NAYS -- None.

Absent and excused -- Chase, Ellsworth, Gagner, Gould, Hammond, Higgins, Jones, Kendell, Montgomery, Moyle, Ridinger, Smith, Mr. Speaker. Total -- 13.

Total -- 70.

Whereupon the Acting Speaker declared **HCR 24** adopted and ordered the resolution transmitted to the Senate.

H 257 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Campbell to open debate.

The question being, "Shall **H 257** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Eskridge, Field(13), Field(20), Hadley, Harwood, Henbest, Hornbeck, Jaquet, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 56.

NAYS -- None.

Absent and excused -- Black, Chase, Ellsworth, Gagner, Gould, Hammond, Higgins, Jones, Kendell, Montgomery, Moyle, Ridinger, Smith, Mr. Speaker. Total -- 14.

Total -- 70.

Whereupon the Acting Speaker declared **H 257** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 268 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mrs. Wood to open debate.

The question being, "Shall **H 268** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan, Trail, Wheeler, Wood, Young. Total -- 58.

NAYS -- Robison, Sali. Total -- 2.

Absent and excused -- Chase, Gould, Hammond, Jones, Kendell, Montgomery, Ridinger, Smith, Tilman, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Acting Speaker declared **H 268** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

At this time, the Acting Speaker put the House at ease.

At this time, Representative Tilman introduced Congressman Butch Otter, who spoke briefly to the Members of the House.

Prior to going at ease, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

SCR 101 was read the third time at length and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mrs. Stone and Mrs. Sellman to open debate.

The question being, "Shall **SCR 101** be adopted?"

Whereupon the Acting Speaker declared **SCR 101** adopted by voice vote and ordered the resolution returned to the Senate.

H 148 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Trail to open debate.

The question being, "Shall **H 148** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kunz, Lake, Langford, Mader, Marley, Mortensen, Moss, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Sellman, Shepherd, Smylie, Stone, Swan, Tilman, Trail, Wheeler, Young. Total -- 52.
NAYS -- None.
Absent and excused -- Bedke, Chase, Crow, Gould, Hammond, Jones, Kendell, Loertscher, McKague, Meyer, Montgomery, Moyle, Ridinger, Schaefer, Smith, Stevenson, Wood, Mr. Speaker. Total -- 18.
Total -- 70.

Whereupon the Acting Speaker declared **H 148** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel asked unanimous consent that **H 174** retain its place on the Third Reading Calendar until Monday, February 26, 2001. There being no objection, it was so ordered.

H 195 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Mader to open debate.

The question being, "Shall **H 195** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Sellman, Shepherd, Smylie, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 56.
NAYS -- None.
Absent and excused -- Bedke, Chase, Crow, Gould, Jones, Kendell, McKague, Meyer, Montgomery, Ridinger, Schaefer, Smith, Stevenson, Mr. Speaker. Total -- 14.
Total -- 70.

Whereupon the Acting Speaker declared **H 195** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1085 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Robison to open debate.

The question being, "Shall **S 1085** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Field(13), Field(20), Gagner, Hadley, Hammond, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kunz, Lake, Mader, Marley, McKague, Meyer, Mortensen, Moss, Pischner, Pomeroy, Raybould, Robison, Schaefer, Sellman, Shepherd, Smylie, Stone, Tilman, Trail, Wheeler, Wood, Young. Total -- 49.
NAYS -- Barrett, Callister, Eskridge, Harwood, Langford, Moyle, Pearce, Roberts, Sali. Total -- 9.
Absent and excused -- Bedke, Chase, Gould, Jones, Kendell, Loertscher, Montgomery, Ridinger, Smith, Stevenson, Swan, Mr. Speaker. Total -- 12.
Total -- 70.

Whereupon the Acting Speaker declared **S 1085** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 5, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Raybould to open debate.

The question being, "Shall **H 5**, as amended, pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 61.
NAYS -- None.
Absent and excused -- Chase, Gould, Jones, Kendell, Montgomery, Ridinger, Smith, Smylie, Mr. Speaker. Total -- 9.
Total -- 70.

Whereupon the Acting Speaker declared **H 5**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 9, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Moss to open debate.

The question being, "Shall **H 9**, as amended, pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13),

Field(20), Gagner, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 61.

NAYS -- None.

Absent and excused -- Chase, Deal, Gould, Jones, Kendell, Montgomery, Ridinger, Smith, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Acting Speaker declared **H 9**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 11, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mrs. Ellis to open debate.

The question being, "Shall **H 11**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young. Total -- 60.

NAYS -- None.

Absent and excused -- Chase, Deal, Gould, Hadley, Jones, Kendell, Montgomery, Ridinger, Smith, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Acting Speaker declared **H 11**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Loertscher asked unanimous consent that **H 14**, as amended, retain its place on the Third Reading Calendar until Monday, February 26, 2001. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 10:30 a.m., Monday, February 26, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Acting Speaker declared the House adjourned at 12:12 p.m.

LAWERENCE DENNEY, Acting Speaker

ATTEST:

PAMM JUKER, Chief Clerk

FIFTIETH LEGISLATIVE DAY
MONDAY, FEBRUARY 26, 2001

House of Representatives

The House convened at 10:30 a.m., Mr. Bruneel in the Chair.

Roll call showed 66 members present.

Absent and excused -- Jones, Smith, Swan, Wheeler. Total -- 4.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Bryant Jones, Page.

Approval of Journal

February 26, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-seventh Legislative Day and recommend that same be adopted as corrected. GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that David Callister, State Representative, District 17 House Seat A, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Nina Callister, of Boise, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Nina Callister, Acting State Representative, District 17 House Seat A, State of Idaho, for a term commencing on February 26, 2001, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

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 21st day of February, in the year of our Lord two thousand and one, and of the Independence of the United States of America, the two hundred and twenty-fifth year.

/s/ DIRK A. KEMPTHORNE
Governor

/s/ PETE T. CENARRUSA
Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker Pro Tem announced the oath of office had previously been administered to Mrs. Callister.

February 23, 2001

Mr. Speaker:

I return herewith enrolled **H 114** which has been signed by the President. WOOD, Secretary

Enrolled **H 114** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 23, 2001

Mr. Speaker:

I transmit herewith **S 1146, S 1055, S 1121, S 1162**, and **S 1153** which have passed the Senate. WOOD, Secretary

S 1146, S 1055, S 1121, S 1162, and **S 1153** were filed for first reading.

February 23, 2001

Mr. Speaker:

I return herewith **HJM 1** which has passed the Senate.

WOOD, Secretary

HJM 1 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 26, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HR 3, HJM 9, H 316, H 317, H 318, H 319, H 320, H 321, H 322, H 323, H 324, H 325, H 326, H 327, H 328, H 329**, and **HJR 1**.

GOULD, Chairman

HJM 9 was referred to the Commerce and Human Resources Committee.

H 316, H 317, H 323, H 324, H 325, and **H 326** were referred to the Education Committee.

H 319, H 320, H 328, and **H 329** were referred to the Revenue and Taxation Committee.

H 321 was referred to the Judiciary, Rules, and Administration Committee.

H 322 and **HJR 1** were referred to the State Affairs Committee.

H 327 was referred to the Business Committee.

HR 3 and **H 318** were filed for second reading.

February 23, 2001

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 175, H 206, H 207**, and **H 251** and recommend that they do pass.

DEAL, Chairman

H 175, H 206, H 207, and **H 251** were filed for second reading.

February 26, 2001

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **HJM 7, S 1048**, and **S 1058** and recommend that they do pass.

DEAL, Chairman

HJM 7, S 1048, and **S 1058** were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 330
BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING MONEYS FOR GENERAL EDUCATION PROGRAMS AT BOISE STATE UNIVERSITY, IDAHO STATE UNIVERSITY, LEWIS-CLARK STATE COLLEGE, THE UNIVERSITY OF IDAHO AND FOR THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2002; LIMITING THE AMOUNT OF THE GENERAL FUND APPROPRIATION TO BE USED BY THE OFFICE OF THE STATE BOARD OF EDUCATION; ESTABLISHING AN AMOUNT OF THE GENERAL FUND APPROPRIATION THAT IS TO BE EXPENDED FOR RESEARCH; ESTABLISHING AN AMOUNT OF THE GENERAL FUND APPROPRIATION TO BE EXPENDED FOR COMPETITIVE TECHNOLOGY GRANTS, AND FOR PARTICIPATION IN THE WESTERN GOVERNORS' ASSOCIATION'S VIRTUAL UNIVERSITY AND THE IDAHO ELECTRONIC CAMPUS; ESTABLISHING AN AMOUNT OF THE GENERAL FUND APPROPRIATION TO BE EXPENDED FOR TEACHER PREPARATION ACTIVITIES; ESTABLISHING AN AMOUNT OF THE GENERAL FUND APPROPRIATION TO BE EXPENDED FOR THE GOVERNOR'S COLLEGE AND UNIVERSITY EXCELLENCE INITIATIVE; MAKING CERTAIN IDAHO CODE PROVISIONS SPECIFICALLY AVAILABLE TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO; REQUIRING THE STATE BOARD OF EDUCATION TO TRACK AND REPORT FACULTY, NONFACULTY EXEMPT AND CLASSIFIED STAFF TURNOVER; REAPPROPRIATING ANY UNEXPENDED AND UNENCUMBERED BALANCES; AND SETTING FORTH CONDITIONS FOR THE REAPPROPRIATION.

H 330 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1146, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

S 1055 and **S 1121**, by Resources and Environment Committee, were introduced, read the first time by title, and referred to the Resources and Conservation Committee.

S 1162, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

S 1153, by Local Government and Taxation Committee, was introduced, read the first time by title, and referred to the Revenue and Taxation Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 313, by Appropriations Committee, was read the second time by title and filed for third reading.

H 80, H 201, and **H 202**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

HCR 27 and **HCR 28**, by Education Committee, were read the second time by title and filed for third reading.

S 1046, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

H 58, by Health and Welfare Committee, was read the second time by title and filed for third reading.

H 196, H 194, and **H 162**, by Local Government Committee, were read the second time by title and filed for third reading.

H 210 and **H 169**, as amended, by Agricultural Affairs Committee, were read the second time by title and filed for third reading.

S 1165, by Finance Committee, was read the second time by title and filed for third reading.

H 98, as amended, by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

H 108, as amended, by Bieter, was read the second time by title and filed for third reading.

H 18, as amended, by Mr. Speaker, requested by Department of Correction, was read the second time by title and filed for third reading.

H 189, as amended, and **H 191**, as amended, by State Affairs Committee, were read the second time by title and filed for third reading.

H 7, as amended, **H 28**, as amended, **H 29**, as amended, and **H 33**, as amended, by Mr. Speaker, requested by Bureau of Occupational Licenses, were read the second time by title and filed for third reading.

H 185, as amended, by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Denney asked unanimous consent that **H 174** and **H 14**, as amended, be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

Mr. Denney asked unanimous consent that **H 301** retain its place on the Third Reading Calendar until Friday, March 2, 2001. There being no objection, it was so ordered.

H 302 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Lake to open debate.

At this time, the Speaker took the Chair.

The question being, "Shall **H 302** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 66.
NAYS -- None.
Absent and excused -- Jones, Smith, Swan, Wheeler. Total -- 4.
Total -- 70.

Whereupon the Speaker declared **H 302** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 303 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hadley to open debate.

The question being, "Shall **H 303** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 66.
NAYS -- None.
Absent and excused -- Jones, Smith, Swan, Wheeler. Total -- 4.
Total -- 70.

Whereupon the Speaker declared **H 303** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 304 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Pomeroy to open debate.

The question being, "Shall **H 304** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Robison, Schaefer, Sellman, Shepherd, Smylie, Stone, Tilman, Trail, Young, Mr. Speaker. Total -- 57.

NAYS -- Ellis, Harwood, McKague, Roberts, Sali, Wood. Total -- 6.

Absent and excused -- Bedke, Gagner, Jones, Smith, Stevenson, Swan, Wheeler. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 304** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that **H 249** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

H 249 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(13) to open debate.

The question being, "Shall **H 249** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bedke, Jones, Loertscher, Smith, Swan, Wheeler. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 249** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 247 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **H 247** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Jones, Meyer, Smith, Swan, Wheeler. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 247** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 290 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(13) and Ms. Henbest to open debate.

The question being, "Shall **H 290** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Jones, Smith, Stone, Swan, Wheeler. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 290** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel asked unanimous consent that **H 25** retain its place on the Third Reading Calendar until Thursday, March 1, 2001. There being no objection, it was so ordered.

Mr. Denney asked unanimous consent that **H 186** retain its place on the Third Reading Calendar until Monday, March 5, 2001. There being no objection, it was so ordered.

H 223 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **H 223** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond,

Harwood, Henbest, Higgins, Hornbeck, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Jaquet, Jones, Smith, Stone, Swan, Wheeler. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 223** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 224 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Hornbeck to open debate.

The question being, "Shall **H 224** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Jaquet, Jones, Smith, Stevenson, Stone, Swan, Wheeler. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 224** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

HJM 4 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood and Mr. Barraclough to open debate.

The question being, "Shall **HJM 4** be adopted?"

Whereupon the Speaker declared **HJM 4** adopted by voice vote and ordered the memorial transmitted to the Senate.

Mr. Denney asked unanimous consent that **SJM 102** retain its place on the Third Reading Calendar until Wednesday, February 28, 2001. There being no objection, it was so ordered.

H 174 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Gould to open debate.

The question being, "Shall **H 174** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 61.

NAYS -- Bieter, Boe, Henbest, Marley. Total -- 4.

Absent and excused -- Jones, Smith, Stone, Swan, Wheeler. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 174** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 14, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Loertscher to open debate.

The question being, "Shall **H 14**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Jones, McKague, Moyle, Smith, Stone, Swan, Wheeler. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 14**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 10:30 a.m., Tuesday, February 27, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:57 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

FIFTY-FIRST LEGISLATIVE DAY
TUESDAY, FEBRUARY 27, 2001

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 67 members present.
Absent and excused -- Jones, Stone, Swan. Total -- 3.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Jennifer Blake, Page.

Approval of Journal

February 27, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fiftieth Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

February 27, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 15, as amended

Sincerely,
/s/ JACK RIGGS
Acting Governor

February 26, 2001

Mr. Speaker:

I transmit herewith enrolled **S 1024, S 1025**, and **SCR 103** for the signature of the Speaker. WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1024, S 1025**, and **SCR 103** and, when so signed, ordered them returned to the Senate.

February 26, 2001

Mr. Speaker:

I return herewith enrolled **HCR 13, HCR 14, HCR 15**, and **HCR 16** which have been signed by the President.

WOOD, Secretary

Enrolled **HCR 13, HCR 14, HCR 15**, and **HCR 16** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

February 26, 2001

Mr. Speaker:

I transmit herewith **S 1119, S 1090, S 1155, S 1086, S 1143, S 1100**, and **S 1069** which have passed the Senate.

WOOD, Secretary

S 1119, S 1090, S 1155, S 1086, S 1143, S 1100, and **S 1069** were filed for first reading.

February 26, 2001

Mr. Speaker:

I return herewith **H 61** and **H 142** which have passed the Senate.

WOOD, Secretary

H 61 and **H 142** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 27, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 330**.

GOULD, Chairman

H 330 was held at the Desk.

February 27, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HJM 1**.

GOULD, Chairman

The Speaker announced he was about to sign enrolled **HJM 1**, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 27, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 114** to the Governor at 10:50 a.m., as of this date, February 26, 2001. GOULD, Chairman

February 26, 2001

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **HR 2** and recommend that it do pass.

TILMAN, Chairman

HR 2 was filed for second reading.

February 26, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 253** and recommend that it do pass. CROW, Chairman

H 253 was filed for second reading.

February 26, 2001

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration **H 209** and recommend that it do pass.

STONE, Chairman

H 209 was filed for second reading.

February 26, 2001

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 90** and recommend that it do pass.

STEVENSON, Vice Chairman

H 90 was filed for second reading.

February 26, 2001

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 165, H 198**, and **H 212** and recommend that they do pass.

LOERTSCHER, Chairman

H 165, H 198, and **H 212** were filed for second reading.

February 26, 2001

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 60** and **H 213** and report them back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

H 60 and **H 213** were placed on General Orders for consideration.

February 27, 2001

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 219, HCR 30**, and **H 317** and recommend that they do pass.

TILMAN, Chairman

H 219, HCR 30, and **H 317** were filed for second reading.

February 27, 2001

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 315** and report it back with amendments attached to be placed on General Orders for consideration.

TILMAN, Chairman

H 315 was placed on General Orders for consideration.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

House of Representatives
State of Idaho

February 23, 2001

The Honorable Celia Gould, Chairman
Judiciary, Rules, and Administration Committee

Dear Representative Gould:

I hereby designate the Judiciary, Rules, and Administration Committee a privileged committee for the purpose of introducing RS 11185 on Tuesday, February 27, 2001.

Sincerely,
/s/ BRUCE NEWCOMB
Speaker of the House

The letter was ordered filed in the Office of the Chief Clerk.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 331
BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO PRESCRIPTION FORMS; AMENDING SECTION 37-2722, IDAHO CODE, TO STRIKE A REQUIREMENT THAT THE OFFICIAL PRESCRIPTION BLANK IS FURNISHED BY THE BOARD OF PHARMACY; AMENDING SECTION 37-2724, IDAHO CODE, TO STRIKE AN EXEMPTION FROM USE OF PRESCRIPTION BLANKS; REPEALING SECTIONS 37-2725, 37-2726, 37-2727, 37-2728, 37-2729 AND 37-2730, IDAHO CODE; AMENDING CHAPTER 27, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-2725, IDAHO CODE, TO PROVIDE AUTHORITY OF THE BOARD OF PHARMACY TO APPROVE FORMS FOR PRESCRIPTIONS AND SPECIFY CERTAIN CONDITIONS; AMENDING CHAPTER 27, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-2726, IDAHO CODE, TO GOVERN FILING OF PRESCRIPTIONS; AND AMENDING SECTION 37-2730A, IDAHO CODE, TO PROVIDE A CORRECT CODE CITATION.

HOUSE BILL NO. 332
BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO COUNTY COMMISSIONERS AND HIGHWAY DISTRICTS; AMENDING CHAPTER 6, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-601A, IDAHO CODE, TO PROVIDE FOR THE FORMATION OF A HIGHWAY MAINTENANCE SUBDISTRICT FOR THE CONSTRUCTION, IMPROVEMENT, MAINTENANCE, SNOW REMOVAL OR REPAIR OF PUBLIC HIGHWAYS OR HIGHWAYS ON A COUNTY ROAD SYSTEM WHICH ARE WITHIN THE SUBDISTRICT OR WHICH PROVIDE ACCESS TO IT, TO PROVIDE FOR A PETITION, TO PROVIDE FOR A HEARING ON THE PETITION, TO PROVIDE FOR AN ORDER CREATING A SUBDISTRICT AND A HIGHWAY MAINTENANCE FUND, TO PROVIDE FOR THE

APPOINTMENT AND DUTIES OF A HIGHWAY MAINTENANCE BOARD AND TO AUTHORIZE A LEVY AND PROVIDE FOR USES OF A HIGHWAY MAINTENANCE FUND.

HOUSE BILL NO. 333
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO INCOME TAXES; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3024D, IDAHO CODE, TO PROVIDE FOR INCOME TAX CREDITS FOR THE PAYMENT OF CERTAIN PERSONAL PROPERTY AND REAL PROPERTY TAXES DURING TAXABLE YEAR 2001, TO PROVIDE A DEFINITION OF "AGRICULTURAL MACHINERY AND EQUIPMENT," TO PROVIDE A DEFINITION OF "MINING," TO PROVIDE THE MAXIMUM AMOUNT OF THE CREDIT AND TO PROVIDE PROCEDURES; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 334
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF FINANCE FOR FISCAL YEAR 2002; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

HOUSE BILL NO. 335
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS FOR THE DIVISION OF FINANCIAL MANAGEMENT FOR FISCAL YEAR 2002; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

HOUSE BILL NO. 336
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE OFFICE OF THE GOVERNOR FOR THE HUMAN RIGHTS COMMISSION FOR FISCAL YEAR 2002; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

HOUSE BILL NO. 337
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE OFFICE OF THE GOVERNOR FOR THE OFFICE OF SPECIES CONSERVATION FOR FISCAL YEAR 2002; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

H 331, H 332, H 333, H 334, H 335, H 336, and **H 337** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1119, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1090, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

S 1155 and **S 1069**, by Local Government and Taxation Committee, were introduced, read the first time by title, and referred to the Local Government Committee.

S 1086, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

S 1143, by Agricultural Affairs Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

S 1100, by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HR 3, by State Affairs Committee, was read the second time by title and filed for third reading.

H 318, by Appropriations Committee, was read the second time by title and filed for third reading.

H 175, H 206, H 207, H 251, and **HJM 7**, by State Affairs Committee, were read the second time by title and filed for third reading.

S 1048, by State Affairs Committee, was read the second time by title and filed for third reading.

S 1058, by Local Government and Taxation Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Bolz asked unanimous consent that **H 194** be returned to the Local Government Committee. There being no objection, it was so ordered.

Mr. Denney asked unanimous consent that **H 190** be placed immediately following **H 191**, as amended, on the Third Reading Calendar. There being no objection, it was so ordered.

Mr. Ridinger asked unanimous consent that **H 98**, as amended, be returned to the Commerce and Human Resources Committee. There being no objection, it was so ordered.

H 313 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Meyer to open debate.

The question being, "Shall **H 313** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond,

Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Jones, Stone, Swan. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 313** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 80 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 80** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 61.

NAYS -- Barrett, Bell, Field(20), Kendell, McKague, Wood. Total -- 6.

Absent and excused -- Jones, Stone, Swan. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 80** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 201 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cuddy to open debate.

The question being, "Shall **H 201** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Denney, Jones, Schaefer, Stone, Swan. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 201** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 202 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith to open debate.

The question being, "Shall **H 202** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Denney, Jones, Stone, Swan. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 202** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

HCR 27 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hammond to open debate.

The question being, "Shall **HCR 27** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Crow, Jones, Montgomery, Stone, Swan. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **HCR 27** adopted and ordered the resolution transmitted to the Senate.

HCR 28 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hammond to open debate.

The question being, "Shall **HCR 28** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Crow, Jones, Montgomery, Stone, Swan. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **HCR 28** adopted and ordered the resolution transmitted to the Senate.

S 1046 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Hornbeck to open debate.

The question being, "Shall **S 1046** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 60.

NAYS -- Crow, Loertscher, McKague, Pearce. Total -- 4.

Absent and excused -- Gagner, Jones, Moyle, Pischner, Stone, Swan. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1046** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 58 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **H 58** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Jones, Moyle, Stone, Swan. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 58** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 196 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mader to open debate.

The question being, "Shall **H 196** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Jones, Stone, Swan. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 196** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 162 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Trail to open debate.

The question being, "Shall **H 162** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Black, Jones, Kunz, Stone, Swan. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 162** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 210 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Young to open debate.

The question being, "Shall **H 210** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 66.
NAYS -- None.
Absent and excused -- Black, Jones, Stone, Swan. Total -- 4.
Total -- 70.

Whereupon the Speaker declared **H 210** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1165 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **S 1165** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 65.
NAYS -- Cuddy. Total -- 1.
Absent and excused -- Harwood, Jones, Stone, Swan. Total -- 4.
Total -- 70.

Whereupon the Speaker declared **S 1165** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 108, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bieter to open debate.

The question being, "Shall **H 108**, as amended, pass?"

Roll call resulted as follows:
AYES -- Bieter, Boe, Chase, Clark, Cuddy, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Henbest, Jaquet, Kellogg, Mader, Marley, Meyer, Montgomery, Pearce, Pomeroy, Ridinger, Robison, Sali, Sellman, Shepherd, Smylie, Trail, Young. Total -- 28.
NAYS -- Barraclough, Barrett, Bedke, Bell, Black, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Collins, Crow, Deal, Denney, Gagner, Hadley, Hammond, Harwood, Higgins, Hornbeck, Kendell, Kunz, Lake, Langford, Loertscher, McKague, Mortensen, Moss, Moyle, Pischner, Raybould, Roberts, Schaefer, Smith, Stevenson, Tilman, Wheeler, Wood, Mr. Speaker. Total -- 39.
Absent and excused -- Jones, Stone, Swan. Total -- 3.
Total -- 70.

Whereupon the Speaker declared **H 108**, as amended, failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

Mr. Bruneel moved that the House recess until 1:15 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

RECESS

Afternoon Session

The House reconvened at 1:15 p.m., the Speaker in the Chair.

Roll call showed 66 members present.
Absent and excused -- Jones, Stone, Swan, Trail. Total -- 4.
Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 18, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith to open debate.

The question being, "Shall **H 18**, as amended, pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Wheeler, Young, Mr. Speaker. Total -- 58.
NAYS -- McKague. Total -- 1.
Absent and excused -- Ellis, Ellsworth, Hammond, Jones, Meyer, Pischner, Roberts, Stone, Swan, Trail, Wood. Total -- 11.
Total -- 70.

Whereupon the Speaker declared **H 18**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 189, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kunz to open debate.

The question being, "Shall **H 189**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Raybould, Sali, Schaefer, Shepherd, Smith, Stevenson, Tilman, Wheeler, Young, Mr. Speaker. Total -- 52.

NAYS -- Bieter, Black, Cuddy, Field(20), Jaquet, Marley, Pomeroy, Ridinger, Robison, Sellman, Smylie. Total -- 11.

Absent and excused -- Jones, Pischner, Roberts, Stone, Swan, Trail, Wood. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 189**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 191, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kunz to open debate.

The question being, "Shall **H 191**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Kellogg, Kunz, Lake, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Wheeler, Young, Mr. Speaker. Total -- 58.

NAYS -- Barrett, Field(20), Henbest, Jaquet, Kendell, Langford, Pomeroy, Wood. Total -- 8.

Absent and excused -- Jones, Stone, Swan, Trail. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 191**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 190 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kunz to open debate.

The question being, "Shall **H 190** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Black, Bradford, Bruneel, Callister(Callister), Campbell, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Kellogg, Kunz, Lake, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Raybould, Roberts, Sali, Schaefer, Stevenson, Tilman, Wheeler, Young, Mr. Speaker. Total -- 46.

NAYS -- Barrett, Bieter, Boe, Bolz, Chase, Cuddy, Field(20), Henbest, Jaquet, Kendell, Langford, Marley, Pomeroy, Ridinger, Robison, Sellman, Shepherd, Smith, Smylie, Wood. Total -- 20.

Absent and excused -- Jones, Stone, Swan, Trail. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 190** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 169, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 169**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Wheeler, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Jones, Robison, Stone, Swan, Trail. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 169**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 7, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Loertscher to open debate.

The question being, "Shall **H 7**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Wheeler, Wood, Young, Mr. Speaker. Total -- 62.

NAYS -- Barrett, Hadley, Ridinger, Sali. Total -- 4.

Absent and excused -- Jones, Stone, Swan, Trail. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 7**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 185, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moss to open debate.

The question being, "Shall **H 185**, as amended, pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Wheeler, Wood, Young, Mr. Speaker. Total -- 66.
NAYS -- None.
Absent and excused -- Jones, Stone, Swan, Trail. Total -- 4.
Total -- 70.

Whereupon the Speaker declared **H 185**, as amended, passed the House. Title was approved as corrected and the bill was ordered transmitted to the Senate.

H 28, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Callister to open debate.

The question being, "Shall **H 28**, as amended, pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Wheeler, Wood, Young, Mr. Speaker. Total -- 65.
NAYS -- None.
Absent and excused -- Jones, Robison, Stone, Swan, Trail. Total -- 5.
Total -- 70.

Whereupon the Speaker declared **H 28**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 29, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Chase to open debate.

The question being, "Shall **H 29**, as amended, pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Wheeler, Wood, Young, Mr. Speaker. Total -- 64.
NAYS -- None.
Absent and excused -- Jones, Lake, Robison, Stone, Swan, Trail. Total -- 6.
Total -- 70.

Whereupon the Speaker declared **H 29**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 33, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Meyer to open debate.

The question being, "Shall **H 33**, as amended, pass?"

Roll call resulted as follows:
AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Wheeler, Young, Mr. Speaker. Total -- 60.
NAYS -- Barrett, McKague, Sali. Total -- 3.
Absent and excused -- Jones, Moss, Robison, Stone, Swan, Trail, Wood. Total -- 7.
Total -- 70.

Whereupon the Speaker declared **H 33**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 10:30 a.m., Wednesday, February 28, 2001. Seconded by Mr. Chase. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:36 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

FIFTY-SECOND LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 28, 2001

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused -- Swan. Total -- 1.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Jo Shaffer, Page.

Approval of Journal

February 28, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-first Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

February 27, 2001

Mr. Speaker:

I transmit herewith enrolled **SCR 101** and **S 1085** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **SCR 101** and **S 1085** and, when so signed, ordered them returned to the Senate.

February 27, 2001

Mr. Speaker:

I transmit herewith **SCR 110, S 1120, S 1082, S 1110, S 1068**, and **S 1137** which have passed the Senate.

WOOD, Secretary

SCR 110, S 1120, S 1082, S 1110, S 1068, and **S 1137** were filed for first reading.

Report of Standing Committees

February 28, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 331, H 332, H 333, H 334, H 335, H 336**, and **H 337**.

GOULD, Chairman

H 331 was referred to the Health and Welfare Committee.

H 332 was referred to the Transportation and Defense Committee.

H 333 was referred to the Revenue and Taxation Committee.

H 334, H 335, H 336, and **H 337** were filed for second reading.

February 28, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 61** and **H 142**.

GOULD, Chairman

The Speaker announced he was about to sign enrolled **H 61** and **H 142**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 28, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 13, HCR 14, HCR 15**, and **HCR 16** to the Secretary of State at 10:48 a.m., as of this date, February 27, 2001.

GOULD, Chairman

February 27, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 138** and report it back without recommendation.

CROW, Chairman

H 138 was filed for second reading.

February 27, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 149** and **H 298** and recommend that they do pass.

CROW, Chairman

H 149 and **H 298** were filed for second reading.

February 27, 2001

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **HJR 1** and recommend that it do pass.

DEAL, Chairman

HJR 1 was filed for second reading.

February 27, 2001

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **HJM 8, H 180, H 280, H 221**, and **H 222** and recommend that they do pass.

WHEELER, Chairman

HJM 8, H 180, H 280, H 221, and **H 222** were filed for second reading.

February 27, 2001

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **H 227** and **HJM 9** and recommend that they do pass.

SCHAEFER, Chairman

H 227 and **HJM 9** were filed for second reading.

February 27, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 245** and recommend that it do pass.

GOULD, Chairman

H 245 was filed for second reading.

February 27, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 243** and report it back with amendments attached to be placed on General Orders for consideration. GOULD, Chairman

H 243 was placed on General Orders for consideration.

February 28, 2001

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 129, H 130, H 131**, and **H 233** and recommend that they do pass. BLACK, Chairman

H 129, H 130, H 131, and **H 233** were filed for second reading.

February 28, 2001

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 281** and report it back with amendments attached to be placed on General Orders for consideration.

BLACK, Chairman

H 281 was placed on General Orders for consideration.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

SCR 110, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 338
BY WAYS AND MEANS COMMITTEE
AN ACT

RELATING TO ADMINISTRATIVE RULES; CONTINUING CERTAIN RULES IN FULL FORCE AND EFFECT UNTIL JULY 1, 2002; CONTINUING RULES APPROVED OR EXTENDED BY ADOPTION OF A CONCURRENT RESOLUTION OF THE FIRST REGULAR SESSION OF THE FIFTY-SIXTH IDAHO LEGISLATURE IN FULL FORCE AND EFFECT UNTIL JULY 1, 2002 OR UNTIL SUCH TIME AS THEY SHALL EXPIRE; PROVIDING THAT RULES REJECTED BY CONCURRENT RESOLUTION SHALL BE NULL, VOID AND OF NO FORCE AND EFFECT; AUTHORIZING AGENCIES TO AMEND OR REPEAL CERTAIN RULES PURSUANT TO THE ADMINISTRATIVE PROCEDURE ACT AND DECLARING THE EFFECT OF THIS ACT UPON ADMINISTRATIVE RULES; AND PROVIDING SEVERABILITY.

HOUSE BILL NO. 339
BY WAYS AND MEANS COMMITTEE
AN ACT

RELATING TO LARGE SWINE AND POULTRY FEEDING OPERATIONS; AMENDING SECTION 39-104A, IDAHO CODE, TO PROVIDE THAT THOSE SWINE FACILITIES DESCRIBED IN SECTION 39-7905, IDAHO CODE, SHALL MEET THE REQUIREMENTS OF SECTION 39-7907, IDAHO CODE, AND THE RULES OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY REGULATING SWINE AND POULTRY FACILITIES PRIOR TO THE ISSUANCE OF A FINAL PERMIT BY THE DIRECTOR, TO PROVIDE FOR FACILITY REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-7907, IDAHO CODE, TO PROVIDE MINIMUM SETBACK DISTANCES FOR SWINE FACILITIES; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 340
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO ABORTIONS; AMENDING SECTION 18-605, IDAHO CODE, TO REVISE PENALTIES RELATING TO UNLAWFUL ABORTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-609A, IDAHO CODE, TO PROVIDE THAT A PETITION MAY BE FILED IN THE COUNTY WHERE THE MINOR RESIDES OR THE COUNTY WHERE THE ABORTION IS CAUSED OR PERFORMED, TO PROVIDE FOR INITIATION OF AN INVESTIGATION OR FILING OF AN INFORMATION, COMPLAINT OR PETITION AGAINST A PERSON OTHER THAN THE PETITIONER BASED UPON CERTAIN ALLEGATIONS OF WHICH THE COURT IS MADE AWARE DURING A PETITION HEARING AND TO PROVIDE THAT IF A MINOR WOULD HAVE BEEN PRIVILEGED TO WITHHOLD INFORMATION OR EVIDENCE THAT WAS REQUIRED AS PROOF UNDER SECTION 18-609A, IDAHO CODE, THEN HER ANSWERS GIVEN, EVIDENCE PRODUCED AND INFORMATION DIRECTLY OR INDIRECTLY DERIVED FROM HER ANSWERS MAY NOT BE USED AGAINST HER IN A CRIMINAL CASE EXCEPT THAT SHE MAY BE PROSECUTED OR SUBJECTED TO PENALTY OR FORFEITURE FOR ANY PERJURY, FALSE SWEARING OR CONTEMPT COMMITTED IN ANSWERING, FAILING TO ANSWER OR PRODUCING OR FAILING TO PRODUCE EVIDENCE AS REQUIRED BY THE COURT; REPEALING SECTION 18-614, IDAHO CODE; AND AMENDING CHAPTER 6, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-614, IDAHO CODE, TO PROVIDE FOR DEFENSES TO PROSECUTION.

HOUSE BILL NO. 341
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE PUBLIC UTILITIES COMMISSION FOR FISCAL YEAR 2002; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

HOUSE BILL NO. 342
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE IDAHO STATE CAPITOL COMMISSION FOR FISCAL YEAR 2002.

HOUSE BILL NO. 343
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS TO THE STATE CONTROLLER FOR FISCAL YEAR 2002; PRESCRIBING BILLING METHODOLOGIES FOR STATEWIDE ACCOUNTING AND STATEWIDE PAYROLL; REQUIRING CERTAIN PURCHASES BE SUBJECT TO CERTAIN CONDITIONS; EXPRESSING LEGISLATIVE INTENT WITH RESPECT TO CERTAIN EXPENDITURES; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES; SETTING CONDITIONS FOR THE REAPPROPRIATION; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

HOUSE BILL NO. 344
BY APPROPRIATIONS COMMITTEE
AN ACT

DIRECTING THE STATE CONTROLLER TO TRANSFER GENERAL FUNDS TO THE CAPITOL ENDOWMENT INCOME FUND; APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE IDAHO STATE CAPITOL COMMISSION; DIRECTING THE IDAHO STATE CAPITOL COMMISSION TO REPORT PROGRESS OF THE CAPITOL RESTORATION; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 345
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE
AN ACT

RELATING TO PAYMENTS OF FINES AND FORFEITURES; AMENDING SECTION 19-4705, IDAHO CODE, TO PROVIDE THAT OF CERTAIN FINES AND FORFEITURES APPORTIONED TO THE STATE TREASURER, A DESIGNATED PORTION SHALL BE DEPOSITED TO THE STATE GENERAL FUND AND A DESIGNATED PORTION SHALL BE DEPOSITED TO THE PEACE OFFICERS STANDARDS AND TRAINING FUND AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 346
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO PRESIDENTIAL ELECTORS; AMENDING SECTION 34-1503, IDAHO CODE, TO PROVIDE THAT PRESIDENTIAL ELECTORS SHALL CAST THEIR BALLOTS FOR THE PERSONS WHO RECEIVED THE HIGHEST NUMBER OF VOTES FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES, RESPECTIVELY, IN THE MOST RECENTLY CONDUCTED GENERAL ELECTION IN THE STATE OF IDAHO AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 347
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO PUBLIC UTILITIES; AMENDING SECTION 61-610, IDAHO CODE, TO CLARIFY THE AUTHORITY OF THE PUBLIC UTILITIES COMMISSION TO EXAMINE RECORDS AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 348
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO ACQUIRING SPECIFIED ENDOWMENT LANDS FOR THE IDAHO STATE UNIVERSITY/UNIVERSITY OF IDAHO CENTER FOR HIGHER EDUCATION IN IDAHO FALLS, IDAHO; AMENDING CHAPTER 1, TITLE 58, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 58-156, IDAHO CODE, TO PROVIDE LEGISLATIVE FINDINGS AND PURPOSES, TO DESCRIBE CERTAIN ENDOWMENT LANDS LOCATED ADJACENT TO THE IDAHO STATE UNIVERSITY/UNIVERSITY OF IDAHO CENTER FOR HIGHER EDUCATION IN IDAHO FALLS, IDAHO, TO ACKNOWLEDGE THE STATE BOARD OF EDUCATION'S MANAGEMENT OF THE IDAHO STATE UNIVERSITY/UNIVERSITY OF IDAHO CENTER FOR HIGHER EDUCATION IN IDAHO FALLS, IDAHO, TO ACKNOWLEDGE THAT THE LANDS ARE HELD IN TRUST BY THE STATE BOARD OF LAND COMMISSIONERS, TO PROVIDE THAT THE STATE BOARD OF LAND COMMISSIONERS SHALL RECEIVE TITLE TO REAL PROPERTY OF EQUIVALENT VALUE THROUGH LAND EXCHANGE, TO PROVIDE LEGISLATIVE APPROVAL OF SUCH A LAND EXCHANGE, TO ACKNOWLEDGE THAT THE STATE BOARD OF EDUCATION AND THE STATE BOARD OF LAND COMMISSIONERS HAVE AGREED TO ENTER INTO A CONTRACT TO EFFECT THE LAND EXCHANGE, TO PROVIDE THAT THE STATE BOARD OF EDUCATION SHALL PAY FOR ALL COSTS OF THE TRANSACTION AND TO PROVIDE

HOUSE BILL NO. 349
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO REGISTRATION OF MOTOR VEHICLES WEIGHING IN EXCESS OF SIXTY THOUSAND POUNDS GROSS VEHICLE WEIGHT; AMENDING SECTION 49-434, IDAHO CODE, TO REVISE THE ANNUAL REGISTRATION FEE SCHEDULE FOR MOTOR VEHICLES WEIGHING IN EXCESS OF SIXTY THOUSAND POUNDS AND TO PROVIDE FOR QUARTERLY INSTALLMENT PAYMENTS OF THE ANNUAL REGISTRATION FEE; AMENDING SECTION 17, CHAPTER 418, LAWS OF 2000, TO DELETE LEGISLATIVE INTENT FOR FULL PAYMENT OF THE ANNUAL REGISTRATION FEE ON THE REGISTRATION FEE ONLY SYSTEM AT THE TIME OF REGISTRATION OR RENEWAL

OF REGISTRATION FOR REGISTRATIONS AND RENEWAL OF REGISTRATIONS OCCURRING ON AND AFTER OCTOBER 1, 2001; AND PROVIDING AN EFFECTIVE DATE.

H 338, H 339, H 340, H 341, H 342, H 343, H 344, H 345, H 346, H 347, H 348, and **H 349** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1120, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1082, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

S 1110, by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

S 1068, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

S 1137, by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HR 2, H 219, HCR 30, and **H 317**, by Education Committee, were read the second time by title and filed for third reading.

H 253, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

H 209 and **H 90**, by Agricultural Affairs Committee, were read the second time by title and filed for third reading.

H 165, H 198, and **H 212**, by Health and Welfare Committee, were read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Bruneel moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Denney in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

February 28, 2001

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 151, H 35, HCR 26, H 60, H 213**, and **H 315** and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO H 151

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 32 through 34 and insert: "ings. Additionally, in any criminal appeal or post-conviction civil action, sections 9-335 through 9-348, Idaho Code, shall not make available the contents of prosecution case files where such material has previously been provided to the defendant nor shall sections 9-335 through 9-348, Idaho Code, be available to supplement, augment, substitute or supplant discovery procedures in any other federal, civil or administrative proceeding.".

CORRECTION TO TITLE

On page 1, delete lines 4 through 6 and insert: "RECORDS SHALL NOT MAKE AVAILABLE CONTENTS OF PROSECUTION CASE FILES WHERE SUCH MATERIAL HAS PREVIOUSLY BEEN PROVIDED TO THE DEFENDANT NOR SHALL SUCH SPECIFIED SECTIONS BE AVAILABLE TO SUPPLEMENT, AUGMENT, SUBSTITUTE OR SUPPLANT DISCOVERY PROCEDURES IN ANY OTHER FEDERAL, CIVIL OR ADMINISTRATIVE PROCEEDING AND TO MAKE TECHNICAL CORRECTIONS.".

HOUSE AMENDMENT TO H 35

AMENDMENTS TO SECTION 3

On page 17 of the printed bill, in line 51, delete "or"; and on page 18, in line 2, delete "." and insert: "; or"; and following line 2, insert:

"(f) Anyone rendering services as an expert who would qualify as such pursuant to the Idaho rules of evidence.".

HOUSE AMENDMENT TO H 35

AMENDMENTS TO SECTION 3

On page 15 of the printed bill, delete lines 20 through 23 and insert:

"(a) Any documents, materials or other information obtained by the director in an investigation pursuant to this"; delete lines 25 through 35 and insert: "disclosure under chapter 3, title 9, Idaho Code. However, the director is authorized to use the documents, materials or other information in the furtherance of any regulatory or legal action brought as a part of the director's duties without court intervention."; and in line 36, delete "(c)" and insert: "(b)".

On page 16, in line 3, delete "(d)" and insert: "(c)"; in line 6, delete "(c)" and insert: "(b)"; and in line 7, delete "(e)" and insert: "(d)".

HOUSE AMENDMENT TO HCR 26

AMENDMENT TO THE RESOLUTION

On page 1 of the printed resolution, in line 35, delete "may" and insert: "shall".

HOUSE AMENDMENT TO H 60

AMENDMENTS TO SECTION 5

On page 6 of the printed bill, in line 9, delete "means the temporary child care of juveniles who"; delete lines 10 through 12, and insert: "~~means the temporary child care of juveniles who require secure custody pursuant to the juvenile justice reform act, as defined in section 16-1802(i), Idaho Code, for their own or the community's protection~~ is as defined in section 20-502(6), Idaho Code, of the juvenile corrections act."; in line 13, delete "physically restrictive" and insert: "~~physically restrictive~~"; delete lines 14 and 15, and insert: "~~for juveniles pending court adjudication or subsequent to court adjudication, as defined in section 16-1802(j)~~ established pursuant to sections 20-517 and 20-518".

HOUSE AMENDMENT TO H 213

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in lines 15 and 16, delete "pharmacist as defined in section 54-1705(22), Idaho Code, who" and insert: "pharmacy licensed by the board that"; in lines 31 and 32, delete "dispensing pharmacist" and insert: "licensed dispensing pharmacy"; and in line 34, delete "dispensing pharmacist" and insert: "licensed dispensing pharmacy".

CORRECTION TO TITLE

On page 1, in line 8, delete "DISPENSING PHARMACIST" and insert: "LICENSED DISPENSING PHARMACY".

HOUSE AMENDMENT TO H 315

AMENDMENTS TO SECTION 2

On page 2 of the printed bill, in line 44, delete "or section 33-804A, Idaho Code,"; in line 48, delete "and grant"; and in line 49, delete "or grants".

On page 4, in line 28, following "grant." delete "School" and insert: "After complying with the provisions of section 33-1613, Idaho Code, school"; and in lines 31 and 32, delete "after complying with the provisions of section 33-1613, Idaho Code,".

On page 5, in line 38, following "conditions" delete the remainder of the line and delete all of lines 39, 40, 41 and 42, and insert: ".".

DENNEY, Chairman

Mr. Denney moved that the report be adopted. Seconded by Mr. Bruneel.

Whereupon the Speaker declared the report adopted.

H 151, as amended, **H 35**, as amended, **HCR 26**, as amended, **H 60**, as amended, **H 213**, as amended, and **H 315**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 270 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ridinger to open debate.

The question being, "Shall **H 270** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Jones, Swan. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 270** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1020 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ridinger to open debate.

The question being, "Shall **S 1020** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Ellsworth, Jones, Swan. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1020** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 179 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cuddy to open debate.

The question being, "Shall **H 179** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Hadley, Hammond, Harwood, Hornbeck, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young. Total -- 55.

NAYS -- Bell, Clark, Crow, Field(20), Gagner, Gould, Henbest, Higgins, Jaquet, Lake, Moss, Pischner, Smith, Mr. Speaker. Total -- 14.

Absent and excused -- Swan. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 179** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

SJM 102 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(20) to open debate.

The question being, "Shall **SJM 102** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Bruneel, Mortensen, Swan. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **SJM 102** adopted and ordered the memorial returned to the Senate.

HR 3 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Chase to open debate.

The question being, "Shall **HR 3** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Campbell, Chase, Collins, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kunz, Lake, Mader, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 54.

NAYS -- Callister(Callister), Clark, Crow, Ellis, Gould, Kendell, Langford, Loertscher, Ridinger, Smith, Stone, Wheeler. Total -- 12.

Absent and excused -- Bruneel, Harwood, Mortensen, Swan. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **HR 3** adopted and ordered the resolution filed in the office of the Chief Clerk.

H 318 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Robison to open debate.

The question being, "Shall **H 318** pass?"

Roll call resulted as follows:

AYES -- Bedke, Bell, Bieter, Black, Boe, Bruneel, Campbell, Clark, Cuddy, Deal, Denney, Field(13), Field(20), Gagner, Gould, Hadley, Henbest, Higgins, Jaquet, Kellogg, Kunz, Lake, Langford, Mader, Meyer, Montgomery, Moss, Pischner, Pomeroy, Raybould, Ridinger, Robison, Schaefer, Sellman, Shepherd, Stevenson, Stone, Trail, Wood, Young, Mr. Speaker. Total -- 41.

NAYS -- Barraclough, Barrett, Bolz, Bradford, Callister(Callister), Chase, Collins, Ellis, Ellsworth, Eskridge, Hammond, Harwood, Hornbeck, Jones, Kendell, Loertscher, Marley, McKague, Moyle, Pearce, Roberts, Sali, Smith, Smylie, Tilman, Wheeler. Total -- 26.

Absent and excused -- Crow, Mortensen, Swan. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 318** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

February 28, 2001

Mr. Speaker:

I return herewith enrolled **HJM 1** and **H 142** which have been signed by the President.

WOOD, Secretary

Enrolled **H 142** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled **HJM 1** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 175 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **H 175** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 65.
NAYS -- Hornbeck, Sali. Total -- 2.
Absent and excused -- Crow, Mortensen, Swan. Total -- 3.
Total -- 70.

At this time, Mr. Bruneel took the Chair.

Whereupon the Speaker Pro Tem declared **H 175** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 206 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Pearce to open debate.

The question being, "Shall **H 206** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Trail, Wheeler, Young. Total -- 61.
NAYS -- Ellsworth, Hornbeck, Loertscher. Total -- 3.
Absent and excused -- Crow, Mortensen, Swan, Tilman, Wood, Mr. Speaker. Total -- 6.
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 206** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that **H 207** retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

H 251 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Kunz to open debate.

The question being, "Shall **H 251** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Trail, Wheeler, Wood, Young. Total -- 66.
NAYS -- Langford. Total -- 1.
Absent and excused -- Swan, Tilman, Mr. Speaker. Total -- 3.
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 251** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that the House recess until 1:15 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House at recess until 1:15 p.m.

RECESS

Afternoon Session

The House reconvened at 1:15 p.m., the Speaker in the Chair.

Roll call showed 67 members present.
Absent and excused -- Crow, Jaquet, Swan. Total -- 3.
Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

HJM 7 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **HJM 7** be adopted?"

Whereupon the Speaker declared **HJM 7** adopted by voice vote and ordered the memorial transmitted to the Senate.

S 1048 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Hornbeck to open debate.

The question being, "Shall **S 1048** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Henbest, Hornbeck, Jones, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Raybould, Ridinger, Robison, Sali, Sellman, Shepherd, Smylie, Stevenson, Stone, Trail, Wheeler, Mr. Speaker. Total -- 55.

NAYS -- Clark, Higgins, Kellogg, Pischner, Pomeroy, Smith, Tilman, Wood, Young. Total -- 9.

Absent and excused -- Crow, Gagner, Jaquet, Roberts, Schaefer, Swan. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1048** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1058 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kunz to open debate.

The question being, "Shall **S 1058** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister(Callister), Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Crow, Gagner, Jaquet, Schaefer, Swan. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1058** passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 10:30 a.m., Thursday, March 1, 2001. Seconded by Ms. Henbest. Motion carried.

Whereupon the Speaker declared the House adjourned at 1:42 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

FIFTY-THIRD LEGISLATIVE DAY
THURSDAY, MARCH 1, 2001

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 68 members present.
Absent and excused -- Jaquet, Swan. Total -- 2.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Annie Ward, Page.

Approval of Journal

March 1, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-second Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

Report of Standing Committees

March 1, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 338, H 339, H 340, H 341, H 342, H 343, H 344, H 345, H 346, H 347, H 348**, and **H 349**, and House Amendments to **H 151, H 35, HCR 26, H 60, H 213**, and **H 315**.

GOULD, Chairman

H 330 held at the Desk February 27, 2001, was referred to the Ways and Means Committee.

H 340, H 346, and **H 347** were referred to the State Affairs Committee.

H 345 was referred to the Judiciary, Rules, and Administration Committee.

H 348 was referred to the Education Committee.

H 349 was referred to the Transportation and Defense Committee.

H 338, H 339, H 341, H 342, H 343, and **H 344** were filed for second reading.

March 1, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 151**, as amended, **H 35**, as amended, **HCR 26**, as amended, **H 60**, as amended, **H 213**, as amended, and **H 315**, as amended.

GOULD, Chairman

H 151, as amended, **H 35**, as amended, **HCR 26**, as amended, **H 60**, as amended, **H 213**, as amended, and **H 315**, as amended, were filed for first reading of engrossed bills.

March 1, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 142** to the Governor at 11:50 a.m., as of this date, February 28, 2001.

GOULD, Chairman

March 1, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HJM 1** to the Secretary of State at 1:20 p.m., as of this date, February 28, 2001.

GOULD, Chairman

February 28, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 252** and recommend that it do pass.

CROW, Chairman

H 252 was filed for second reading.

February 28, 2001

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration **H 308** and **S 1091** and recommend that they do pass.

STONE, Chairman

H 308 and **S 1091** were filed for second reading.

February 28, 2001

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration **H 232** and report it back with amendments attached to be placed on General Orders for consideration.

STONE, Chairman

H 232 was placed on General Orders for consideration.

February 28, 2001

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 309** and recommend that it do pass.

LOERTSCHER, Chairman

H 309 was filed for second reading.

February 28, 2001

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 47** and **S 1078** and recommend that they do pass.

WOOD, Chairman

H 47 and **S 1078** were filed for second reading.

February 28, 2001

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **HJM 3** and recommend that it do pass.

JONES, Chairman

HJM 3 was filed for second reading.

February 28, 2001

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 263** and report it back with amendments attached to be placed on General Orders for consideration.

JONES, Chairman

H 263 was placed on General Orders for consideration.

March 1, 2001

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 306, H 307, H 322**, and **S 1162** and recommend that they do pass.

DEAL, Chairman

H 306, H 307, H 322, and **S 1162** were filed for second reading.

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

February 28, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 142

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

February 28, 2001

Mr. Speaker:

I return herewith **HJM 6** and **HCR 21** which have passed the Senate.

WOOD, Secretary

HJM 6 and **HCR 21** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

There being no objection, the House advanced to the Ninth Order of Business.

First Reading of Engrossed Bills

H 151, as amended, by Judiciary, Rules, and Administration Committee, was introduced, read the first time by title and filed for second reading.

H 35, as amended, by Mr. Speaker, requested by Department of Insurance, was introduced, read the first time by title and filed for second reading.

HCR 26, as amended, **H 60**, as amended, and **H 213**, as amended, by Health and Welfare Committee, were introduced, read the first time by title and filed for second reading.

H 315, as amended, by Ways and Means Committee, was introduced, read the first time by title and filed for second reading.

Second Reading of Bills and Joint Resolutions

H 334, H 335, H 336, and **H 337**, by Appropriations Committee, were read the second time by title and filed for third reading.

H 138, H 149, H 298, and **HJM 8**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

HJR 1 and **HJM 9**, by Education Committee, were read the second time by title and filed for third reading.

H 180, H 221, and **H 222**, by Resources and Conservation Committee, were read the second time by title and filed for third reading.

H 280, by State Affairs Committee, was read the second time by title and filed for third reading.

H 227, by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

H 245, by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

H 129, H 130, H 131, and **H 233**, by Business Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 25 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Callister to open debate.

The question being, "Shall **H 25** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bell, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 59.

NAYS -- Barrett. Total -- 1.

Absent and excused -- Bedke, Bieter, Gould, Hammond, Jaquet, Mader, Marley, Stevenson, Stone, Swan. Total -- 10.

Total -- 70.

Whereupon the Speaker declared **H 25** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel asked unanimous consent that **H 207** be placed on General Orders for consideration. There being no objection, it was so ordered.

Mr. Bruneel asked unanimous consent that **HR 2** retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

Mr. Bruneel asked unanimous consent that **H 253** be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

H 209 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wheeler to open debate.

The question being, "Shall **H 209** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Bedke, Hammond, Jaquet, Mortensen, Stevenson, Stone, Swan. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 209** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 90 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **H 90** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Bedke, Hammond, Jaquet, Meyer, Mortensen, Stevenson, Stone, Swan. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **H 90** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 165 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **H 165** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 61.

NAYS -- Barrett, McKague, Wood. Total -- 3.

Absent and excused -- Bedke, Jaquet, Mortensen, Stevenson, Stone, Swan. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 165** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Tilman asked unanimous consent that **H 219** be returned to the Education Committee. There being no objection, it was so ordered.

H 198 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Raybould to open debate.

The question being, "Shall **H 198** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bedke, Jaquet, Mortensen, Stevenson, Stone, Swan. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 198** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 212 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Montgomery to open debate.

The question being, "Shall **H 212** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Jaquet, Mortensen, Ridinger, Stone, Swan. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 212** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

HCR 30 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Young and Mr. Trail to open debate.

The question being, "Shall **HCR 30** be adopted?"

Whereupon the Speaker declared **HCR 30** failed to be adopted by voice vote and ordered the resolution filed in the office of the Chief Clerk.

Mr. Bruneel moved that the House recess until 1:15 p.m. Seconded by Ms. Henbest. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

RECESS

Afternoon Session

The House reconvened at 1:15 p.m., the Speaker in the Chair.

Roll call showed 65 members present.
Absent and excused -- Bradford, Clark, Jaquet, Mortensen, Swan. Total -- 5.
Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 317 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, Mr. Bruneel took the Chair.

At this time, the Speaker Pro Tem recognized Mr. Moss to open debate.

The question being, "Shall **H 317** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Collins, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young. Total -- 59.
NAYS -- None.
Absent and excused -- Bradford, Clark, Crow, Deal, Field(20), Jaquet, Mader, Mortensen, Ridinger, Swan, Mr. Speaker. Total -- 11.
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 317** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 253 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Henbest to open debate.

The question being, "Shall **H 253** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Callister, Campbell, Chase, Collins, Cuddy, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hammond, Harwood, Henbest, Higgins, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Raybould, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young. Total -- 51.
NAYS -- Bruneel, Denney, Ellis, Gagner, Hadley, Hornbeck, Lake, Pomeroy, Ridinger, Roberts, Smith. Total -- 11.
Absent and excused -- Bradford, Clark, Crow, Deal, Mader, Mortensen, Swan, Mr. Speaker. Total -- 8.
Paired Vote:
AYE -- Jaquet. NAY -- Roberts.
(Pair enumerated in roll call above.)
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 253** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 138** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 138** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Chase.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Collins, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Young. Total -- 59.
NAYS -- None.
Absent and excused -- Bradford, Clark, Crow, Deal, Jaquet, Kunz, Mader, Mortensen, Swan, Wood, Mr. Speaker. Total -- 11.
Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 138** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Gould to open debate.

The question being, "Shall **H 138** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Callister, Campbell, Chase, Collins, Cuddy, Denney, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Langford, Marley, McKague, Montgomery, Moss, Pomeroy,

Ridinger, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Young. Total -- 48.

NAYS -- Barrett, Bruneel, Ellis, Harwood, Lake, Meyer, Moyle, Pearce, Raybould, Roberts. Total -- 10.

Absent and excused -- Bradford, Clark, Crow, Deal, Jaquet, Loertscher, Mader, Mortensen, Pischner, Swan, Wood, Mr. Speaker. Total -- 12.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 138** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 149** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 149** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Chase.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Collins, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Young. Total -- 59.

NAYS -- None.

Absent and excused -- Bradford, Clark, Crow, Deal, Jaquet, Kunz, Mader, Mortensen, Swan, Wood, Mr. Speaker. Total -- 11.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 149** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Cuddy to open debate.

The question being, "Shall **H 149** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Tilman, Trail, Young. Total -- 57.

NAYS -- Stevenson, Wheeler. Total -- 2.

Absent and excused -- Bradford, Clark, Crow, Jaquet, Loertscher, Mader, Mortensen, Pischner, Swan, Wood, Mr. Speaker. Total -- 11.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 149** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **HJM 8** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **HJM 8** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Chase.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Collins, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Young. Total -- 59.

NAYS -- None.

Absent and excused -- Bradford, Clark, Crow, Deal, Jaquet, Kunz, Mader, Mortensen, Swan, Wood, Mr. Speaker. Total -- 11.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **HJM 8** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Cuddy to open debate.

The question being, "Shall **HJM 8** be adopted?"

Whereupon the Speaker Pro Tem declared **HJM 8** adopted by voice vote and ordered the memorial transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 180** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 180** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Chase.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Collins, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Young. Total -- 59.

NAYS -- None.

Absent and excused -- Bradford, Clark, Crow, Deal, Jaquet, Kunz, Mader, Mortensen, Swan, Wood, Mr. Speaker. Total -- 11.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 180** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Campbell to open debate.

Mr. Campbell asked unanimous consent that **H 180** be placed on General Orders for consideration. There being no objection, it was so ordered.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 280** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 280** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Chase.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Collins, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Young. Total -- 59.

NAYS -- None.

Absent and excused -- Bradford, Clark, Crow, Deal, Jaquet, Kunz, Mader, Mortensen, Swan, Wood, Mr. Speaker. Total -- 11.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 280** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Campbell to open debate.

The question being, "Shall **H 280** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Kellogg, Kendell, Kunz, Lake, Langford, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young. Total -- 60.

NAYS -- None.

Absent and excused -- Bradford, Clark, Crow, Jaquet, Jones, Loertscher, Mader, Mortensen, Swan, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 280** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 245** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 245** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Chase.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Collins, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Young. Total -- 59.

NAYS -- None.

Absent and excused -- Bradford, Clark, Crow, Deal, Jaquet, Kunz, Mader, Mortensen, Swan, Wood, Mr. Speaker. Total -- 11.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 245** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Ellsworth to open debate.

The question being, "Shall **H 245** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Kellogg, Kendell, Kunz, Lake, Langford, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young. Total -- 59.

NAYS -- Hornbeck. Total -- 1.

Absent and excused -- Bradford, Clark, Crow, Jaquet, Jones, Loertscher, Mader, Mortensen, Swan, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 245** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 129** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 129** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Chase.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Collins, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Young. Total -- 59.

NAYS -- None.

Absent and excused -- Bradford, Clark, Crow, Deal, Jaquet, Kunz, Mader, Mortensen, Swan, Wood, Mr. Speaker. Total -- 11.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 129** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Gagner to open debate.

The question being, "Shall **H 129** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Collins, Cuddy, Deal, Denney, Ellis, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young. Total -- 60.

NAYS -- None.

Absent and excused -- Bradford, Clark, Crow, Ellsworth, Jaquet, Loertscher, Mader, Mortensen, Swan, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 129** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 130** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 130** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Chase.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Collins, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Young. Total -- 59.

NAYS -- None.

Absent and excused -- Bradford, Clark, Crow, Deal, Jaquet, Kunz, Mader, Mortensen, Swan, Wood, Mr. Speaker. Total -- 11.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 130** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Higgins to open debate.

The question being, "Shall **H 130** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones,

Kellogg, Kendell, Kunz, Lake, Langford, Marley, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young. Total -- 58.

NAYS -- Gagner, McKague, Ridinger. Total -- 3.

Absent and excused -- Bradford, Clark, Crow, Jaquet, Loertscher, Mader, Mortensen, Swan, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 130** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 131** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 131** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Chase.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Collins, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Young. Total -- 59.

NAYS -- None.

Absent and excused -- Bradford, Clark, Crow, Deal, Jaquet, Kunz, Mader, Mortensen, Swan, Wood, Mr. Speaker. Total -- 11.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 131** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Tilman to open debate.

The question being, "Shall **H 131** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Marley, McKague, Meyer, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young. Total -- 60.

NAYS -- None.

Absent and excused -- Bradford, Clark, Crow, Jaquet, Loertscher, Mader, Montgomery, Mortensen, Swan, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 131** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 233** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 233** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Chase.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Collins, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Young. Total -- 59.

NAYS -- None.

Absent and excused -- Bradford, Clark, Crow, Deal, Jaquet, Kunz, Mader, Mortensen, Swan, Wood, Mr. Speaker. Total -- 11.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 233** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Black to open debate.

The question being, "Shall **H 233** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Marley, McKague, Meyer, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer,

Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young. Total -- 62.

NAYS -- None.

Absent and excused -- Bradford, Clark, Jaquet, Loertscher, Montgomery, Mortensen, Swan, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 233** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 10:30 a.m., Friday, March 2, 2001. Seconded by Ms. Henbest. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 2:16 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

FIFTY-FOURTH LEGISLATIVE DAY
FRIDAY, MARCH 2, 2001

House of Representatives

The House convened at 10:30 a.m., Mr. Loertscher in the Chair.

Roll call showed 67 members present.

Absent and excused -- Jaquet, Mortensen, Swan. Total -- 3.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Ashley Evans, Page.

Approval of Journal

March 2, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-third Legislative Day and recommend that same be adopted as corrected. GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

March 2, 2001

Mr. Speaker:

I transmit herewith enrolled **S 1046** and **S 1165** for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced that enrolled **S 1046** and **S 1165** would be signed by the Speaker, and, when so signed, ordered them returned to the Senate.

March 1, 2001

Mr. Speaker:

I return herewith enrolled **H 61** which has been signed by the President.

WOOD, Secretary

Enrolled **H 61** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 1, 2001

Mr. Speaker:

I transmit herewith **S 1175** which has passed the Senate.

WOOD, Secretary

S 1175 was filed for first reading.

Report of Standing Committees

March 1, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HJM 6** and **HCR 21**.

GOULD, Chairman

The Speaker Pro Tem announced that enrolled **HJM 6** and **HCR 21**, would be signed by the Speaker, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 1, 2001

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 278** and **H 294** and recommend that they do pass.

TILMAN, Chairman

H 278 and **H 294** were filed for second reading.

February 28, 2001

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 273** and **H 274** and report them back with amendments attached to be placed on General Orders for consideration.

JONES, Chairman

H 273 and **H 274** were placed on General Orders for consideration.

March 1, 2001

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **H 225** and **H 226** and recommend that they do pass.

SCHAEFER, Chairman

H 225 and **H 226** were filed for second reading.

March 1, 2001

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **HJM 5, SJM 104, SJM 103**, and **SJM 105** and recommend that they do pass.

WHEELER, Chairman

HJM 5, SJM 104, SJM 103, and **SJM 105** were filed for second reading.

March 1, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 184, H 241, H 246**, and **H 345** and recommend that they do pass.

GOULD, Chairman

H 184, H 241, H 246, and **H 345** were filed for second reading.

March 1, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 300** and report it back with amendments attached to be placed on General Orders for consideration.

CROW, Chairman

H 300 was placed on General Orders for consideration.

March 2, 2001

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 22, H 23, H 161**, and **H 231** and recommend that they do pass.

BLACK, Chairman

H 22, H 23, H 161, and **H 231** were filed for second reading.

March 2, 2001

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 156** and report it back with amendments attached to be placed on General Orders for consideration.

BLACK, Chairman

H 156 was placed on General Orders for consideration.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1175, by Finance Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 338, H 339, and **H 315**, as amended, by Ways and Means Committee, were read the second time by title and filed for third reading.

H 341, H 342, H 343, and **H 344**, by Appropriations Committee, were read the second time by title and filed for third reading.

H 252, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

H 308, H 306, H 307, and **H 322**, by State Affairs Committee, were read the second time by title and filed for third reading.

S 1091, by Local Government and Taxation Committee, was read the second time by title and filed for third reading.

H 309, HCR 26, as amended, **H 60**, as amended, and **H 213**, as amended, by Health and Welfare Committee, were read the second time by title and filed for third reading.

H 47, by Hornbeck, was read the second time by title and filed for third reading.

S 1078, by Transportation Committee, was read the second time by title and filed for third reading.

HJM 3, by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

S 1162, by State Affairs Committee, was read the second time by title and filed for third reading.

H 151, as amended, by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

H 35, as amended, by Mr. Speaker, requested by Department of Insurance, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Bruneel moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Chase. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Denney in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

March 2, 2001

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 243, H 281, H 232, H 263, H 207, H 180**, and **H 300** and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO H 243

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 33, delete "All" and insert: "Except for good cause shown all"; in line 38, delete "fifty" and insert: "twenty-five"; and in line 39, delete "($50,000)" and insert: "($25,000)".

On page 3, following line 31, insert:

"(6) The supreme court may assign the duties given to the trial court administrator by this chapter to any other administrative office(s) the court deems proper and establish procedures to allow appointment of sitting or senior judges as evaluators at no cost to the parties.

(7) The supreme court may exempt cases filed in the courts of any county from the operation of this chapter if, following application made by the administrative judge of the judicial district in which that county sits, the supreme court determines the county does not have sufficient judicial and other resources to implement and effectuate the purposes of this chapter or for other good cause shown.".

On page 4, in line 2, delete "defendant" and insert: "defending party"; and also in line 2, delete "plaintiff" and insert: "claimant".

On page 6, in line 22, delete "fifty" and insert: "twenty-five"; and also in line 22, delete "($50,000)" and insert: "($25,000)"; in line 40, delete "fifty" and insert: "twenty-five"; and also in line 40, delete "($50,000)" and insert: "($25,000)"; and in line 52, following "(20%)" insert: ", which shall include consideration of offsets, counterclaims and third party claims".

CORRECTION TO TITLE

On page 1, in line 8, following "EVALUATIONS," insert: "TO PROVIDE FOR THE ASSIGNMENT OF THE DUTIES GIVEN TO THE TRIAL COURT ADMINISTRATOR TO CERTAIN PERSONS AND TO PROVIDE FOR THE EXEMPTION OF CERTAIN CASES FROM APPLICATION OF THE CHAPTER,".

HOUSE AMENDMENTS TO H 281

AMENDMENTS TO SECTION 2

On page 2 of the printed bill, in line 35, delete ";"; delete lines 36 and 37 and insert: ".".

AMENDMENTS TO THE BILL

On page 4, delete lines 27 through 53; on page 5, delete lines 1 through 12, and in line 13, delete "5" and insert: "4".

CORRECTIONS TO TITLE

On page 1, in line 9, delete "AMENDING SECTION 41-3603,"; delete lines 10 through 12; and in line 13, delete "PROTECTION AGAINST INVESTMENT RISKS;".

HOUSE AMENDMENT TO H 232

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 37, delete "(1) Local units of government shall not enact or enforce"; and delete lines 38 and 39.

On page 2, delete line 1; in line 2, delete "(2)"; and also in line 2, following "ordinance" insert: "of a local unit of government".

HOUSE AMENDMENT TO H 263

AMENDMENT TO THE BILL

On page 5 of the printed bill, following line 16, insert:

"SECTION 2. The provisions of Section 1 of this act shall be null, void and of no force and effect on and after July 1, 2006.".

CORRECTION TO TITLE

On page 1, in line 13, following "FUNDS" insert: "; AND PROVIDING A SUNSET CLAUSE".

HOUSE AMENDMENT TO H 207

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 25, delete "which rendered him physically unable" and insert: "~~which rendered him physically unable~~"; in line 28, delete "physically" and insert: "~~physically~~"; and in line 29, delete "forty-eight (48)" and insert: "~~forty-eight (48)~~ seventy-two (72)".

HOUSE AMENDMENTS TO H 180

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, delete lines 15 and 16, and insert: "~~demeanor~~ an infraction and be punished ~~by a fine of not more than three hundred dollars ($300) or by imprisonment of not more than~~"; and in line 17, delete "~~imprisonment.~~" and insert: "~~imprisonment~~ as provided in section 18-111, Idaho Code."; delete lines 33 and 34, and insert: "~~tion~~ being found to have committed the infraction, shall be punished ~~by a fine of not more than three hundred dollars ($300) or by imprison-~~"; and in line 35, following "~~imprisonment~~" insert: "as provided in section 18-111, Idaho Code,".

AMENDMENT TO THE BILL

On page 2, delete lines 8 through 53; and delete page 3.

CORRECTION TO TITLE

On page 1, delete lines 6 through 8, and insert: "SAFE BOATING LAW.".

HOUSE AMENDMENT TO H 300

AMENDMENT TO SECTION 2

On page 3 of the printed bill, delete lines 42 and 43, and insert: "event that any venture capital risk tax credit that is subject to a security interest recorded in the registration and verification system is claimed on a tax return filed with the commission, the commission shall, unless a written waiver by the secured creditor is filed with the return, pay the credit to the secured creditor. Such payment shall be made from the state refund fund provided in section 63-3067, Idaho Code, and such funds are hereby continuously appropriated. The commission, in the manner provided by law, shall assess any resulting deficiency in tax. For the purpose of effecting the registration and verification system provided herein

and the other provisions of this chapter, the commission may disclose such information as may be necessary notwithstanding the provisions of section 63-3076, Idaho Code, and such disclosed information shall be confidential and not subject to disclosure by the department.".

DENNEY, Chairman

Mr. Denney moved that the report be adopted. Seconded by Mr. Bruneel.

Whereupon the Speaker declared the report adopted.

H 243, as amended, **H 281**, as amended, **H 232**, as amended, **H 263**, as amended, **H 207**, as amended, **H 180**, as amended, and **H 300**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Deal asked unanimous consent that **HJR 1** be returned to the State Affairs Committee. There being no objection, it was so ordered.

Mr. Denney asked unanimous consent that **H 301, H 334, H 335, H 336**, and **H 337** retain their places on the Third Reading Calendar until Tuesday, March 6, 2001. There being no objection, it was so ordered.

HR 2 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smylie and Mr. Marley to open debate.

Mr. Marley asked unanimous consent, pursuant to Rule 46, that **HR 2** be corrected as follows:

Page 1, line 4 delete "or" and insert "of".

There being no objection, it was so ordered.

The question being, "Shall **HR 2**, as corrected, be adopted?"

Whereupon the Speaker declared **HR 2**, as corrected, adopted by voice vote. Title was approved and the resolution was ordered filed in the office of the Chief Clerk.

H 298 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Black to open debate.

The question being, "Shall **H 298** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Crow, Jaquet, Kunz, Montgomery, Mortensen, Swan, Tilman. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 298** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 221 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **H 221** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Crow, Jaquet, Kunz, Mortensen, Swan. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 221** passed the House. Title was approved as corrected and the bill was ordered transmitted to the Senate.

H 222 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **H 222** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould,

Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Crow, Higgins, Jaquet, Mortensen, Swan. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 222** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 227 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ridinger and Mr. Schaefer to open debate.

The question being, "Shall **H 227** pass?"

Roll call resulted as follows:

AYES -- Barrett, Bedke, Bolz, Bradford, Bruneel, Callister, Denney, Ellis, Ellsworth, Field(20), Hadley, Harwood, Hornbeck, Kendell, Lake, Marley, McKague, Moss, Moyle, Pearce, Ridinger, Roberts, Sali, Schaefer, Sellman, Smith, Stevenson, Trail, Wheeler, Wood. Total -- 30.

NAYS -- Barraclough, Bell, Bieter, Black, Boe, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Eskridge, Field(13), Gagner, Gould, Hammond, Henbest, Higgins, Jones, Kellogg, Kunz, Langford, Loertscher, Mader, Meyer, Montgomery, Pischner, Pomeroy, Raybould, Robison, Shepherd, Smylie, Stone, Tilman, Young, Mr. Speaker. Total -- 37.

Absent and excused -- Jaquet, Mortensen, Swan. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 227** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

HJM 9 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bradford and Mrs. McKague to open debate.

The question being, "Shall **HJM 9** be adopted?"

Whereupon the Speaker declared **HJM 9** adopted by voice vote and ordered the memorial transmitted to the Senate.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

March 2, 2001

Mr. Speaker:

We, your COMMITTEE ON WAYS AND MEANS, report that we have had under consideration **H 330** and recommend that it do pass.

KUNZ, Chairman

H 330 was filed for second reading.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 10:30 a.m., Monday, March 5, 2001. Seconded by Ms. Henbest. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:27 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

FIFTY-SEVENTH LEGISLATIVE DAY
MONDAY, MARCH 5, 2001

House of Representatives

The House convened at 10:30 a.m., Mr. Bruneel in the Chair.

Roll call showed 68 members present.

Absent and excused -- Raybould, Wheeler. Total -- 2.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Josie Noah, Page.

Approval of Journal

March 5, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-fourth Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that Jack Barraclough, State Representative, District 29, House Seat A, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Elaine Barraclough, of Idaho Falls, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Elaine Barraclough,

Acting State Representative, District 29, House Seat A, State of Idaho, for a term commencing on Monday, March 5, 2001, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

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 28th day of February in the year of our Lord two thousand and one, and of the Independence of the United States of America, the two hundred and twenty-fifth year.

/s/ DIRK A. KEMPTHORNE
Governor
/s/ PETE T. CENARRUSA
Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker Pro Tem announced the oath of office had previously been administered to Mrs. Barraclough.

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that George H. Swan, State Representative, District 23, House Seat B, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Randy Hansen, of Twin Falls, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Randy Hansen, Acting State Representative, District 23, House Seat B, State of Idaho, for a term commencing on Monday, March 5, 2001, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

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 5th day of March in the year of our Lord two thousand and one, and of the Independence of the United States of America, the two hundred and twenty-fifth year.

/s/ DIRK A. KEMPTHORNE
Governor
/s/ PETE T. CENARRUSA
Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker Pro Tem announced the oath of office had previously been administered to Mr. Hansen.

OFFICE OF THE GOVERNOR
Boise

March 2, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 114

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

March 2, 2001

Mr. Speaker:

I transmit herewith enrolled **S 1020, S 1048, S 1058**, and **SJM 102** for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced that enrolled **S 1020, S 1048, S 1058**, and **SJM 102** would be signed by the Speaker, and, when so signed, ordered them returned to the Senate.

March 2, 2001

Mr. Speaker:

I transmit herewith **S 1038**, as amended, **S 1051**, as amended, and **S 1061**, as amended, which have passed the Senate.

WOOD, Secretary

S 1038, as amended, **S 1051**, as amended, and **S 1061**, as amended, were filed for first reading.

Report of Standing Committees

March 5, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed House Amendments to **H 243, H 281, H 232, H 263, H 207, H 180**, and **H 300**.

GOULD, Chairman

March 5, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 243**, as amended, **H 281**, as amended, **H 232**, as amended, **H 263**, as amended, **H 207**, as amended, **H 180**, as amended, and **H 300**, as amended.

GOULD, Chairman

H 243, as amended, **H 281**, as amended, **H 232**, as amended, **H 263**, as amended, **H 207**, as amended, **H 180**, as amended, and **H 300**, as amended, were filed for first reading of engrossed bills.

March 5, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 61** to the Governor at 10:50 a.m., as of this date, March 2, 2001.

GOULD, Chairman

March 2, 2001

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 279, H 292**, and **H 316** and recommend that they do pass.

TILMAN, Chairman

H 279, H 292, and **H 316** were filed for second reading.

March 5, 2001

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 277** and report it back with amendments attached to be placed on General Orders for consideration.

TILMAN, Chairman

H 277 was placed on General Orders for consideration.

March 2, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **S 1036** and recommend that it do pass.

CROW, Chairman

S 1036 was filed for second reading.

March 2, 2001

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 269, H 332**, and **S 1137** and recommend that they do pass.

WOOD, Chairman

H 269, H 332, and **S 1137** were filed for second reading.

March 5, 2001

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 348** and recommend that it do pass.

TILMAN, Chairman

H 348 was filed for second reading.

March 5, 2001

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **HCR 31, H 346**, and **H 340** and recommend that they do pass.

DEAL, Chairman

HCR 31, H 346, and **H 340** were filed for second reading.

March 5, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 299** and recommend that it do pass.

CROW, Chairman

H 299 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1038, as amended, and **S 1061**, as amended, by Education Committee, were introduced, read the first time by title, and referred to the Education Committee.

S 1051, as amended, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Business Committee.

First Reading of Engrossed Bills

H 243, as amended, by Judiciary, Rules, and Administration Committee, was introduced, read the first time by title and filed for second reading.

H 281, as amended, and **H 207**, as amended, by State Affairs Committee, were introduced, read the first time by title and filed for second reading.

H 232, as amended, by Business Committee, was introduced, read the first time by title and filed for second reading.

H 263, as amended, by Agricultural Affairs Committee, was introduced, read the first time by title and filed for second reading.

H 180, as amended, by Resources and Conservation Committee, was introduced, read the first time by title and filed for second reading.

H 300, as amended, by Revenue and Taxation Committee, was introduced, read the first time by title and filed for second reading.

Second Reading of Bills and Joint Resolutions

H 278 and **H 294**, by Education Committee, were read the second time by title and filed for third reading.

H 225 and **H 226**, by Commerce and Human Resources Committee, were read the second time by title and filed for third reading.

HJM 5, by Resources and Conservation Committee, was read the second time by title and filed for third reading.

SJM 104, SJM 103, and **SJM 105**, by Resources and Environment Committee, were read the second time by title and filed for third reading.

H 184, H 241, H 246, and **H 345**, by Judiciary, Rules, and Administration Committee, were read the second time by title and filed for third reading.

H 22 and **H 23**, by Mr. Speaker, requested by Department of Finance, were read the second time by title and filed for third reading.

H 161 and **H 231**, by Business Committee, were read the second time by title and filed for third reading.

S 1175, by Finance Committee, was read the second time by title and filed for third reading.

H 330, by Appropriations Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Collins asked unanimous consent that **H 186** be placed immediately following **H 35**, as amended, on the Third Reading Calendar. There being no objection, it was so ordered.

H 338 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Kunz to open debate.

The question being, "Shall **H 338** pass?"

Roll call resulted as follows:
AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 67.
NAYS -- None.
Absent and excused -- Black, Raybould, Wheeler. Total -- 3.
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 338** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 339 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Speaker and Ms. Jaquet to open debate.

The question being, "Shall **H 339** pass?"

Roll call resulted as follows:
AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 67.
NAYS -- None.
Absent and excused -- Black, Raybould, Wheeler. Total -- 3.
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 339** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that **H 341, H 342, H 343**, and **H 344** retain their places on the Third Reading Calendar until Wednesday, March 7, 2001. There being no objection, it was so ordered.

H 252 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Smith to open debate.

At this time, the Speaker took the Chair.

The question being, "Shall **H 252** pass?"

Roll call resulted as follows:
AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Bieter, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 66.
NAYS -- None.
Absent and excused -- Black, Boe, Raybould, Wheeler. Total -- 4.
Total -- 70.

Whereupon the Speaker declared **H 252** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 308 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Deal to open debate.

The question being, "Shall **H 308** pass?"

Roll call resulted as follows:
AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones,

Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Raybould, Wheeler. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 308** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1091 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Black to open debate.

The question being, "Shall **S 1091** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Crow, Cuddy, Deal, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Campbell, Denney, Gagner, Moss, Raybould, Wheeler. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1091** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 309 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Loertscher to open debate.

The question being, "Shall **H 309** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Bieter, Black, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Mortensen, Moss, Moyle, Pearce, Pomeroy, Roberts, Sali, Schaefer, Shepherd, Smylie, Stevenson, Swan(Hansen), Tilman, Wood, Young, Mr. Speaker. Total -- 52.

NAYS -- Boe, Bolz, Chase, Deal, Henbest, Jaquet, Jones, Meyer, Montgomery, Pischner, Ridinger, Robison, Sellman, Smith, Stone, Trail. Total -- 16.

Absent and excused -- Raybould, Wheeler. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 309** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 47 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Hornbeck to open debate.

The question being, "Shall **H 47** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Bedke, Bell, Black, Boe, Bolz, Bruneel, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Robison, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Trail, Wood, Young, Mr. Speaker. Total -- 57.

NAYS -- Barrett, Bieter, Bradford, Callister, Ellsworth, Loertscher, McKague, Sali, Schaefer, Tilman. Total -- 10.

Absent and excused -- Crow, Raybould, Wheeler. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 47** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel asked unanimous consent that **S 1078** and **HJM 3** retain their places on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

H 306 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **H 306** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Bedke, Bell, Bieter, Black, Boe, Bradford, Campbell, Chase, Collins, Crow, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(13), Field(20), Gould, Harwood, Henbest, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Mader, Marley, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Robison, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan(Hansen), Trail, Young, Mr. Speaker. Total -- 48.

NAYS -- Barrett, Bolz, Bruneel, Callister, Clark, Ellis, Gagner, Hadley, Hammond, Lake, McKague, Montgomery, Ridinger, Roberts, Sali, Schaefer, Smith, Tilman, Wood. Total -- 19.

Absent and excused -- Higgins, Raybould, Wheeler. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 306** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 307 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Deal to open debate.

The question being, "Shall **H 307** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Henbest, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Young, Mr. Speaker. Total -- 61.

NAYS -- Chase, Marley, Roberts. Total -- 3.

Absent and excused -- Gagner, Higgins, Hornbeck, Raybould, Wheeler, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 307** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 322 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 322** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Henbest, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Gagner, Higgins, Raybould, Wheeler. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 322** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1162 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **S 1162** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Ellis, Gagner, Henbest, Higgins, Raybould, Schaefer, Wheeler. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **S 1162** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 151, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moss to open debate.

The question being, "Shall **H 151**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Trail, Wood, Young, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Henbest, Higgins, Kunz, Pomeroy, Raybould, Schaefer, Tilman, Wheeler. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **H 151**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 35, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Deal to open debate.

The question being, "Shall **H 35**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- McKague, Schaefer. Total -- 2.

Absent and excused -- Higgins, Raybould, Wheeler. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 35**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel moved that the House recess until 1:15 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

RECESS

Afternoon Session

The House reconvened at 1:15 p.m., the Speaker in the Chair.

Roll call showed 67 members present.
Absent and excused – Raybould, Stevenson, Wheeler. Total -- 3.
Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 186 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Collins to open debate.

The question being, "Shall **H 186** pass?"

Roll call resulted as follows:
AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Harwood, Henbest, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Marley, McKague, Meyer, Moss, Moyle, Pischner, Pomeroy, Ridinger, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Stone, Swan(Hansen), Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 59.
NAYS -- None.
Absent and excused -- Gould, Higgins, Mader, Montgomery, Mortensen, Pearce, Raybould, Roberts, Smylie, Stevenson, Wheeler. Total -- 11.
Total -- 70.

Whereupon the Speaker declared **H 186** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

HCR 26, as amended, was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **HCR 26**, as amended, be adopted?"

Whereupon the Speaker declared **HCR 26**, as amended, adopted by voice vote and ordered the resolution transmitted to the Senate.

H 60, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet and Mrs. Montgomery to open debate.

The question being, "Shall **H 60**, as amended, pass?"

Roll call resulted as follows:
AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Swan(Hansen), Tilman, Trail, Young, Mr. Speaker. Total -- 62.
NAYS -- None.
Absent and excused -- Eskridge, Field(13), Henbest, Higgins, Raybould, Stevenson, Wheeler, Wood. Total -- 8.
Total -- 70.

Whereupon the Speaker declared **H 60**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 213, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Campbell to open debate.

The question being, "Shall **H 213**, as amended, pass?"

Roll call resulted as follows:
AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jones, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Roberts, Sali, Schaefer, Smith, Smylie, Stone, Swan(Hansen), Tilman, Trail, Young, Mr. Speaker. Total -- 52.
NAYS -- Bieter, Boe, Jaquet, Kendell, Marley, Pomeroy, Ridinger, Robison, Sellman, Shepherd. Total -- 10.
Absent and excused -- Eskridge, Field(13), Henbest, Montgomery, Raybould, Stevenson, Wheeler, Wood. Total -- 8.
Total -- 70.

Whereupon the Speaker declared **H 213**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 315, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Denney to open debate.

The question being, "Shall **H 315**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Gagner, Gould, Hadley, Harwood, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Swan(Hansen), Tilman, Trail, Young, Mr. Speaker. Total -- 58.

NAYS -- Barrett, Hammond, Kendell, Roberts. Total -- 4.

Absent and excused -- Eskridge, Field(13), Field(20), Henbest, Raybould, Stevenson, Wheeler, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **H 315**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 10:30 a.m., Tuesday, March 6, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:35 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

FIFTY-EIGHTH LEGISLATIVE DAY
TUESDAY, MARCH 6, 2001

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused -- Field(20), Raybould. Total -- 2.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Emilee Nielson, Page.

Approval of Journal

March 6, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-seventh Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

March 5, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 61

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

March 5, 2001

Mr. Speaker:

I return herewith enrolled **HJM 6** and **HCR 21** which have been signed by the President.

WOOD, Secretary

Enrolled **HJM 6** and **HCR 21** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 5, 2001

Mr. Speaker:

I transmit herewith **S 1042**, as amended, **S 1083**, as amended, **S 1127**, as amended, **S 1089**, as amended, **S 1166, S 1117, S 1132, S 1133, S 1170**, and **S 1171** which have passed the Senate.

WOOD, Secretary

S 1042, as amended, **S 1083**, as amended, **S 1127**, as amended, **S 1089**, as amended, **S 1166, S 1117, S 1132, S 1133, S 1170**, and **S 1171** were filed for first reading.

March 5, 2001

Mr. Speaker:

I return herewith **HJM 2** which has passed the Senate.

WOOD, Secretary

HJM 2 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 5, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 282** and report it back with amendments attached to be placed on General Orders for consideration.

CROW, Chairman

H 282 was placed on General Orders for consideration.

March 6, 2001

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 327** and recommend that it do pass.

BLACK, Chairman

H 327 was filed for second reading.

March 6, 2001

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 291** and **H 228** and report them back with amendments attached to be placed on General Orders for consideration.

BLACK, Chairman

H 291 and **H 228** were placed on General Orders for consideration.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 350
BY EDUCATION COMMITTEE
AN ACT

RELATING TO SEX CRIMES; AMENDING SECTION 18-6608, IDAHO CODE, TO PROVIDE THAT IT SHALL BE A FELONY TO CAUSE THE FORCIBLE SEXUAL PENETRATION BY USE OF A FOREIGN OBJECT WHERE THE VICTIM IS INCAPABLE THROUGH UNSOUNDNESS OF MIND OF GIVING LEGAL CONSENT OR WHERE THE VICTIM IS PREVENTED FROM RESISTANCE BY AN INTOXICATING, NARCOTIC OR ANESTHETIC SUBSTANCE.

HOUSE BILL NO. 351
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO COUNTY HOUSING AUTHORITIES; AMENDING SECTION 31-4203, IDAHO CODE, TO REVISE DEFINITIONS, TO PROVIDE THAT A COUNTY HOUSING AUTHORITY MAY CONTINUE TO OWN AND OPERATE HOUSING PROJECTS FOR WHICH IT HAS BECOME FINANCIALLY OBLIGATED WITHIN A CITY THAT CREATES A HOUSING AUTHORITY OR WITHIN AN AREA ANNEXED BY A CITY THAT HAS CREATED OR SUBSEQUENTLY CREATES A HOUSING AUTHORITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-4204, IDAHO CODE, TO PROVIDE ADDITIONAL POWERS OF COUNTY HOUSING AUTHORITIES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-4209, IDAHO CODE, TO AUTHORIZE THE COUNTY TO LEND MONEY TO A COUNTY HOUSING AUTHORITY AND TO PROVIDE FOR REIMBURSEMENT TO THE COUNTY; AMENDING SECTION 31-4216, IDAHO CODE, TO PROVIDE THAT BONDS MAY BE REPAID FROM ALL OR PART OF THE HOUSING AUTHORITY'S REVENUES OR ASSETS GENERALLY AND TO AUTHORIZE THE HOUSING AUTHORITY TO PLEDGE ANY INCOME OR REVENUES OR A MORTGAGE OF ANY HOUSING PROJECT OR OTHER PROPERTY OF THE AUTHORITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-4218, IDAHO CODE, TO PROVIDE FOR A MORTGAGE OF THE AUTHORITY'S REAL OR PERSONAL PROPERTY TO SECURE THE PAYMENT OF BONDS OR OTHER OBLIGATIONS; AMENDING SECTION 31-4224, IDAHO CODE, TO DELETE LIMITATIONS ON THE POWER OF AN AUTHORITY TO MORTGAGE ITS OWN PROPERTY; AMENDING SECTION 50-1903, IDAHO CODE, TO PROVIDE THAT A COUNTY HOUSING AUTHORITY MAY CONTINUE TO OWN AND OPERATE HOUSING PROJECTS FOR WHICH IT HAS BECOME FINANCIALLY OBLIGATED WITHIN A CITY OR AREA ANNEXED BY A CITY AFTER THE CITY CREATES A HOUSING AUTHORITY OR THE AREA IS ANNEXED BY A CITY WHICH HAS A HOUSING AUTHORITY AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 352
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO LOCAL GOVERNMENT HOUSING AUTHORITIES; AMENDING SECTION 31-4210, IDAHO CODE, TO INCREASE THE NUMBER OF COMMISSIONERS A GOVERNING BODY OF A COUNTY MAY APPOINT TO THE BOARD OF HOUSING AUTHORITY COMMISSIONERS, TO SPECIFY TERM LENGTHS FOR COMMISSIONERS, TO PROVIDE THAT THE NUMBER OF COMMISSIONERS MAY BE ALTERED UPON RESOLUTION BY A GOVERNING BODY OF A COUNTY, TO PROVIDE THAT THE SERVICE OF A HOUSING ASSISTANCE RECIPIENT APPOINTED AS A COMMISSIONER PURSUANT TO FEDERAL LAW SHALL BE CONTINGENT UPON HIS CONTINUED RECEIPT OF HOUSING ASSISTANCE AND TO PROVIDE THAT A MAJORITY OF THE APPOINTED COMMISSIONERS SHALL CONSTITUTE A QUORUM; AND AMENDING SECTION 50-1910, IDAHO CODE, TO INCREASE THE NUMBER OF COMMISSIONERS THE MAYOR MAY APPOINT TO THE BOARD OF HOUSING AUTHORITY COMMISSIONERS, TO SPECIFY TERM LENGTHS FOR COMMISSIONERS, TO PROVIDE THAT THE NUMBER OF COMMISSIONERS MAY BE ALTERED UPON RESOLUTION BY A GOVERNING BODY OF A CITY, TO PROVIDE THAT THE SERVICE OF A HOUSING ASSISTANCE RECIPIENT APPOINTED AS A COMMISSIONER PURSUANT TO FEDERAL LAW SHALL BE CONTINGENT UPON HIS CONTINUED RECEIPT OF HOUSING ASSISTANCE AND TO PROVIDE THAT A MAJORITY OF THE APPOINTED COMMISSIONERS SHALL CONSTITUTE A QUORUM.

H 350, H 351, and **H 352** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1042, as amended, by Agricultural Affairs Committee, was introduced, read the first time by title, and referred to the Agricultural Affairs Committee.

S 1083, as amended, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Business Committee.

S 1166, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Business Committee.

S 1127, as amended, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1170 and **S 1171**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1089, as amended, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

S 1117, S 1132, and **S 1133**, by Education Committee, were introduced, read the first time by title, and referred to the Education Committee.

Mr. Bruneel asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 279, H 292, and **H 316**, by Education Committee, were read the second time by title and filed for third reading.

S 1036, by Local Government and Taxation Committee, was read the second time by title and filed for third reading.

H 269, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

H 332, H 299, and **H 300**, as amended, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

S 1137, by Transportation Committee, was read the second time by title and filed for third reading.

H 348, H 346, H 340, H 281, as amended, and **H 207**, as amended, by State Affairs Committee, were read the second time by title and filed for third reading.

HCR 31, by Ways and Means Committee, was read the second time by title and filed for third reading.

H 243, as amended, by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

H 232, as amended, by Business Committee, was read the second time by title and filed for third reading.

H 263, as amended, by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

H 180, as amended, by Resources and Conservation Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Bruneel asked unanimous consent that **H 301, H 334, H 335, H 336, H 337**, and **H 330** retain their places on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

S 1078 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Kellogg to open debate.

The question being, "Shall **S 1078** pass?"

Roll call resulted as follows:

AYES -- Bedke, Bell, Bieter, Black, Boe, Bolz, Callister, Campbell, Chase, Collins, Crow, Cuddy, Field(13), Gagner, Gould, Hadley, Henbest, Hornbeck, Jaquet, Jones, Kellogg, Lake, Langford, Mader, Marley, Meyer, Montgomery, Pischner, Pomeroy, Ridinger, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Trail, Wheeler, Young, Mr. Speaker. Total -- 42.

NAYS -- Barraclough(Barraclough), Barrett, Bradford, Bruneel, Clark, Denney, Ellis, Ellsworth, Eskridge, Hammond, Harwood, Higgins, Kendell, Kunz, Loertscher, McKague, Mortensen, Moss, Pearce, Roberts, Sali, Swan(Hansen), Tilman. Total -- 23.

Absent and excused -- Deal, Field(20), Moyle, Raybould, Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1078** passed the House. Title was approved and the bill was ordered returned to the Senate.

HJM 3 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Trail to open debate.

The question being, "Shall **HJM 3** be adopted?"

Roll call resulted as follows:

AYES -- Barrett, Bieter, Boe, Chase, Hornbeck, Jaquet, Jones, Marley, Meyer, Ridinger, Robison, Shepherd, Stone, Trail, Young. Total -- 15.

NAYS -- Barraclough(Barraclough), Bedke, Bell, Black, Bolz, Bruneel, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Moss, Moyle, Pearce, Pischner, Pomeroy, Roberts, Sali, Schaefer, Sellman, Smith, Smylie, Stevenson, Swan(Hansen), Wheeler, Mr. Speaker. Total -- 47.

Absent and excused -- Bradford, Callister, Field(20), Montgomery, Mortensen, Raybould, Tilman, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **HJM 3** failed to be adopted and ordered the memorial filed in the Office of the Chief Clerk.

Mr. Bruneel moved that the House recess until 1:15 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

RECESS

Afternoon Session

The House reconvened at 1:15 p.m., the Speaker in the Chair.

Roll call showed 65 members present.

Absent and excused -- Callister, Deal, Field(20), Langford, Raybould. Total -- 5.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 278 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Tilman to open debate.

The question being, "Shall **H 278** pass?"

Roll call resulted as follows:

AYES -- Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Kellogg, Kendell, Kunz, Lake, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 59.

NAYS -- None.

Absent and excused -- Barraclough(Barraclough), Callister, Deal, Field(20), Jaquet, Jones, Langford, Montgomery, Raybould, Ridinger, Stevenson. Total -- 11.

Total -- 70.

Whereupon the Speaker declared **H 278** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 294 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Tilman to open debate.

At this time, Mr. Denney took the Chair.

The question being, "Shall **H 294** pass?"

Roll call resulted as follows:

AYES -- Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Kellogg, Kendell, Kunz, Lake, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Young. Total -- 57.

NAYS -- None.

Absent and excused -- Barraclough(Barraclough), Callister, Deal, Field(20), Gagner, Jaquet, Jones, Langford, Montgomery, Raybould, Stevenson, Wood, Mr. Speaker. Total -- 13.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 294** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 225 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Henbest to open debate.

The question being, "Shall **H 225** pass?"

Roll call resulted as follows:

AYES -- Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Lake, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Swan(Hansen), Tilman, Trail, Young. Total -- 56.

NAYS -- None.

Absent and excused -- Barraclough(Barraclough), Callister, Deal, Field(20), Gagner, Jones, Kunz, Langford, Montgomery, Raybould, Stevenson, Wheeler, Wood, Mr. Speaker. Total -- 14.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 225** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 226 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Pischner to open debate.

The question being, "Shall **H 226** pass?"

Roll call resulted as follows:

AYES -- Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Collins, Crow, Cuddy, Denney, Ellis, Eskridge, Field(13), Gould, Hadley, Henbest, Hornbeck, Jaquet, Kellogg, Kendell, Lake, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pischner, Pomeroy, Ridinger, Roberts, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Swan(Hansen), Trail, Wheeler, Young. Total -- 49.

NAYS -- Clark, Ellsworth, Gagner, Hammond, Harwood, Higgins, Pearce, Sali, Tilman. Total -- 9.

Absent and excused -- Barraclough(Barraclough), Callister, Deal, Field(20), Jones, Kunz, Langford, Montgomery, Raybould, Stevenson, Wood, Mr. Speaker. Total -- 12.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 226** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

HJM 5 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Barrett to open debate.

The question being, "Shall **HJM 5** be adopted?"

Roll call resulted as follows:
AYES -- Barrett, Bedke, Bell, Bieter, Black, Bolz, Bradford, Bruneel, Campbell, Clark, Collins, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Kellogg, Kendell, Lake, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Wood, Young. Total -- 53.
NAYS -- Jaquet, Robison. Total -- 2.
Absent and excused -- Barraclough(Barraclough), Boe, Callister, Chase, Crow, Deal, Field(20), Henbest, Jones, Kunz, Langford, Montgomery, Raybould, Stevenson, Mr. Speaker. Total -- 15.
Total -- 70.

Whereupon the Speaker Pro Tem declared **HJM 5** adopted and ordered the memorial transmitted to the Senate.

SJM 104 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Cuddy to open debate.

The question being, "Shall **SJM 104** be adopted?"

Roll call resulted as follows:
AYES -- Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Lake, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Young. Total -- 57.
NAYS -- None.
Absent and excused -- Barraclough(Barraclough), Callister, Crow, Deal, Field(20), Jones, Kunz, Langford, Montgomery, Raybould, Stevenson, Wood, Mr. Speaker. Total -- 13.
Total -- 70.

Whereupon the Speaker Pro Tem declared **SJM 104** adopted and ordered the memorial returned to the Senate.

SJM 103 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Cuddy to open debate.

The question being, "Shall **SJM 103** be adopted?"

Roll call resulted as follows:
AYES -- Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Kellogg, Kendell, Lake, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Young. Total -- 56.
NAYS -- Jaquet. Total -- 1.
Absent and excused -- Barraclough(Barraclough), Callister, Crow, Deal, Field(20), Jones, Kunz, Langford, Mortensen, Raybould, Stevenson, Wood, Mr. Speaker. Total -- 13.
Total -- 70.

Whereupon the Speaker Pro Tem declared **SJM 103** adopted and ordered the memorial returned to the Senate.

SJM 105 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Cuddy to open debate.

The question being, "Shall **SJM 105** be adopted?"

Roll call resulted as follows:
AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Lake, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Young. Total -- 57.
NAYS -- Bieter, Robison. Total -- 2.
Absent and excused -- Callister, Crow, Deal, Field(20), Jones, Kunz, Langford, Raybould, Stevenson, Wood, Mr. Speaker. Total -- 11.
Total -- 70.

Whereupon the Speaker Pro Tem declared **SJM 105** adopted and ordered the memorial returned to the Senate.

H 184 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bieter to open debate.

The question being, "Shall **H 184** pass?"

Roll call resulted as follows:
AYES -- Barraclough(Barraclough), Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce,

Pischner, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Young. Total -- 59.

NAYS -- Barrett. Total -- 1.

Absent and excused -- Callister, Crow, Deal, Field(20), Kunz, Langford, Raybould, Stevenson, Wood, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 184** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 241 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Field(13) to open debate.

The question being, "Shall **H 241** pass?"

Roll call resulted as follows:

AYES -- Bieter, Black, Boe, Crow, Denney, Field(13), Gagner, Gould, Henbest, Jaquet, Jones, Lake, Meyer, Montgomery, Mortensen, Moss, Pomeroy, Ridinger, Sellman, Smith, Stone, Trail, Young. Total -- 23.

NAYS -- Barraclough(Barraclough), Barrett, Bedke, Bell, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Cuddy, Ellis, Ellsworth, Eskridge, Hadley, Hammond, Harwood, Higgins, Hornbeck, Kellogg, Kendell, Loertscher, Mader, Marley, McKague, Moyle, Pearce, Pischner, Roberts, Robison, Schaefer, Shepherd, Smylie, Stevenson, Swan(Hansen), Tilman, Wheeler. Total -- 38.

Absent and excused -- Callister, Deal, Field(20), Kunz, Langford, Raybould, Sali, Wood, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 241** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

At this time, the Speaker took the Chair.

H 246 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Young to open debate.

The question being, "Shall **H 246** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Bedke, Bell, Bieter, Bradford, Campbell, Chase, Clark, Collins, Cuddy, Ellsworth, Eskridge, Field(13), Gould, Henbest, Higgins, Jaquet, Jones, Kellogg, Kendell, Kunz, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Pearce, Pomeroy, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Young, Mr. Speaker. Total -- 43.

NAYS -- Barrett, Black, Boe, Bolz, Bruneel, Crow, Ellis, Gagner, Hadley, Hammond, Harwood, Hornbeck, Lake, Loertscher, McKague, Moyle, Pischner, Ridinger, Roberts, Wheeler, Wood. Total -- 21.

Absent and excused -- Callister, Deal, Denney, Field(20), Langford, Raybould. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 246** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 345 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Gould to open debate.

The question being, "Shall **H 345** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Collins, Cuddy, Denney, Eskridge, Field(13), Gagner, Gould, Hammond, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kunz, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pischner, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 54.

NAYS -- Barrett, Clark, Crow, Ellis, Hadley, Harwood, Kendell, Lake, Pearce, Wood. Total -- 10.

Absent and excused -- Callister, Deal, Ellsworth, Field(20), Langford, Raybould. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 345** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 22 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Higgins to open debate.

The question being, "Shall **H 22** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Campbell, Chase, Clark, Collins, Crow, Denney, Ellis, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 59.

NAYS -- None.

Absent and excused -- Bruneel, Callister, Cuddy, Deal, Ellsworth, Field(20), Harwood, Langford, Pischner, Raybould, Shepherd. Total -- 11.

Total -- 70.

Whereupon the Speaker declared **H 22** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 23 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Higgins to open debate.

The question being, "Shall **H 23** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Clark, Collins, Crow, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 60.

NAYS -- Chase, Henbest, Jaquet. Total -- 3.

Absent and excused -- Callister, Deal, Field(20), Harwood, Langford, Pischner, Raybould. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 23** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 10:30 a.m., Wednesday, March 7, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:19 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

FIFTY-NINTH LEGISLATIVE DAY
WEDNESDAY, MARCH 7, 2001

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused -- Field(20). Total -- 1.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Hattie Hiatt, Page.

Approval of Journal

March 7, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-eighth Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

March 6, 2001

Mr. Speaker:

I transmit herewith **SCR 113, S 1150**, as amended, **S 1172, S 1122, S 1174, S 1147**, and **S 1168** which have passed the Senate.

WOOD, Secretary

SCR 113, S 1150, as amended, **S 1172, S 1122, S 1174, S 1147**, and **S 1168** were filed for first reading.

March 6, 2001

Mr. Speaker:

I return herewith **HJM 4** which has passed the Senate.

WOOD, Secretary

HJM 4 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 6, 2001

Mr. Speaker:

I return herewith **H 71**, as amended in the Senate, which has passed the Senate.

WOOD, Secretary

H 71, as amended in the Senate, was ordered held at the Desk.

Mr. Jones asked unanimous consent that the House concur in the Senate amendments to **H 71**. Mr. Loertscher objected.

Mr. Jones moved that the House concur in the Senate amendments to **H 71**. Seconded by Mr. Robison.

The question being "Shall the motion pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Bedke, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Collins, Crow, Cuddy, Deal, Ellsworth, Eskridge, Field(13), Gagner, Henbest, Jaquet, Jones, Kellogg, Kendell, Kunz, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Pischner, Pomeroy, Ridinger, Robison, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Trail, Young, Mr. Speaker. Total -- 45.

NAYS -- Barrett, Bell, Clark, Denney, Ellis, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Lake, Langford, Loertscher, McKague, Moyle, Pearce, Raybould, Roberts, Schaefer, Tilman, Wheeler, Wood. Total -- 23.

Absent and excused -- Field(20), Sali. Total -- 2.

Total -- 70.

Whereupon the Speaker declared the motion passed and the House concurred in the Senate amendments to **H 71**.

H 71, as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

Report of Standing Committees

March 7, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 350, H 351**, and **H 352**.

GOULD, Chairman

H 350 was referred to the Judiciary, Rules, and Administration Committee.

H 351 and **H 352** were referred to the Local Government Committee.

March 7, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HJM 2**.

GOULD, Chairman

The Speaker announced he was about to sign enrolled **HJM 2**, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

March 7, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HJM 6** and **HCR 21** to the Secretary of State at 11:31 a.m., as of this date, March 6, 2001. GOULD, Chairman

March 6, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 312** and report it back with amendments attached to be placed on General Orders for consideration. CROW, Chairman

H 312 was placed on General Orders for consideration.

March 6, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **S 1153** and recommend it be referred to the Local Government Committee.

CROW, Chairman

S 1153 was referred to the Local Government Committee.

March 6, 2001

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 324** and recommend that it do pass.

TILMAN, Chairman

H 324 was filed for second reading.

March 6, 2001

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 326** and report it back with amendments attached to be placed on General Orders for consideration.

TILMAN, Chairman

H 326 was placed on General Orders for consideration.

March 6, 2001

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 331, S 1039, S 1145, S 1146**, and **SCR 110** and recommend that they do pass.

LOERTSCHER, Chairman

H 331, S 1039, S 1145, S 1146, and **SCR 110** were filed for second reading.

March 6, 2001

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENTAL AFFAIRS, report that we have had under consideration **H 192** and **H 256** and report them back with amendments attached to be placed on General Orders for consideration.

CAMPBELL, Vice Chairman

H 192 and **H 256** were placed on General Orders for consideration.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

House of Representatives
State of Idaho

March 6, 2001

The Honorable Celia Gould, Chairman
Judiciary, Rules, and Administration Committee

Dear Representative Gould:

I hereby designate the Judiciary, Rules, and Administration Committee a privileged committee for the purpose of introducing RS 11238 on Wednesday, March 7, 2001.

Sincerely,
/s/ BRUCE NEWCOMB
Speaker of the House

The letter was ordered filed in the Office of the Chief Clerk.

SCR 113, by Finance Committee, was introduced, read the first time by title, and referred to the Appropriations Committee.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1150, as amended, and **S 1172**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1122, by Resources and Environment Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

S 1174, by State Affairs Committee, was introduced, read the first time by title, and referred to the Business Committee.

S 1147, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

S 1168, by State Affairs Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 327, by Education Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Bruneel moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Denney in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

March 7, 2001

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 156, H 277, H 282, H 291, H 312, H 326**, and **H 192** and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO H 156

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, delete lines 24 and 25 and insert: "disclosed in writing on the face of the policy as a separately itemized charge.".

HOUSE AMENDMENT TO H 277

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 31, delete "only safe" and insert: "safest".

CORRECTION TO TITLE

On page 1, in line 6, delete "ONLY SAFE" and insert: "SAFEST".

HOUSE AMENDMENT TO H 282

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 24 and 25, and insert: "other fund and ongoing general fund appropriations.".

CORRECTION TO TITLE

On page 1, delete lines 8 and 9, and insert: "OF GENERAL FUND MONEYS TO ANY OTHER FUND AND ONGOING GENERAL FUND APPROPRIATIONS AND TO PROVIDE NECESSARY".

HOUSE AMENDMENTS TO H 291

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in lines 39 and 40, delete "a master electrician's" and insert: "an electrical contractor's".

AMENDMENTS TO SECTION 4

On page 4, in line 34, following "apprentice" insert: "electrician or apprentice residential wireman"; in line 35, following "journeyman's" insert: "or residential wireman's"; and delete line 36, and insert: "must also complete the required related instruction specific to the license applied for ~~electrical apprentices~~".

HOUSE AMENDMENT TO H 312

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in lines 14 and 15, delete "and which are qualified as defined in section 7702B(b) of the Internal Revenue Code,".

HOUSE AMENDMENTS TO H 326

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 23, delete "~~shall~~ may" and insert: "shall".

AMENDMENTS TO SECTION 2

On page 2, in line 31, following "any" insert: "public school"; in line 38, following "procedures" insert: "providing due process of law which have been"; in line 39, following "established" delete "of" and insert: "~~of~~ by"; and also in line 39, following "child" insert: "registered in public school".

AMENDMENT TO THE BILL

On page 2, following line 47, insert:

"SECTION 3. That Section 20-527, Idaho Code, be, and the same is hereby amended to read as follows:

20-527. SCHOOL TRUSTEES TO REPORT TRUANTS. When a juvenile of compulsory school age is ~~expelled the board of trustees of the school district or the board's delegated representatives shall~~ reported to have repeatedly violated the attendance regulations of the school district in which the juvenile is enrolled, pursuant to section 33-206, Idaho Code, the prosecuting attorney may file a petition under this act. ~~as provided in section 33-205, Idaho Code.~~ The court shall cause an investigation to be made and upon receipt of the written report of the investigation, the court may proceed under this act or the child protective act with respect to the juvenile and may proceed against the juvenile's parent(s), guardian or custodian under this act pursuant to section 33-207, Idaho Code.".

CORRECTIONS TO TITLE

On page 1, in line 3, delete "MAY" and insert: "SHALL"; in line 4, delete "AND"; in line 7, following "CORRECTIONS" insert: "; AND AMENDING SECTION 20-527, IDAHO CODE, TO GOVERN ACTION AGAINST A TRUANT PURSUANT TO THE JUVENILE CORRECTIONS ACT".

HOUSE AMENDMENTS TO H 192

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 24, following "waste" insert: "or nonhazardous radiologically contaminated waste materials from "Formerly Utilized Sites Remedial Action Program (FUSRAP)" sites administered by the United States army corps of engineers"; in line 36, delete ";"; delete lines 37 through 43; and on page 2, delete lines 1 and 2, and insert: ".".

AMENDMENTS TO THE BILL

On page 1, following line 8, insert:

"SECTION 1. LEGISLATIVE INTENT. It is the intent of the Legislature to restrict certain wastes containing radioactive materials from being disposed of in this state unless the Legislature specifically approves such disposal."; and in line 9, delete "1" and insert: "2".

On page 2, following line 20, insert:

"SECTION 3. That Section 39-4403, Idaho Code, be, and the same is hereby amended to read as follows:

39-4403. DEFINITIONS. As used in this chapter:

(1) "Board" means the Idaho board of health and welfare.

(2) "Commercial hazardous waste facility or site" means any hazardous waste facility whose primary business is the treatment, storage or disposal, for a fee or other consideration, of hazardous waste generated offsite by generators other than the owner and operator of the facility.

(3) "Department" means the Idaho department of health and welfare.

(4) "Director" means the director of the Idaho department of health and welfare or the director's authorized agent.

(5) "Disposal" means the discharge, deposit, injection, dumping, spilling, leaking or placing of any hazardous waste into or on any land or water so that such hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including ground waters.

(6) "Gate ton" means the weight, in tons (2,000 pounds/ton), of waste material received at a facility. This weight does not include any subsequent changes to the weight resulting from the management of the waste by the facility.

(7) "Generator" means any person, who by virtue of ownership, management, or control, is responsible for causing or allowing to be caused the creation of a hazardous waste.

(8) "Hazardous waste" means a waste or combination of wastes of a solid, liquid, semisolid, or contained gaseous form which, because of its quantity, concentration or characteristics (physical, chemical or biological) may:

(a) Cause or significantly contribute to an increase in deaths or an increase in serious, irreversible or incapacitating reversible illnesses; or

(b) Pose a substantial threat to human health or to the environment if improperly treated, stored, disposed of, or managed. Such wastes include, but are not limited to, materials which are toxic, corrosive, ignitible, or reactive, or materials which may have mutagenic, teratogenic, or carcinogenic properties but do not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to national pollution discharge elimination system permits under the Federal Water Pollution Control Act, as amended, 33 U.S.C., Section 1251 et seq., or source, special nuclear, or ~~by-product~~ byproduct material as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C., Section 2011 et seq.

(9) "Hazardous waste management" means the systematic control of the collection, source separation, storage, treatment, transportation, processing, and disposal of hazardous wastes.

(10) "Hazardous waste facility or site" means any property, structure, or ancillary equipment intended or used for the transportation, treatment, storage or disposal of hazardous wastes.

(11) "Injection" means the subsurface emplacement of free liquids.

(12) "Manifest" means a form used for identifying the quantity, composition, origin, routing, waste identification code(s), and destination of hazardous waste during any transportation from the point of generation to the point of treatment, storage or disposal.

(13) "Manifested waste" means waste which at the point of origin or generation is required to be manifested for transportation in a manner similar to that of the federal uniform hazardous waste manifest or by other manifest requirements designed to assure proper treatment, storage and disposal of such waste.

(14) "PCB waste" means any waste or waste item which is not included in the definition of "hazardous waste" and which is contaminated with polychlorinated biphenyls.

(15) "Person" means any individual, association, partnership, firm, joint stock company, trust, estate, political subdivision, public or private corporation, state or federal governmental department, agency, or instrumentality, or any other legal entity which is recognized by law as the subject of rights and duties.

(16) "RCRA" means the Resource Conservation and Recovery Act of 1976 as amended from time to time.

(17) "Restricted hazardous waste" means a waste or combination of wastes regulated as land disposal restricted pursuant to federal statutes and regulations, including 40 CFR part 268. Restricted hazardous waste also includes byproduct, source, special nuclear materials or devices or equipment utilizing such materials regulated under the federal atomic energy act of 1954, as amended. Restricted hazardous waste shall not include radiologically contaminated waste materials from "Formerly Utilized Sites Remedial Action Program

(FUSRAP)" sites administered by the United States army corps of engineers and being disposed of pursuant to a contract in existence on July 1, 2001, and as may be renewed thereafter.

(18) "Storage" means the containment of hazardous wastes, on a temporary basis or for a period of years, in such a manner as not to constitute disposal of such hazardous wastes.

(19) "Transportation" means the movement of any hazardous waste to or from a hazardous waste facility or site.

(20) "Transporter" means any person who transports a hazardous waste to or from a hazardous waste facility or site.

(21) "Treatment" means any method, technique, or process, including neutralization, which is designed not to be an integral part of a production process, but which is rather designed to change the physical, chemical, or biological character or composition of any hazardous waste prior to storage or final disposal so as to neutralize such waste or so as to render such waste nonhazardous or less hazardous; safer to transport, store, or dispose of; or amenable for recovery, amenable for storage or reduced in volume. Such term includes any activity or processing designed to change the physical form or chemical composition of hazardous waste so as to render it nonhazardous.

(22) "Waste" means any solid, semisolid, liquid or contained gaseous material for which no reasonable use or reuse is intended or which is intended to be discarded.

SECTION 4. That Section 39-4405, Idaho Code, be, and the same is hereby amended to read as follows:

39-4405. RULES ~~AND REGULATIONS~~ IN GENERAL. Pursuant to the procedures established by the Idaho administrative procedures act, chapter 52, title 67, Idaho Code, the board shall adopt such rules ~~and regulations~~ as are necessary and feasible for the management of the generation, collection, transportation, treatment, storage, and disposal of hazardous wastes within the state. The board shall also adopt such rules ~~and regulations~~ as necessary to regulate persons who produce, burn, distribute, and market fuel containing hazardous waste. The rules ~~and regulations~~ promulgated by the board shall be a part of this code and shall have the force and effect of law. Such rules ~~and regulations~~ shall include, but not be limited to:

(1) Criteria for the determination of whether any waste or combination of wastes is hazardous for the purposes of this chapter;

(2) Rules ~~and regulations~~ for those who generate, transport, treat, store, or dispose of hazardous wastes;

(3) Rules, ~~and regulations,~~ consistent with those issued by the United States environmental protection agency and the United States department of transportation, for containerization, labeling and manifesting of hazardous wastes;

(4) Rules ~~and regulations~~ specifying the terms and conditions under which the department shall issue, modify, suspend, revoke, or deny such permits as shall be required by this chapter;

(5) Lists of those wastes or combinations of wastes which are not compatible and which may not be stored or disposed of together;

(6) Procedures and requirements for the reporting of the generation, transportation, treatment, storage or disposal of hazardous wastes;

(7) Rules ~~and regulations~~ establishing standards and procedures for the training of personnel at generation sites and at hazardous waste facilities and sites;

(8) Release detection, prevention and correction ~~regulations~~ rules applicable to all owners and operators of underground storage tanks, as may be necessary to protect human health and the environment;

(9) Rules specifying radioactive materials or other radioactive materials occurring naturally that may be disposed of at a commercial hazardous waste facility or site.".

CORRECTIONS TO TITLE

On page 1, in line 2, following "FACILITIES;" insert: "PROVIDING LEGISLATIVE INTENT;"; in line 3, delete "THIRTY DOLLARS" and insert: "FIVE DOLLAR"; delete lines 6 and 7, and insert: "ARMY CORPS OF ENGINEERS; AMENDING SECTION 39-4403, IDAHO CODE, TO FURTHER DEFINE THE TERM "RESTRICTED HAZARDOUS WASTE" AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 39-4405, IDAHO CODE, TO PROVIDE FOR RULES FOR RADIOACTIVE MATERIALS OR OTHER RADIOACTIVE MATERIALS OCCURRING NATURALLY THAT MAY BE DISPOSED OF AT A COMMERCIAL HAZARDOUS WASTE FACILITY OR SITE AND TO MAKE TECHNICAL CORRECTIONS.".

We have also had under consideration **H 273, H 274**, and **H 228**, report progress and beg leave to sit again.

Mr. Hansen, having voted on the prevailing side, served notice that he may ask for reconsideration of the vote by which the Amendment to **H 277** was adopted in the Committee of the Whole House.

Notice having been served and having voted on the prevailing side, Mr. Hansen moved that the House now reconsider the vote by which the Amendment to **H 277** was adopted in the Committee of the Whole House. Seconded by Mr. Schaefer.

The question being, "Shall the motion carry?"

Whereupon the Speaker declared the motion to reconsider carried.

The motion for reconsideration having passed, the Amendment to **H 277** was before the Committee of the Whole House.

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 277** and report it back without recommendation and without amendments.

DENNEY, Chairman

Mr. Denney moved that the report be adopted. Seconded by Mr. Bruneel.

Whereupon the Speaker declared the report adopted.

H 156, as amended, **H 282**, as amended, **H 291**, as amended, **H 312**, as amended, **H 326**, as amended, and **H 192**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

H 273, H 274, and **H 228** were retained on General Orders.

H 277 was filed for second reading.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Bruneel moved that the House recess until 1:15 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

RECESS

Afternoon Session

The House reconvened at 1:15 p.m., Mr. Tilman in the Chair.

Roll call showed 69 members present.
Absent and excused -- Field(20). Total -- 1.
Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Smith asked unanimous consent that **H 243**, as amended, be returned to the Judiciary, Rules, and Administration Committee. There being no objection, it was so ordered.

Mr. Bruneel asked unanimous consent that **H 341, H 342, H 343, H 344, H 301, H 334, H 335, H 336, H 337, H 330**, and **S 1175** retain their places on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

H 161 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Chase to open debate.

The question being, "Shall **H 161** pass?"

Roll call resulted as follows:
AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Mortensen, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young. Total -- 62.
NAYS -- None.
Absent and excused -- Field(20), McKague, Montgomery, Moss, Moyle, Sali, Swan(Hansen), Mr. Speaker. Total -- 8.
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 161** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 231 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Gagner to open debate.

The question being, "Shall **H 231** pass?"

Roll call resulted as follows:
AYES -- Barraclough(Barraclough), Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Loertscher, Mader, Marley, Meyer, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Trail, Wheeler, Young. Total -- 59.
NAYS -- Barrett, Langford, Tilman, Wood. Total -- 4.
Absent and excused -- Field(20), McKague, Montgomery, Moss, Sali, Schaefer, Mr. Speaker. Total -- 7.
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 231** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 279 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Chase to open debate.

The question being, "Shall **H 279** pass?"

Roll call resulted as follows:
AYES -- Barraclough(Barraclough), Bieter, Black, Boe, Chase, Cuddy, Denney, Eskridge, Hadley, Henbest, Higgins, Jaquet, Jones, Langford, Marley, Meyer, Montgomery, Pomeroy, Ridinger, Robison, Sali, Schaefer, Shepherd, Smylie, Stone, Tilman, Trail, Wood. Total -- 28.
NAYS -- Barrett, Bedke, Bell, Bolz, Bruneel, Callister, Campbell, Clark, Collins, Crow, Deal, Ellis, Ellsworth, Field(13), Gagner, Gould, Hammond, Harwood, Hornbeck, Kellogg, Kendell, Kunz, Lake, Loertscher, Mader, McKague, Mortensen, Moyle, Pearce, Pischner, Raybould, Roberts, Sellman, Smith, Stevenson, Swan(Hansen), Wheeler, Young. Total -- 38.
Absent and excused -- Bradford, Field(20), Moss, Mr. Speaker. Total -- 4.
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 279** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

H 292 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Gagner to open debate.

The question being, "Shall **H 292** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Young. Total -- 62.

NAYS -- Barrett, Harwood, McKague, Roberts. Total -- 4.

Absent and excused -- Bradford, Field(20), Wood, Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 292** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the Legislative Day. There being no objection, it was so ordered.

H 316 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Trail to open debate.

The question being, "Shall **H 316** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Young. Total -- 64.

NAYS -- None.

Absent and excused -- Bradford, Field(20), Meyer, Smith, Wood, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 316** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1036 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Gagner to open debate.

The question being, "Shall **S 1036** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Barrett, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Wood, Young. Total -- 65.

NAYS -- None.

Absent and excused -- Bedke, Bradford, Field(20), Jaquet, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1036** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 269 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Kunz to open debate.

The question being, "Shall **H 269** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Bieter, Black, Boe, Bradford, Bruneel, Chase, Collins, Crow, Cuddy, Deal, Denney, Ellis, Eskridge, Field(13), Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kunz, Langford, Mader, Marley, Meyer, Pomeroy, Roberts, Robison, Sali, Schaefer, Shepherd, Smylie, Trail, Wood, Young, Mr. Speaker. Total -- 41.

NAYS -- Barrett, Bell, Bolz, Callister, Campbell, Clark, Gagner, Kendell, Lake, Loertscher, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Raybould, Ridinger, Sellman, Smith, Stevenson, Stone, Swan(Hansen), Tilman, Wheeler. Total -- 26.

Absent and excused -- Bedke, Ellsworth, Field(20). Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 269** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 353
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO AUDITORIUM OR COMMUNITY CENTER DISTRICTS; AMENDING SECTION 67-4902, IDAHO CODE, TO REVISE THE DEFINITION OF AN AUDITORIUM OR COMMUNITY CENTER DISTRICT; AMENDING SECTION 67-4904, IDAHO CODE, TO CLARIFY PETITION CONTENTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-4907, IDAHO CODE, TO PROVIDE REQUIREMENTS IF THE PETITION FOR FORMATION OF A DISTRICT PROPOSED A PROPERTY TAX AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-4911, IDAHO CODE, TO REVISE WHEN ELECTIONS MAY BE HELD AND TO REQUIRE ADEQUATE POLLING PLACES; AMENDING SECTION 67-4913, IDAHO CODE, TO PROVIDE THAT FOR AN AUDITORIUM DISTRICT ESTABLISHED AFTER JULY 1, 2001, THE PROPERTY TAX SHALL NOT EXCEED THE MAXIMUM TAX RATE AUTHORIZED IN THE PETITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-4917B, IDAHO CODE, TO PROVIDE THAT FOR AN AUDITORIUM DISTRICT ESTABLISHED AFTER JULY 1 2001, THE SALES TAX SHALL NOT EXCEED THE MAXIMUM TAX RATE AUTHORIZED IN THE PETITION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-4918, IDAHO CODE, TO PROVIDE THAT NO AUDITORIUM DISTRICT ESTABLISHED AFTER JULY 1, 2001, SHALL LEVY OR IMPOSE A TYPE OF TAX NOT AUTHORIZED IN THE PETITION AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING CHAPTER 49, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-4931, IDAHO CODE, TO PROVIDE APPLICATION OF THE CAMPAIGN FINANCE REPORTING LAW TO AUDITORIUM AND COMMUNITY CENTER DISTRICTS AND TO PROVIDE CONTRIBUTION LIMITS TO A CANDIDATE FOR DIRECTOR OF AN AUDITORIUM DISTRICT AT AN AUDITORIUM DISTRICT ELECTION.

HOUSE BILL NO. 354
BY WAYS AND MEANS COMMITTEE
AN ACT

RELATING TO REGISTRATION OF MOTOR VEHICLES WEIGHING IN EXCESS OF SIXTY THOUSAND POUNDS GROSS VEHICLE WEIGHT; AMENDING SECTION 49-434, IDAHO CODE, TO REVISE THE ANNUAL REGISTRATION FEE SCHEDULE FOR MOTOR VEHICLES WEIGHING IN EXCESS OF SIXTY THOUSAND POUNDS AND TO PROVIDE FOR QUARTERLY INSTALLMENT PAYMENTS OF THE ANNUAL REGISTRATION FEE; AMENDING SECTION 17, CHAPTER 418, LAWS OF 2000, TO DELETE LEGISLATIVE INTENT FOR FULL PAYMENT OF THE ANNUAL REGISTRATION FEE ON THE REGISTRATION FEE ONLY SYSTEM AT THE TIME OF REGISTRATION OR RENEWAL OF REGISTRATION FOR REGISTRATIONS AND RENEWAL OF REGISTRATIONS OCCURRING ON AND AFTER OCTOBER 1, 2001; AND PROVIDING AN EFFECTIVE DATE.

H 353 and **H 354** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 10:30 a.m., Thursday, March 8, 2001. Seconded by Mr. Chase. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 2:45 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

SIXTIETH LEGISLATIVE DAY
THURSDAY, MARCH 8, 2001

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Emily Bedke, Page.

Approval of Journal

March 8, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-ninth Legislative Day and recommend that same be adopted as corrected. GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

March 7, 2001

Mr. Speaker:

I transmit herewith enrolled **S 1091** and **S 1162** for the signature of the Speaker. WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1091** and **S 1162** and, when so signed, ordered them returned to the Senate.

Report of Standing Committees

March 8, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 353** and **H 354**, and House Amendments to **H 156, H 282, H 291, H 312, H 326**, and **H 192**. GOULD, Chairman

H 354 was referred to the Transportation and Defense Committee.

H 353 was filed for second reading.

March 8, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HJM 4**.

GOULD, Chairman

The Speaker announced he was about to sign enrolled **HJM 4**, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

March 8, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 71**, as amended in the Senate, **H 156**, as amended, **H 282**, as amended, **H 291**, as amended, **H 312**, as amended, **H 326**, as amended, and **H 192**, as amended.

GOULD, Chairman

H 71, as amended in the Senate, **H 156**, as amended, **H 282**, as amended, **H 291**, as amended, **H 312**, as amended, **H 326**, as amended, and **H 192**, as amended, were filed for first reading of engrossed bills.

March 6, 2001

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 211** and **H 262** and report them back with amendments attached to be placed on General Orders for consideration.

JONES, Chairman

H 211 and **H 262** were placed on General Orders for consideration.

March 7, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 311** and report it back with amendments attached to be placed on General Orders for consideration.

CROW, Chairman

H 311 was placed on General Orders for consideration.

March 7, 2001

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **S 1060** and recommend that it do pass.

TILMAN, Chairman

S 1060 was filed for second reading.

March 7, 2001

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **S 1052** and recommend that it do pass.

BLACK, Chairman

S 1052 was filed for second reading.

March 7, 2001

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 238** and **H 305** and report them back with amendments attached to be placed on General Orders for consideration.

BLACK, Chairman

H 238 and **H 305** were placed on General Orders for consideration.

March 7, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **HCR 23** and recommend that it do pass.

GOULD, Chairman

HCR 23 was filed for second reading.

March 7, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 321** and report it back with amendments attached to be placed on General Orders for consideration.

GOULD, Chairman

H 321 was placed on General Orders for consideration.

March 8, 2001

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1090** and recommend that it do pass.

DEAL, Chairman

S 1090 was filed for second reading.

March 8, 2001

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 347** and **S 1082** and report them back with amendments attached to be placed on General Orders for consideration.

DEAL, Chairman

H 347 and **S 1082** were placed on General Orders for consideration.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 32
BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

A CONCURRENT RESOLUTION

PROVIDING FINDINGS OF THE LEGISLATURE TO FOCUS PUBLIC AWARENESS ON THE PROBLEM OF ASSAULTS ON SPORTS OFFICIALS AND URGING SCHOOL DISTRICTS, LITTLE LEAGUE PROGRAMS, HIGH SCHOOL, COLLEGE

AND RECREATIONAL PROGRAMS, ALONG WITH LAW ENFORCEMENT AND PROSECUTORS, TO TAKE STEPS NECESSARY TO REDUCE THE INCIDENCE OF VIOLENCE ON SPORTS OFFICIALS AND TO PROSECUTE VIOLATORS TO THE FULL EXTENT OF THE LAW.

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

WHEREAS, sports participation has become a part of American life, ingrained into the consciousness of society;

WHEREAS, sporting events have components essential to their survival including the players, coaches and fans. In addition, and in some sense most importantly, there must be officials to enforce the rules of the game and judge potential disputes between participants on the field;

WHEREAS, many officials volunteer their time or receive only minimal compensation. Many officials participate out of a sheer love of the game and to teach children who play the game the valuable lessons that can be learned through participating in sports. These lessons include that of sportsmanship, working as a team and working within the rules of the game to achieve a common goal;

WHEREAS, sports officials act as on-field judges for their respective sports and as neutral participants who have no stake in the outcome of the game. Officials should be afforded protection from assaults and other negative reactions by participants, coaches and fans;

WHEREAS, increasingly, sports officials are subjected to verbal and even physical assault by disgruntled fans as well as certain coaches and players. This trend follows a growing trend in recent years that, at its foundation, shows a lack of respect for authority figures;

WHEREAS, children are exposed to media displays of professional sports heroes and are compelled to emulate their heroes. Unfortunately, children may also try to emulate them when they act in a negative fashion. If professional athletes are not reprimanded for assaultive behavior against sports officials this gives children the impression that verbally and physically assaulting officials is socially acceptable;

WHEREAS, it is not enough that each state must wait for one of its sports officials to be seriously attacked or beaten before its government takes action to stop this practice. Players, fans and coaches should be deterred from assaulting officials by local authorities handing out more severe penalties. This would ensure that the fans, especially young children, realize that it is not acceptable to attack an official;

WHEREAS, the sports officials that give their time and energy to officiate games deserve our collective respect and must have complete confidence that they will be able to carry out their responsibilities in a safe environment. As a society, we must act on the belief that respect for authority, whether you agree with it or not, is critical to living, working and playing together. Sports need to be a beacon, highlighting positive accomplishments and the need for sportsmanship and fair play. Although education continues to be important, recent trends point out the need for strong sanctions against those who engage in bad behavior at sporting events.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, calling on all school districts, little league programs, high school, college and recreational programs, along with law enforcement and prosecutors, to do all they can to put an end to the increased threats and batteries on sports officials and to prosecute violators to the full extent of the law.

HCR 32 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 355
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO INFORMATION TECHNOLOGY ACCESS FOR THE VISUALLY IMPAIRED; PROVIDING A STATEMENT OF LEGISLATIVE INTENT; AMENDING CHAPTER 54, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5416, IDAHO CODE, TO PROVIDE A STATEMENT OF LEGISLATIVE POLICY; AMENDING CHAPTER 54, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5417, IDAHO CODE, TO DEFINE TERMS; AMENDING CHAPTER 54, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5418, IDAHO CODE, TO ADOPT AN ASSURANCE OF NONVISUAL ACCESS; AMENDING CHAPTER 54, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5419, IDAHO CODE, TO ADOPT PROCUREMENT REQUIREMENTS; AMENDING CHAPTER 54, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5420, IDAHO CODE, TO ADOPT PROCEDURE FOR IMPLEMENTATION.

HOUSE BILL NO. 356
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO SALARIES OF MEMBERS OF THE IDAHO STATE TAX COMMISSION; AMENDING SECTION 63-102, IDAHO CODE, TO PROVIDE A SALARY INCREASE FOR TAX COMMISSIONERS.

H 355 and **H 356** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Mrs. Ellsworth asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the Legislative Day. There being no objection, it was so ordered.

Mr. Black asked unanimous consent that **H 281**, as amended, be placed on General Orders for consideration. There being no objection, it was so ordered.

First Reading of Engrossed Bills

H 71, as amended in the Senate, by Agricultural Affairs Committee, was introduced, read the first time by title and filed for second reading.

H 156, as amended, by Business Committee, was introduced, read the first time by title and filed for second reading.

H 282, as amended, and **H 312**, as amended, by Revenue and Taxation Committee, were introduced, read the first time by title and filed for second reading.

H 291, as amended, and **H 326**, as amended, by Education Committee, were introduced, read the first time by title and filed for second reading.

H 192, as amended, by Environmental Affairs Committee, was introduced, read the first time by title and filed for second reading.

Second Reading of Bills and Joint Resolutions

H 324 and **H 277**, by Education Committee, were read the second time by title and filed for third reading.

H 331, by State Affairs Committee, was read the second time by title and filed for third reading.

S 1039, S 1145, S 1146, and **SCR 110**, by Health and Welfare Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Bruneel asked unanimous consent that **H 341, H 342, H 343, H 344, H 301, H 334, H 335, H 336, H 337, S 1175**, and **H 330** retain their places on the Third Reading Calendar until Monday, March 12, 2001. There being no objection, it was so ordered.

Mr. Bruneel asked unanimous consent that **H 263**, as amended, retain its place on the Third Reading Calendar until Monday, March 12, 2001. There being no objection, it was so ordered.

H 332 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cuddy and Mr. Eskridge to open debate.

The question being, "Shall **H 332** pass?"

Roll call resulted as follows:

AYES -- Bedke, Bieter, Boe, Chase, Crow, Cuddy, Denney, Eskridge, Field(20), Gould, Harwood, Henbest, Jaquet, Jones, Kellogg, Langford, Marley, McKague, Meyer, Montgomery, Moyle, Pischner, Raybould, Ridinger, Robison, Shepherd, Smylie, Stone, Wood. Total -- 29.

NAYS -- Barraclough(Barraclough), Barrett, Bell, Black, Bolz, Bruneel, Callister, Campbell, Clark, Collins, Deal, Ellis, Ellsworth, Field(13), Gagner, Hadley, Hammond, Hornbeck, Kendell, Kunz, Lake, Loertscher, Mader, Mortensen, Moss, Pearce, Pomeroy, Roberts, Sali, Schaefer, Sellman, Smith, Stevenson, Swan(Hansen), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 39.

Absent and excused -- Bradford, Higgins. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 332** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

S 1137 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **S 1137** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Bedke, Bieter, Black, Boe, Campbell, Collins, Denney, Ellsworth, Field(13), Field(20), Hadley, Henbest, Hornbeck, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Mortensen, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Shepherd, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 38.

NAYS -- Barrett, Bell, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Crow, Deal, Ellis, Eskridge, Gagner, Gould, Hammond, Harwood, Higgins, Jaquet, Kendell, Marley, Montgomery, Moss, Moyle, Pearce, Raybould, Sellman, Smith, Smylie, Stevenson. Total -- 29.

Absent and excused -- Cuddy, Jones, Pischner. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1137** passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE JOINT MEMORIAL NO. 10
BY REVENUE AND TAXATION COMMITTEE

A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Fifty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, President George W. Bush has proposed a bold and fair tax relief plan that will reduce the inequities of the current federal tax code and help ensure that America remains prosperous; and

WHEREAS, the President Bush tax relief plan promotes the values that make the American economy second to none -- access to the middle class, family, equal opportunity and the entrepreneurial spirit -- and this plan will reduce taxes for everyone who pays income taxes and will encourage enterprise by lowering marginal tax rates; and

WHEREAS, over the past several months, the economy has slowed considerably and President Bush's tax cut will give the economy a boost by placing more money in the hands of consumers and entrepreneurs; and

WHEREAS, Federal Reserve Chairman Alan Greenspan endorsed a tax cut to spur economic growth in the following statement before the Senate Committee on the Budget: "In today's context, where tax reduction appears required in any event over the next several years to assist in forestalling the accumulation of private assets, starting that process sooner rather than later likely would help smooth the transition to longer-term fiscal balance. And should current economic weakness spread beyond what now appears likely, having a tax cut in place may, in fact, do noticeable good."; and

WHEREAS, since 1992, the American family's tax burden to federal, state and local governments has increased by 11% from 30.3% of family income in 1992, to 33.5% in 1999; and

WHEREAS, budget estimates by the Congressional Budget Office show that America is going to run a surplus of $5.610 trillion and the on-budget surplus, the portion used for new spending and tax relief, has grown by 44% since the July 2000 estimate from $2.173 trillion to $3.122 trillion; and

WHEREAS, President Bush's tax plan is more progressive than the current federal income tax code as the top one percent would pay a greater share of income taxes under President Bush's plan than they pay now, and six million families with children would be removed from the tax rolls completely.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we endorse President George W. Bush's plan for cutting taxes and we respectfully request that Congress enact necessary measures to implement the President's tax relief plan.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

HJM 10 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Bruneel moved that the House recess until 1:15 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

RECESS

Afternoon Session

The House reconvened at 1:15 p.m., Mr. Bruneel in the Chair.

Roll call showed 69 members present.
Absent and excused -- Sellman. Total -- 1.
Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 348 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Gagner to open debate.

At this time, the Speaker took the Chair.

The question being, "Shall **H 348** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Bedke, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Ellis, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Mortensen, Moss, Pischner, Raybould, Robison, Schaefer, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 52.

NAYS -- Barrett, Bell, Callister, Denney, Ellsworth, Eskridge, Jaquet, McKague, Meyer, Moyle, Pearce, Pomeroy, Ridinger, Roberts, Sali. Total -- 15.

Absent and excused -- Montgomery, Sellman, Wood. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 348** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

HCR 31 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Hornbeck and Ms. Jaquet to open debate.

The question being, "Shall **HCR 31** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Gould, Montgomery, Ridinger, Sellman. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **HCR 31** adopted and ordered the resolution transmitted to the Senate.

H 346 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 346** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher,

Mader, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 63.

NAYS -- Bieter, Chase, Henbest, Higgins, Marley. Total -- 5.

Absent and excused -- Montgomery, Sellman. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 346** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 340 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kunz to open debate.

The question being, "Shall **H 340** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Shepherd, Smylie, Stevenson, Swan(Hansen), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- Jaquet, Stone. Total -- 2.

Absent and excused -- Sellman, Smith. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 340** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel asked unanimous consent that **H 299** retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

H 232, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Black to open debate.

The question being, "Shall **H 232**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Shepherd, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- Smith. Total -- 1.

Absent and excused -- Denney, Higgins, Sellman. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 232**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 207, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ellsworth to open debate.

The question being, "Shall **H 207**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Denney, Sellman. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 207**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 180, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Campbell to open debate.

The question being, "Shall **H 180**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Marley, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 64.

NAYS -- Kunz, McKague. Total -- 2.

Absent and excused -- Denney, Mader, Montgomery, Sellman. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 180**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

March 8, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HJM 10**.

GOULD, Chairman

HJM 10 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **HJM 10** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **HJM 10** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Mader.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Sali, Schaefer, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 58.

NAYS -- Bieter, Boe, Chase, Henbest, Jaquet, Marley, Robison, Shepherd. Total -- 8.

Absent and excused -- Black, Cuddy, Lake, Sellman. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **HJM 10** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Crow to open debate.

The question being, "Shall **HJM 10** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Sali, Schaefer, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 59.

NAYS -- Bieter, Boe, Chase, Henbest, Jaquet, Marley, Robison, Shepherd. Total -- 8.

Absent and excused -- Black, Cuddy, Sellman. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **HJM 10** adopted and ordered the memorial transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 10:30 a.m., Friday, March 9, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:20 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

SIXTY-FIRST LEGISLATIVE DAY
FRIDAY, MARCH 9, 2001

House of Representatives

The House convened at 10:30 a.m., Mr. Bruneel in the Chair.

Roll call showed 68 members present.
Absent and excused -- Clark, Crow. Total -- 2.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Jennifer Blake, Page.

Approval of Journal

March 9, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixtieth Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

March 8, 2001

Mr. Speaker:

I transmit herewith enrolled **S 1078, SJM 103, SJM 104**, and **SJM 105** for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced that enrolled **S 1078, SJM 103, SJM 104**, and **SJM 105** would be signed by the Speaker, and, when so signed, ordered them returned to the Senate.

March 8, 2001

Mr. Speaker:

I return herewith enrolled **HJM 2** which has been signed by the President.

WOOD, Secretary

Enrolled **HJM 2** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 8, 2001

Mr. Speaker:

I transmit herewith **S 1111, S 1139, S 1173, S 1177, S 1180, S 1181, S 1056, S 1178, S 1176, S 1186, S 1187, S 1191, S 1188, S 1189, S 1190, S 1185, S 1014**, as amended, **S 1043**, as amended, **S 1140**, as amended, **S 1142**, as amended, **S 1064**, as amended, **S 1192**, and **S 1070**, as amended, which have passed the Senate.

WOOD, Secretary

S 1111, S 1139, S 1173, S 1177, S 1180, S 1181, S 1056, S 1178, S 1176, S 1186, S 1187, S 1191, S 1188, S 1189, S 1190, S 1185, S 1014, as amended, **S 1043**, as amended, **S 1140**, as amended, **S 1142**, as amended, **S 1064**, as amended, **S 1192**, and **S 1070**, as amended, were filed for first reading.

March 8, 2001

Mr. Speaker:

I return herewith **HJM 7, HCR 1, HCR 27, H 62, H 63, H 64, H 100, H 109, H 111, H 178, H 112, H 160, H 122, H 120, H 119, H 217, H 218**, and **H 2** which have passed the Senate.

WOOD, Secretary

HJM 7, HCR 1, HCR 27, H 62, H 63, H 64, H 100, H 109, H 111, H 178, H 112, H 160, H 122, H 120, H 119, H 217, H 218, and **H 2** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 9, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 32, H 355**, and **H 356**.

GOULD, Chairman

H 355 was referred to the Education Committee.

H 356 was referred to the State Affairs Committee.

HCR 32 was filed for second reading.

March 8, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 320** and recommend that it do pass.

CROW, Chairman

H 320 was filed for second reading.

March 8, 2001

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration **S 1155** and recommend that it do pass.

STONE, Chairman

S 1155 was filed for second reading.

March 8, 2001

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **SCR 109** and recommend that it do pass.

LOERTSCHER, Chairman

SCR 109 was filed for second reading.

March 8, 2001

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **S 1073** and report it back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

S 1073 was placed on General Orders for consideration.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 357
BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO INCOME TAX WITHHOLDING; AMENDING SECTION 63-3035, IDAHO CODE, TO DELETE THE REQUIREMENT FOR CERTAIN EMPLOYERS TO REMIT PAYMENT TO THE STATE TAX COMMISSION FIVE DAYS AFTER THE END OF THE WITHHOLDING PERIOD, TO DELETE THE INFLATION ADJUSTMENT FOR CERTAIN INCOME LIMITS FOR REPORTING PURPOSES AND TO MAKE A TECHNICAL CORRECTION; AND PROVIDING AN EFFECTIVE DATE.

H 357 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1111 and **S 1070**, as amended, by Education Committee, were introduced, read the first time by title, and referred to the Education Committee.

S 1139, by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

S 1173 and **S 1177**, by State Affairs Committee, were introduced, read the first time by title, and referred to the Transportation and Defense Committee.

S 1056, by Resources and Environment Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

S 1178, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

S 1176, S 1191, S 1014, as amended, **S 1043**, as amended, and **S 1192**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1140, as amended, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

S 1142, as amended, and **S 1064**, as amended, by Agricultural Affairs Committee, were introduced, read the first time by title, and referred to the Agricultural Affairs Committee.

S 1180, S 1181, S 1186, S 1187, S 1188, S 1189, S 1190, and **S 1185**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 353, H 282, as amended, and **H 312**, as amended, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

S 1060, by Education Committee, was read the second time by title and filed for third reading.

S 1052, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

HCR 23, by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

S 1090, by State Affairs Committee, was read the second time by title and filed for third reading.

H 71, as amended in the Senate, by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

H 156, as amended, by Business Committee, was read the second time by title and filed for third reading.

H 291, as amended, and **H 326**, as amended, by Education Committee, were read the second time by title and filed for third reading.

H 192, as amended, by Environmental Affairs Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 299 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Sellman to open debate.

The question being, "Shall **H 299** pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Young. Total -- 64.

NAYS -- None.

Absent and excused -- Clark, Crow, Gould, Hammond, Wood, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 299** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 300, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Mader to open debate.

Mrs. Hornbeck asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the Legislative Session. Mr. Chase objected.

Mrs. Hornbeck asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the Legislative Day. There being no objection, it was so ordered.

The question being, "Shall **H 300**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough(Barraclough), Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Chase, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kunz, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Pomeroy, Raybould, Ridinger,

Roberts, Robison, Sali, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan(Hansen), Tilman, Trail, Wheeler, Mr. Speaker. Total -- 53.

NAYS -- Barrett, Callister, Clark, Hammond, Kendell, Lake, Langford, McKague, Moyle, Pearce, Schaefer, Smith. Total -- 12.

Absent and excused -- Crow, Campbell, Pischner, Wood, Young. Total -- 5.

Paired Vote:

AYE -- Eskridge NAY -- Clark

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 300**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, March 12, 2001. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fourteenth Order of Business.

Presentation of Petitions and Communications

House of Representatives
State of Idaho
Minority Caucus Chairman

March 9, 2001

Chief Clerk
House of Representatives

The House Democratic Caucus has learned that the House Republican Caucus has decided to appeal the Supreme Court decision on state aid to schools for buildings, and has unanimously voted to register their opposition to that decision and requests that the appeal be withdrawn. The minority caucus also strongly objects to not being included in any discussion relative to the appeal.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 10:30 a.m., Monday, March 12, 2001. Seconded by Mr. Chase. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 12:34 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

SIXTY-FOURTH LEGISLATIVE DAY
MONDAY, MARCH 12, 2001

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Jo Shaffer, Page.

Approval of Journal

March 12, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-first Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that George H. Swan, State Representative, District 23, House Seat B, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Sharon Block, of Twin Falls, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Sharon Block, Acting State Representative, District 23, House Seat B, State of Idaho, for a term commencing on Monday, March 12, 2001, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

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 9th day of March in the year of our Lord two thousand and one, and of the Independence of the United States of America, the two hundred and twenty-fifth year.

/s/ DIRK A. KEMPTHORNE
Governor
/s/ PETE T. CENARRUSA
Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mrs. Block.

March 9, 2001

Mr. Speaker:

I transmit herewith enrolled **S 1036** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1036** and, when so signed, ordered it returned to the Senate.

March 9, 2001

Mr. Speaker:

I return herewith enrolled **HJM 4** which has been signed by the President.

WOOD, Secretary

Enrolled **HJM 4** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 9, 2001

Mr. Speaker:

I transmit herewith **S 1182, S 1184, S 1194**, and **S 1196** which have passed the Senate.

WOOD, Secretary

S 1182, S 1184, S 1194, and **S 1196** were filed for first reading.

March 9, 2001

Mr. Speaker:

I return herewith **HJM 9** which has passed the Senate.

WOOD, Secretary

HJM 9 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 12, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 357**.

GOULD, Chairman

H 357 was referred to the Revenue and Taxation Committee.

March 12, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HJM 7, HCR 1, HCR 27, H 62, H 63, H 64, H 100, H 109, H 111, H 178, H 112, H 160, H 122, H 120, H 119, H 217, H 218**, and **H 2**.

GOULD, Chairman

The Speaker announced he was about to sign enrolled **HJM 7, HCR 1, HCR 27, H 62, H 63, H 64, H 100, H 109, H 111, H 178, H 112, H 160, H 122, H 120, H 119, H 217, H 218**, and **H 2**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 12, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HJM 2** to the Secretary of State at 10:40 a.m., as of this date, March 9, 2001.

GOULD, Chairman

March 9, 2001

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **S 1132** and recommend that it do pass.

TILMAN, Chairman

S 1132 was filed for second reading.

March 12, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 310** and recommend that it do pass.

CROW, Chairman

H 310 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 33
BY REVENUE AND TAXATION 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 IMPLEMENTATION OF THE PHASE OUT OF THE TAX ON PERSONAL PROPERTY.

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

WHEREAS, there are proposals before the Legislature of the State of Idaho in 2001 to provide a phase out of the tax on personal property or to provide for an income tax credit or refund for taxes paid on personal property; and

WHEREAS, each of these proposals by its nature is complicated and far reaching and needs to be fully studied so that no unintended consequences occur as a result; and

WHEREAS, there are many stakeholders in the phase out of the personal property tax, including every segment of Idaho society; and

WHEREAS, the Legislature wants to ensure that essential governmental operations are not jeopardized as a result of the personal property tax phase out or rebate; and

WHEREAS, the subject of personal property taxation is sufficiently complex that it would be desirable for an interim committee to review and make further recommendations.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of the phase out of the tax on personal property and necessary implementation steps that need to be taken. 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 report its findings, recommendations and proposed legislation, if any, to the Second Regular Session of the Fifty-sixth Idaho Legislature.

HCR 33 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 358
BY WAYS AND MEANS COMMITTEE
AN ACT

RELATING TO MINIMUM STREAM FLOWS; AMENDING CHAPTER 15, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-1506, IDAHO CODE, TO AUTHORIZE THE WATER RESOURCE BOARD TO APPROPRIATE A MINIMUM STREAM FLOW WATER RIGHT IN A DESIGNATED REACH OF THE LEMHI RIVER; AMENDING CHAPTER 17, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-1765A, IDAHO CODE, TO DIRECT THE BOARD TO APPOINT A LOCAL RENTAL COMMITTEE TO FACILITATE OPERATION OF THE WATER SUPPLY BANK WITHIN THE LEMHI RIVER BASIN AND TO PROVIDE FOR USE OF THE WATER SUPPLY BANK TO MAINTAIN THE BOARD'S MINIMUM STREAM FLOW WATER RIGHT; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 359
BY WAYS AND MEANS COMMITTEE
AN ACT

RELATING TO HIGHWAYS; AMENDING CHAPTER 5, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-513B, IDAHO CODE, TO DESIGNATE THAT PORTION OF U.S. HIGHWAY 95 THROUGH THE CANYON BETWEEN MIDVALE AND CAMBRIDGE AS THE "STU DOPF MEMORIAL HIGHWAY."

HOUSE BILL NO. 360
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO TAXATION POLICIES; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3024D, IDAHO CODE, TO PROVIDE FOR STATE INCOME TAX CREDITS FOR THE PAYMENT OF PERSONAL PROPERTY TAXES BY CERTAIN TAXPAYERS, TO PROVIDE A SCHEDULE FOR PHASE IN OF THE REIMBURSEMENT, TO PROVIDE THE MAXIMUM AMOUNT OF THE CREDIT AND TO PROVIDE PROCEDURES; AMENDING CHAPTER 35, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-3529, IDAHO CODE, TO PROVIDE FOR TREATMENT OF A GENERAL FUND SURPLUS AND TO PROVIDE FOR REMITTANCE OF CERTAIN MONEYS TO THE STATE REFUND FUND AND TO PROVIDE FOR REMITTANCE TO THE GENERAL FUND; AND AMENDING SECTION 63-3067, IDAHO CODE, TO PROVIDE THAT MONEYS IN THE STATE REFUND FUND MAY BE USED FOR REPAYING TAXPAYERS FOR CERTAIN PERSONAL PROPERTY TAXES PAID AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 361
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO PROPERTY EXEMPT FROM TAXATION BELONGING TO FRATERNAL, BENEVOLENT OR CHARITABLE CORPORATIONS OR SOCIETIES; AMENDING SECTION 63-602C, IDAHO CODE, TO PROVIDE THAT CERTAIN LOW-INCOME HOUSING IS EXEMPT FROM TAXATION, TO PROVIDE THAT THE LEASE OR USE OF ANY PROPERTY BY ANY SUCH CORPORATION OR SOCIETY FOR LOW-INCOME HOUSING SHALL NOT BE DEEMED A BUSINESS OR COMMERCIAL PURPOSE, EVEN THOUGH FEES OR CHARGES BE IMPOSED AND REVENUE DERIVED THEREFROM IF THE LOW-INCOME HOUSING SHALL BE OR SHALL HAVE BEEN INSURED, FINANCED OR ASSISTED IN WHOLE OR IN PART THROUGH A FEDERAL OR STATE HOUSING PROGRAM ADMINISTERED BY THE DEPARTMENT OF HEALTH AND WELFARE, THE IDAHO HOUSING AND FINANCE ASSOCIATION, THE IDAHO HEALTH FACILITIES AUTHORITY OR THE FEDERAL DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OR THE FEDERAL DEPARTMENT OF AGRICULTURE, AND THE CORPORATION OR SOCIETY SHALL BE EXEMPT FROM TAXATION PURSUANT TO SECTION 501(c)(3) OF THE INTERNAL REVENUE CODE; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

H 358, H 359, H 360, and **H 361** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1194, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

S 1182, S 1184, and **S 1196**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 32, by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

H 320, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

S 1155, by Local Government and Taxation Committee, was read the second time by title and filed for third reading.

SCR 109, by Health and Welfare Committee, was read the second time by title and filed for third reading.

S 1180, S 1181, S 1186, S 1187, S 1188, S 1189, S 1190, and **S 1185**, by Finance Committee, were read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Bruneel moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Chase. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Denney in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

March 12, 2001

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 256, H 211, H 311, H 238, H 305, H 321, H 347, S 1082**, and **H 281**, as amended, and report them back without recommendation, amended as follows:

HOUSE AMENDMENTS TO H 256

AMENDMENTS TO SECTION 2

On page 4 of the printed bill, delete line 35, and insert: "representative of the county commission of Spokane county of the state of Washington"; and in line 46, following "duties." insert: "The commission shall distribute and publish a public involvement policy, to include procedures to assure adherence to the open meeting law and the public records act.".

On page 5, delete lines 52 through 55.

On page 6, in line 1, delete "(i)" and insert: "(h)"; in line 5, delete "(j)" and insert: "(i)"; in line 8, delete "(k)" and insert: "(j)"; in line 15, delete "(l)" and insert: "(k)"; in line 17, delete "(m)" and insert: "(l)"; in line 24, delete "(n)" and insert: "(m)"; and in line 31, delete "(o)" and insert: "(n)".

AMENDMENT TO SECTION 3

On page 12, in line 41, following "approval" insert: ", provided however that Section 1 of this act shall become effective only upon the execution of the order pursuant to Section 39-8106, Idaho Code, and a filing of the order with the Governor and the Secretary of State".

CORRECTION TO TITLE

On page 1, in line 21, delete "AND"; and also in line 21, following "EMERGENCY" insert: "AND PROVIDING AN EFFECTIVE DATE FOR SECTION 1 OF THIS ACT UPON CERTAIN CIRCUMSTANCES OCCURRING".

HOUSE AMENDMENTS TO H 211

AMENDMENTS TO SECTION 3

On page 2 of the printed bill, in line 28, following "units" insert: "or more"; and in line 37, following "county" insert: ". The department of agriculture shall serve as the lead agency for the team".

AMENDMENTS TO SECTION 4

On page 2, in line 51, delete "shall" and insert: "may"; and also in line 51, delete "all applicants" and insert: "an applicant".

AMENDMENT TO SECTION 5

On page 3, in line 21, delete "as is" and insert: "if".

AMENDMENT TO SECTION 6

On page 3, in line 28, following "form" insert: "and chair".

CORRECTION TO TITLE

On page 1, in line 9, delete "REQUIRE" and insert: "PROVIDE FOR".

HOUSE AMENDMENT TO H 311

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 39, following "been" insert: "home schooled or"; on page 2, in line 11, delete "such" and insert: "a qualifying"; on page 3, in line 35, delete "or home"; in line 46, delete "or affidavit of home study"; in line 49, delete "home-schooled child" and insert: "qualifying student"; and in line 53, delete ", home school".

HOUSE AMENDMENTS TO H 238

AMENDMENT TO SECTION 14

On page 11 of the printed bill, in line 35, delete "54-1014" and insert: "54-1914".

AMENDMENT TO THE BILL

On page 13, delete lines 1 through 3.

CORRECTIONS TO TITLE

On page 1, in line 35, following "CORRECTIONS;" insert: "AND"; in line 37, following "CORRECTIONS" delete the remainder of the line; delete line 38, and insert: ".".

HOUSE AMENDMENTS TO H 305

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 21, delete "~~seven~~ five (~~7~~5)" and insert: "seven (7)"; in line 22, following "shall be a" insert: "person whose primary business is that of a"; in line 23, following "shall be a" insert: "person whose primary business is that of a"; also in line 23, delete "~~"highway~~ commercial building" and insert: ""highway"; in line 24, delete "construction~~"~~" and insert: "construction""; also in line 24, delete "~~two (2) members shall be "building construction"~~" and insert: "~~two~~ one (~~2~~1) member~~s~~ shall be a person whose primary business is that of a "building construction""; in line 25, delete "~~contractors,~~" and insert: "contractor~~s~~,"; also in line 25, following "shall be a" insert: "person whose primary business is that of a"; also in line 25, delete "~~as~~" and insert: "as"; delete line 26, and insert: "such construction terms are defined in this chapter"; in line 27, delete "subcontractor" and insert: ", one (1) member shall be a subcontractor with a license no higher than a class "A""; and in line 28, delete "~~registered professional engineer~~ citizen at large" and insert: "registered professional engineer".

AMENDMENTS TO SECTION 3

On page 2, in line 22, delete "act" and insert: "~~act~~ chapter"; on page 3, in line 31, delete "or, in lieu thereof," and insert: "which

may include"; in line 32, following "capability" insert: "per project and in the aggregate"; and in line 42, following "employee." insert: "A request for a licensing class higher than that for which the applicant qualifies must go to the administrator for review and may be approved up to the bond limit. A final appeal of a decision of the administrator may be made to the board.".

AMENDMENTS TO THE BILL

On page 2, delete lines 3 through 16; and in line 17, delete "SECTION 3" and insert: "SECTION 2"; and on page 3, in line 43, delete "SECTION 4" and insert: "SECTION 3".

CORRECTIONS TO TITLE

On page 1, in line 5, delete "AMENDING SECTION 54-1908,"; delete line 6; in line 7, delete "BOARD;"; in line 9, delete "AN ALTERNATIVE TO THE" and insert: "THAT A"; and in line 10, delete "REQUIRED AS PART OF THE APPLICATION" and insert: "MAY INCLUDE A LETTER FROM THE APPLICANT'S BONDING COMPANY STATING A BONDING CAPABILITY AMOUNT, TO PROVIDE THAT A REQUEST FOR A LICENSING CLASS HIGHER THAN THAT FOR WHICH THE APPLICANT QUALIFIES MUST GO TO THE ADMINISTRATOR FOR REVIEW AND MAY BE APPROVED UP TO THE BOND LIMIT, TO PROVIDE THAT A FINAL APPEAL OF A DECISION OF THE ADMINISTRATOR MAY BE MADE TO THE BOARD".

HOUSE AMENDMENTS TO H 321

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 24, delete "; or fertilizers, farm chemicals,"; delete lines 25 and 26; in line 27, delete "culture"; on page 2, in line 12, delete "; or" and insert: "."; and delete lines 13 through 15 and insert:

"(3) "Shrapnel" means any metal, ceramic, glass, hard plastic or other material of sufficient hardness to puncture human skin when propelled by force of the bomb or destructive device to which it is attached or in which it is contained.".

AMENDMENTS TO SECTION 2

On page 2, in line 18, following "DEVICES." insert: "(1)"; in line 20, delete "~~for a purpose unlawful pursuant to title 18, Idaho Code,~~" and insert: "for a purpose unlawful pursuant to title 18, Idaho Code,"; and following line 22, insert:

"(2) Any person who knowingly possesses an assembled bomb or assembled destructive device and who:

(a) Has been convicted of a felony; or

(b) Has been found guilty of any crime where such conviction results in the person being prohibited from possessing or owning firearms; or

(c) Is in possession or control of any substance or paraphernalia in violation of section 37-2732B, 37-2734A or 37-2734B, Idaho Code, or the felony provisions of section 37-2732, Idaho Code; is guilty of a felony, punishable by up to a five thousand dollar ($5,000) fine and five (5) years in prison.

(3) Any person who possesses a bomb or destructive device which by its design will propel shrapnel is guilty of a felony, punishable by up to a five thousand dollar ($5,000) fine and five (5) years in prison.".

AMENDMENT TO THE BILL

On page 2, delete lines 23 through 34; and in line 35, delete "SECTION 4" and insert: "SECTION 3".

CORRECTIONS TO TITLE

On page 1, in line 3, delete "REVISE DEFINITIONS FOR "BOMB" AND"; in line 4, delete ""DESTRUCTIVE DEVICE"" and insert: "DEFINE "SHRAPNEL""; in line 5, delete "AND TO PROVIDE THAT THE"; delete lines 6 through 9, and in line 10, delete "ANOTHER BY SUCH TRANSPORT" and insert: ", TO PROVIDE THAT THE UNLAWFUL POSSESSION OF AN ASSEMBLED BOMB OR ASSEMBLED DESTRUCTIVE DEVICE BY CERTAIN PERSONS SHALL CONSTITUTE A FELONY AND TO PROVIDE THAT A PERSON WHO POSSESSES A BOMB OR DESTRUCTIVE DEVICE WHICH BY ITS DESIGN WILL PROPEL SHRAPNEL IS GUILTY OF A FELONY".

HOUSE AMENDMENT TO H 347

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 15, following "utility" insert: "; provided however, the commission may inspect only those records which are necessary to determine whether such expense was properly incurred and should be included, in whole or in part, in the public utility's rates".

CORRECTION TO TITLE

On page 1, in line 3, following "EXAMINE" insert: "CERTAIN".

G253

HOUSE AMENDMENT TO S 1082

AMENDMENTS TO SECTION 2

On page 5 of the printed bill, following line 3, insert:

"(a) The work of art is not consistent with generally accepted standards of decency held by the Idaho public;";

in line 4, delete "(a)" and insert: "(b)"; in line 5, delete "(b)" and insert: "(c)"; in line 7, delete "(c)" and insert: "(d)"; and in line 11, delete "(d)" and insert: "(e)".

HOUSE AMENDMENTS TO H 281, as amended

AMENDMENT TO SECTION 2

On page 2 of the engrossed bill, in line 30, delete "A-" and insert: "B".

AMENDMENTS TO SECTION 3

On page 3, in line 48, delete "an" and insert: "a perishable"; and in line 49, following "specific" insert: "perishable".

We have also had under consideration **H 273, H 274, H 228, H 262**, and **S 1073**, report progress and beg leave to sit again.

DENNEY, Chairman

Mr. Denney moved that the report be adopted. Seconded by Mr. Bruneel.

Whereupon the Speaker declared the report adopted.

H 256, as amended, **H 211**, as amended, **H 311**, as amended, **H 238**, as amended, **H 305**, as amended, **H 321**, as amended, **H 347**,

as amended, and **H 281**, as amended, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

S 1082, as amended in the House, was filed for first reading.

H 273, H 274, H 228, H 262, and **S 1073** were retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Bruneel asked unanimous consent that **H 341, H 342, H 343, H 344, H 301, H 334, H 335, H 336, H 337, S 1175**, and **H 330** retain their places on the Third Reading Calendar until Thursday, March 15, 2001. There being no objection, it was so ordered.

Mr. Jones asked unanimous consent that **H 263**, as amended, be returned to the Agricultural Affairs Committee. There being no objection, it was so ordered.

H 327 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Chase to open debate.

The question being, "Shall **H 327** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 67.
NAYS -- None.
Absent and excused -- Bell, Bieter, Jones. Total -- 3.
Total -- 70.

Whereupon the Speaker declared **H 327** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 324 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Marley to open debate.

The question being, "Shall **H 324** pass?"

Roll call resulted as follows:
AYES -- Bieter, Black, Boe, Bradford, Chase, Cuddy, Hadley, Henbest, Jaquet, Jones, Kunz, Marley, Montgomery, Pomeroy, Ridinger, Robison, Sellman, Shepherd, Smylie, Trail. Total -- 20.
NAYS -- Barraclough, Barrett, Bedke, Bell, Bolz, Bruneel, Callister, Campbell, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hammond, Harwood, Higgins, Hornbeck, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Raybould, Roberts, Sali, Schaefer, Smith, Stevenson, Stone, Swan(Block), Tilman, Wheeler, Wood, Young, Mr. Speaker. Total -- 50.
Total -- 70.

Whereupon the Speaker declared **H 324** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

Mr. Bruneel moved that the House recess until 1:30 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:30 p.m.

RECESS

Afternoon Session

The House reconvened at 1:30 p.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 331 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **H 331** pass?"

Roll call resulted as follows:
AYES -- Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Deal, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 64.
NAYS -- None.
Absent and excused -- Barraclough, Barrett, Cuddy, Denney, Mader, Wood. Total -- 6.
Total -- 70.

Whereupon the Speaker declared **H 331** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1039 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sali to open debate.

The question being, "Shall **S 1039** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Deal, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Barrett, Boe, Cuddy, Denney, Kunz, Mader, Wood. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **S 1039** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1145 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Montgomery to open debate.

The question being, "Shall **S 1145** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Deal, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Barrett, Cuddy, Denney, Kunz, Mader, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1145** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1146 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bradford to open debate.

The question being, "Shall **S 1146** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Denney, Kunz, Mader, Marley, Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1146** passed the House. Title was approved and the bill was ordered returned to the Senate.

SCR 110 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sali to open debate.

The question being, "Shall **SCR 110** be adopted?"

Whereupon the Speaker declared **SCR 110** adopted by voice vote and ordered the resolution returned to the Senate.

H 277 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Meyer to open debate.

The question being, "Shall **H 277** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Sali, Schaefer, Shepherd, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 62.

NAYS -- Boe, Bolz, Montgomery, Robison, Sellman. Total -- 5.

Absent and excused -- Kunz, Marley, Smith. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 277** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 353 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Crow to open debate.

The question being, "Shall **H 353** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould,

Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Kunz, Marley, Wood. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 353** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1060 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Boe to open debate.

The question being, "Shall **S 1060** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bradford, Kunz, Marley, Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1060** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1052 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Higgins to open debate.

The question being, "Shall **S 1052** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bradford, Crow, Kunz, Marley. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1052** passed the House. Title was approved and the bill was ordered returned to the Senate.

HCR 23 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Boe to open debate.

The question being, "Shall **HCR 23** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kendell, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bruneel, Kellogg, Kunz, Marley. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **HCR 23** adopted and ordered the resolution transmitted to the Senate.

S 1090 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Black to open debate.

The question being, "Shall **S 1090** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 66.

NAYS -- Bruneel, Smith, Wood. Total -- 3.

Absent and excused -- Denney. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1090** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 71, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Jones to open debate.

The question being, "Shall **H 71**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Callister, Chase, Collins, Crow, Cuddy, Deal, Ellsworth,

Gould, Hadley, Henbest, Jaquet, Jones, Kellogg, Kunz, Marley, Montgomery, Moss, Moyle, Pischner, Pomeroy, Ridinger, Robison, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Young, Mr. Speaker. Total -- 41.

NAYS -- Barrett, Bruneel, Campbell, Clark, Denney, Ellis, Eskridge, Field(20), Gagner, Hammond, Harwood, Higgins, Hornbeck, Kendell, Lake, Langford, Loertscher, Mader, McKague, Meyer, Mortensen, Pearce, Raybould, Roberts, Sali, Schaefer, Wheeler, Wood. Total -- 28.

Absent and excused -- Field(13). Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 71**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

Mr. Bruneel asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 10:30 a.m., Tuesday, March 13, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 3:28 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

SIXTY-FIFTH LEGISLATIVE DAY
TUESDAY, MARCH 13, 2001

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Jakobi Beck, Page.

Approval of Journal

March 13, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-fourth Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

March 12, 2001

Mr. Speaker:

I transmit herewith enrolled **S 1137** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1137** and, when so signed, ordered it returned to the Senate.

March 12, 2001

Mr. Speaker:

I transmit herewith **S 1197, S 1202, S 1203, S 1204, S 1205, S 1206, S 1207, S 1208, S 1209, S 1212, S 1213, S 1215, S 1216, S 1217, S 1218, S 1219, S 1220, S 1221**, and **S 1222** which have passed the Senate.

WOOD, Secretary

S 1197, S 1202, S 1203, S 1204, S 1205, S 1206, S 1207, S 1208, S 1209, S 1212, S 1213, S 1215, S 1216, S 1217, S 1218, S 1219, S 1220, S 1221, and **S 1222** were filed for first reading.

Report of Standing Committees

March 13, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 33, H 358, H 359, H 360**, and **H 361** and House amendments to **H 256, H 211, H 311, H 238, H 305, H 321, H 347, S 1082**, and **H 281**, as amended.

GOULD, Chairman

HCR 33, H 360, and **H 361** were referred to the Revenue and Taxation Committee.

H 358 was referred to the Resources and Conservation Committee.

H 359 was referred to the Transportation and Defense Committee.

March 13, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HJM 9** and **H 71**, as amended in the Senate.

GOULD, Chairman

The Speaker announced he was about to sign enrolled **HJM 9** and **H 71**, as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 13, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 256**, as amended, **H 211**, as amended, **H 311**, as amended, **H 238**, as amended, **H 305**, as amended, **H 321**, as amended, **H 347**, as amended, and **H 281**, as amended, as amended.

GOULD, Chairman

H 256, as amended, **H 211**, as amended, **H 311**, as amended, **H 238**, as amended, **H 305**, as amended, **H 321**, as amended, **H 347**, as amended, and **H 281**, as amended, as amended, were filed for first reading of engrossed bills.

March 13, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HJM 4** to the Secretary of State at 10:47 a.m., as of this date, March 12, 2001. GOULD, Chairman

March 12, 2001

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **S 1086** and **SCR 108** and recommend that they do pass.

LOERTSCHER, Chairman

S 1086 and **SCR 108** were filed for second reading.

March 12, 2001

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration **H 351, H 352, S 1069**, and **S 1153** and recommend that they do pass.

STONE, Chairman

H 351, H 352, S 1069, and **S 1153** were filed for second reading.

March 12, 2001

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **S 1142**, as amended, and recommend that it do pass. JONES, Chairman

S 1142, as amended, was filed for second reading.

March 12, 2001

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **S 1016** and **S 1017** and recommend that they do pass.

WOOD, Chairman

S 1016 and **S 1017** were filed for second reading.

March 13, 2001

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 356** and recommend that it do pass.

DEAL, Chairman

H 356 was filed for second reading.

March 13, 2001

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **S 1133** and recommend that it do pass.

TILMAN, Chairman

S 1133 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 34
BY WAYS AND MEANS 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 COMMUNITY COLLEGE SYSTEM.

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

WHEREAS, historically, Idaho has wrestled with the concept of developing a community college system for its citizens. Limited funding, a tradition of the four year college/university, a small population, and geography have impeded the efforts of several groups supporting the comprehensive community college movement which in the 1960's and 1970's benefitted so many states in meeting social, academic, technical and economic needs. Although Idaho has undergone several reviews and initiated attempts in developing a community college system, there has been little success; and

WHEREAS, two comprehensive community colleges, the College of Southern Idaho, Twin Falls, and North Idaho college, Coeur d'Alene, have broken the barriers and become a healthy and viable part of the state's postsecondary system. These two colleges are positioned to provide the type of training so necessary for a continued growth of this state; and

WHEREAS, Idaho has been fully aware of the potential of developing a system of comprehensive community colleges. Our present two community colleges are part of the structure provided in Idaho law. So too, are the colleges part of a statewide strategic plan developed to ensure that opportunities for an education are available to all our citizens. Recently, the Governor and the Legislature ensured continued support for the community college concept by adjusting local property tax and assuming more of the financial burden of support for the two standing institutions; and

WHEREAS, also to be considered in a discussion about community colleges in this state is the fact that Idaho has within its system three embedded two-year technical schools/colleges in Boise State University, Lewis-Clark State College and Idaho State University, as well as University Place in Idaho Falls and a stand alone technical college in the Eastern Idaho Technical College, Idaho Falls, with a limited degree granting option. These colleges have direct connection to the state's professional-technical division; and

WHEREAS, when considering the options available in the development of a system of community colleges, one must recognize the number of critical issues and myriad of opportunities that accompany such a move.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of development of community colleges. 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 an advisory committee composed of not less than: a member of the State Board of Education, appointed by the Board; a representative of a state institution of higher education, appointed by the Board; a community college representative, appointed by the Board; a representative of a technical college appointed by the Board; and a designee of the Governor shall assist the committee. Nonlegislative advisors 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 should consider, at a minimum, the following:

The present structure of the system and its establishment under the Idaho Constitution and law;

The organization and structure of the system/colleges as envisioned by the committee;

The mission and role of the colleges either as a system or as individual entities;

The funding of the system and/or the institutions, e.g. formula applications with varied support elements, sources of income, and related issues;

The governance of the system/colleges;

The potential of an extensive community college system to meet immediate short-term, limited duration program needs and provide flexibility, responsiveness and accountability based upon performance measures, such as response to need, number of graduates filling jobs, and retraining the present work force;

The capacity of improved articulation of technical training and options for entry in advance program offerings such as engineering, medical training and similar programs to contribute to a comprehensive system. Additionally, the opportunity for a community college to provide a low-cost means of addressing remedial needs of existing high school graduates;

The advantages of community colleges in establishing partnerships with other institutions, the kindergarten through grade 12 education system, business and industry through strategic planning.

HCR 34 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 362
BY EDUCATION COMMITTEE
AN ACT

RELATING TO CONTRACTS OF SCHOOL DISTRICT CERTIFICATED PERSONNEL; AMENDING SECTION 33-513, IDAHO CODE, TO DELETE REFERENCE TO A REPEALED SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-514, IDAHO CODE, AS AMENDED BY SECTION 1, CHAPTER 66, LAWS OF 2000, TO DELETE REFERENCE TO CATEGORIES OF CONTRACTS, TO PROVIDE FOR ISSUANCE OF PREPROFESSIONAL AND PROFESSIONAL CONTRACTS, TO PROVIDE THAT A PROFESSIONAL CONTRACT MAY BE ISSUED FOR A TWO-YEAR TERM AND TO PROVIDE FOR EVALUATION OF THE PROFESSIONAL PORTFOLIO OF EACH CERTIFICATED EMPLOYEE AT TEN-YEAR INTERVALS; AMENDING SECTION 33-514A, IDAHO CODE, AS AMENDED BY SECTION 2, CHAPTER 66, LAWS OF 2000, TO DELETE REFERENCE TO CATEGORY 1 CONTRACTS; REPEALING SECTION 33-515, IDAHO CODE; AMENDING SECTION 33-515A, IDAHO CODE, TO DELETE REFERENCE TO A REPEALED SECTION, TO PROVIDE A CODE REFERENCE AND TO PROVIDE PROPER TERMINOLOGY; AMENDING SECTION 33-516, IDAHO CODE, TO PROVIDE PROPER TERMINOLOGY; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR ISSUANCE OF PROFESSIONAL CONTRACTS WITHOUT IMPAIRING THE OBLIGATIONS OF A DISTRICT NEGOTIATED AGREEMENT UNTIL EXPIRATION OF THE EXISTING DISTRICT NEGOTIATED AGREEMENT.

H 362 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1197, S 1202, S 1203, S 1204, S 1205, S 1206, S 1207, S 1208, S 1209, S 1212, S 1213, S 1215, S 1216, S 1217, S 1218, S 1219, S 1220, S 1221, and **S 1222**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

S 1082, as amended in the House, by Commerce and Human Resources Committee, was introduced, read the first time by title, and filed for second reading.

First Reading of Engrossed Bills

H 256, as amended, by Environmental Affairs Committee, was introduced, read the first time by title and filed for second reading.

H 211, as amended, by Agricultural Affairs Committee, was introduced, read the first time by title and filed for second reading.

H 311, as amended, by Revenue and Taxation Committee, was introduced, read the first time by title and filed for second reading.

H 238, as amended, by Business Committee, was introduced, read the first time by title and filed for second reading.

H 305, as amended, **H 321**, as amended, **H 347**, as amended, and **H 281**, as amended, as amended, by State Affairs Committee, were introduced, read the first time by title and filed for second reading.

Second Reading of Bills and Joint Resolutions

S 1132, by Education Committee, was read the second time by title and filed for third reading.

H 310, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

S 1182, S 1184, and **S 1196**, by Finance Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 156, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **H 156**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 68.

NAYS -- Wood. Total -- 1.

Absent and excused -- Cuddy. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 156**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 282, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 282**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Kellogg, Lake, Langford, Loertscher, Mader, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Raybould, Ridinger, Roberts, Sali, Schaefer, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young. Total -- 51.

NAYS -- Bell, Bieter, Boe, Chase, Deal, Field(20), Henbest, Jaquet, Jones, Kendell, Kunz, Marley, Meyer, Pomeroy, Robison, Sellman, Shepherd, Mr. Speaker. Total -- 18.

Absent and excused -- Cuddy. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 282**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 291, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Kellogg to open debate.

The question being, "Shall **H 291**, as amended, pass?"

Roll call resulted as follows:

AYES -- Bedke, Bell, Black, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Meyer, Montgomery, Moss, Moyle, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Sali, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Young, Mr. Speaker. Total -- 48.

NAYS -- Barraclough, Barrett, Bieter, Boe, Bolz, Chase, Eskridge, Henbest, Hornbeck, Jaquet, Jones, Loertscher, Marley, McKague, Mortensen, Pearce, Robison, Schaefer, Sellman, Wheeler, Wood. Total -- 21.

Absent and excused -- Cuddy. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 291**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 312, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet and Mr. Black to open debate.

The question being, "Shall **H 312**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Crow, Cuddy, Gagner. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 312**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 326, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Young to open debate.

The question being, "Shall **H 326**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Callister, Campbell, Chase, Clark, Collins, Crow, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Bruneel, Cuddy, Deal, McKague, Raybould. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 326**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel asked unanimous consent that **H 192**, as amended, retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

HCR 32 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bieter to open debate.

The question being, "Shall **HCR 32** be adopted?"

Whereupon the Speaker declared **HCR 32** adopted by voice vote and ordered the resolution transmitted to the Senate.

H 320 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Raybould to open debate.

The question being, "Shall **H 320** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Black, Bolz, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hammond, Harwood, Henbest, Hornbeck, Jaquet, Jones, Kellogg, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Pischner, Pomeroy, Raybould, Ridinger, Sellman, Smith, Smylie, Stone, Tilman, Trail, Mr. Speaker. Total -- 43.

NAYS -- Barrett, Bell, Bieter, Boe, Bradford, Bruneel, Gagner, Hadley, Kendell, Kunz, Lake, Langford, Mortensen, Moss, Moyle, Pearce, Roberts, Robison, Sali, Schaefer, Shepherd, Stevenson, Swan(Block), Wheeler, Wood, Young. Total -- 26.

Absent and excused -- Higgins. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 320** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 10:30 a.m., Wednesday, March 14, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:05 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

SIXTY-SIXTH LEGISLATIVE DAY
WEDNESDAY, MARCH 14, 2001

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused -- Schaefer. Total -- 1.
Total -- 70.

Prayer was offered by Father Doug Yarbrough.

The Pledge of Allegiance was led by Laureen Vickery, Page.

Approval of Journal

March 14, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-fifth Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

March 13, 2001

Mr. Speaker:

I return herewith enrolled **HJM 7, HCR 1, HCR 27, H 62, H 63, H 64, H 100, H 109, H 111, H 178, H 112, H 160, H 122, H 120, H 119, H 217, H 218**, and **H 2** which have been signed by the President.

WOOD, Secretary

Enrolled **H 62, H 63, H 64, H 100, H 109, H 111, H 178, H 112, H 160, H 122, H 120, H 119, H 217, H 218**, and **H 2** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled **HJM 7, HCR 1**, and **HCR 27** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 13, 2001

Mr. Speaker:

I transmit herewith **S 1223, S 1224, S 1225, S 1226, S 1227, S 1228, S 1229, S 1230, S 1077**, as amended, **S 1156**, as amended, **S 1164**, as amended, **S 1104**, as amended, **S 1105**, as amended, **S 1157**, as amended, and **S 1158**, as amended, which have passed the Senate.

WOOD, Secretary

S 1223, S 1224, S 1225, S 1226, S 1227, S 1228, S 1229, S 1230, S 1077, as amended, **S 1156**, as amended, **S 1164**, as amended, **S 1104**, as amended, **S 1105**, as amended, **S 1157**, as amended, and **S 1158**, as amended, were filed for first reading.

March 13, 2001

Mr. Speaker:

I return herewith **HCR 26**, as amended, and **H 10** which have passed the Senate.

WOOD, Secretary

HCR 26, as amended, and **H 10** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 14, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 34** and **H 362**.

GOULD, Chairman

HCR 34 and **H 362** were referred to the Education Committee.

March 13, 2001

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **S 1064**, as amended, and recommend that it do pass.

JONES, Chairman

S 1064, as amended, was filed for second reading.

March 13, 2001

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **S 1050, S 1051**, as amended, and **S 1166** and recommend that they do pass.

BLACK, Chairman

S 1050, S 1051, as amended, and **S 1166** were filed for second reading.

March 13, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 350, S 1047, S 1063, S 1170**, and **S 1192** and recommend that they do pass.

FIELD(13), Vice Chairman

H 350, S 1047, S 1063, S 1170, and **S 1192** were filed for second reading.

March 13, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 242** and report it back with amendments attached to be placed on General Orders for consideration.

FIELD(13), Vice Chairman

H 242 was placed on General Orders for consideration.

March 13, 2001

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **H 358, S 1143, S 1056, S 1055, S 1121**, and **S 1122** and recommend that they do pass.

WHEELER, Chairman

H 358, S 1143, S 1056, S 1055, S 1121, and **S 1122** were filed for second reading.

March 14, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **HCR 33, H 284**, and **H 357** and recommend that they do pass.

CROW, Chairman

HCR 33, H 284, and **H 357** were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

Mr. Loertscher asked unanimous consent that **S 1073** be returned to the Health and Welfare Committee. There being no objection, it was so ordered.

HOUSE BILL NO. 363
BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO SALE OR DISTRIBUTION OF TOBACCO PRODUCTS TO A MINOR; AMENDING SECTION 39-5701, IDAHO CODE, TO REVISE A STATEMENT OF LEGISLATIVE FINDINGS AND INTENT; AMENDING SECTION 39-5702, IDAHO CODE, TO FURTHER DEFINE TERMS AND TO PROVIDE ENFORCEMENT OF THIS CHAPTER BY IDAHO STATE POLICE; AMENDING SECTION 39-5708, IDAHO CODE, AS AMENDED BY SENATE BILL NO. 1048, AS ENACTED BY THE FIRST REGULAR SESSION OF THE FIFTY-SIXTH IDAHO LEGISLATURE, TO PROVIDE THAT CIVIL PENALTIES SHALL BE DEPOSITED TO THE GENERAL FUND; AMENDING SECTION 39-5710, IDAHO CODE, AS AMENDED BY SENATE BILL NO. 1048, AS ENACTED BY THE FIRST REGULAR SESSION OF THE FIFTY-SIXTH IDAHO LEGISLATURE, TO GOVERN THE CONDUCT OF ENFORCEMENT ACTIONS; AND REPEALING SECTION 39-5711, IDAHO CODE.

H 363 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1077, as amended, **S 1104**, as amended, and **S 1105**, as amended, by Transportation Committee, were introduced, read the first time by title, and referred to the Transportation and Defense Committee.

S 1156, as amended, by Local Government and Taxation Committee, was introduced, read the first time by title, and referred to the Local Government Committee.

S 1164, as amended, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

S 1157, as amended, and **S 1158**, as amended, by Local Government and Taxation Committee, were introduced, read the first time by title, and referred to the Revenue and Taxation Committee.

S 1223, S 1224, S 1225, S 1226, S 1227, S 1228, S 1229, and **S 1230**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

Mrs. Crow asked unanimous consent that **H 310** be returned to the Revenue and Taxation Committee. There being no objection, it was so ordered.

S 1086 and **SCR 108**, by Health and Welfare Committee, were read the second time by title and filed for third reading.

H 351, H 352, H 356, H 305, as amended, **H 321**, as amended, **H 347**, as amended, and **H 281**, as amended, as amended, by State Affairs Committee, were read the second time by title and filed for third reading.

S 1069 and **S 1153**, by Local Government and Taxation Committee, were read the second time by title and filed for third reading.

S 1142, as amended, by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

S 1016 and **S 1017**, by Transportation Committee, were read the second time by title and filed for third reading.

S 1133, by Education Committee, was read the second time by title and filed for third reading.

S 1082, as amended in the House, by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

S 1197, S 1202, S 1203, S 1204, S 1205, S 1206, S 1207, S 1208, S 1209, S 1212, S 1213, S 1215, S 1216, S 1217, S 1218, S 1219, S 1220, S 1221, and **S 1222**, by Finance Committee, were read the second time by title and filed for third reading.

H 256, as amended, by Environmental Affairs Committee, was read the second time by title and filed for third reading.

H 211, as amended, by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

H 311, as amended, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

H 238, as amended, by Business Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Bruneel moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Denney in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

There being no objection, the House returned to the Eleventh Order of Business.

Report of the Committee of the Whole House

March 14, 2001

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 228, H 262**, and **H 242** and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO H 228

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, delete lines 42 and 43; on page 2, delete lines 1 through 3, and insert: "shall require prior authorization for emergency services. All medically necessary covered emergency services provided to a member who is unable to reasonably reach a participating provider shall be reimbursed by the managed care organization to the patient at a level as if the covered services were provided by a participating provider until the member can reasonably be expected to transfer to a participating provider."; delete lines 8 through 13, and insert: "warrant a longer period to evaluate a request. All medically necessary covered services that are provided by a nonparticipating provider to provide continuity of care during a brief transition period from emergency services shall be reimbursed by the managed care organization to the patient at a level as if the covered service was provided by a participating provider until the member can reasonably be expected to transfer to a participating provider. Qualified medical per-"; and delete lines 17 through 26.

CORRECTIONS TO TITLE

On page 1, in line 8, delete "," and insert: "AND"; in line 9, delete "AND TO PROVIDE PROCE-"; and in line 10, delete "DURES".

HOUSE AMENDMENT TO H 262

AMENDMENT TO SECTION 1

On page 3, in line 33, following "INSPECTIONS" insert: "--RECORDS CONFIDENTIAL"; in line 40, following "." insert: "All records copied or obtained by the director of the department of agriculture or his designee under the authority of this chapter shall be confidential private records and shall be exempt from disclosure under chapter 3, title 9, Idaho Code.".

AMENDMENT TO THE BILL

On page 4, following line 26, insert:

"SECTION 2. That Section 9-340D, Idaho Code, be, and the same is hereby amended to read as follows:

9-340D. RECORDS EXEMPT FROM DISCLOSURE -- TRADE SECRETS, PRODUCTION RECORDS, APPRAISALS, BIDS, PROPRIETARY INFORMATION. The following records are exempt from disclosure:

(1) Trade secrets including those contained in response to public agency or independent public body corporate and politic requests for proposal, requests for clarification, requests for information and similar requests. "Trade secrets" as used in this section means information, including a formula, pattern, compilation, program, computer program, device, method, technique, process, or unpublished or in progress research that:

(a) Derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by other persons who can obtain economic value from its disclosure or use; and

(b) Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

(2) Production records, housing production, rental and financing records, sale or purchase records, catch records, mortgage portfolio loan documents, or similar business records of a private concern or enterprise required by law to be submitted to or inspected by a public agency or submitted to or otherwise obtained by an independent public body corporate and politic. Nothing in this subsection shall limit the use which can be made of such information for regulatory purposes or its admissibility in any enforcement proceeding.

(3) Records relating to the appraisal of real property, timber or mineral rights prior to its acquisition, sale or lease by a public agency or independent public body corporate and politic.

(4) Any estimate prepared by a public agency or independent public body corporate and politic that details the cost of a public project until such time as disclosed or bids are opened, or upon award of the contract for construction of the public project.

(5) Examination, operating or condition reports and all documents relating thereto, prepared by or supplied to any public agency or independent public body corporate and politic responsible for the regulation or supervision of financial institutions including, but not limited to, banks, savings and loan associations, regulated lenders, business and industrial development corporations, credit unions, and insurance companies, or for the regulation or supervision of the issuance of securities.

(6) Records gathered by a local agency or the Idaho department of commerce, as described in chapter 47, title 67, Idaho Code, for the specific purpose of assisting a person to locate, maintain, invest in, or expand business operations in the state of Idaho.

(7) Shipping and marketing records of commodity commissions used to evaluate marketing and advertising strategies and the names and addresses of growers and shippers maintained by commodity commissions.

(8) Financial statements and business information and reports submitted by a legal entity to a port district organized under title 70, Idaho Code, in connection with a business agreement, or with a development proposal or with a financing application for any industrial, manufacturing, or other business activity within a port district.

(9) Names and addresses of seed companies, seed crop growers, seed crop consignees, locations of seed crop fields, variety name and acreage by variety. Upon the request of the owner of the proprietary variety, this information shall be released to the owner. Provided however, that if a seed crop has been identified as diseased or has been otherwise identified by the Idaho department of agriculture, other state departments of agriculture, or the United States department of agriculture to represent a threat to that particular seed or commercial crop industry or to individual growers, information as to test results, location, acreage involved and disease symptoms of that particular seed crop, for that growing season, shall be available for public inspection and copying. This exemption shall not supersede the provisions of section 22-436, Idaho Code.

(10) Information obtained from books, records and accounts required in chapter 47, title 22, Idaho Code, to be maintained by the Idaho canola and rapeseed commission and pertaining to the individual production records of canola or rapeseed growers.

(11) Records of any risk retention or self-insurance program prepared in anticipation of litigation or for analysis of or settlement of potential or actual money damage claims against a public entity and its employees or against the industrial special indemnity fund except as otherwise discoverable under the Idaho or federal rules of civil procedure. These records shall include, but are not limited to, claims evaluations, investigatory records, computerized reports of losses, case reserves, internal documents and correspondence relating thereto. At the time any claim is concluded, only statistical data and actual amounts paid in settlement shall be deemed a public record unless otherwise ordered to be sealed by a court of competent jurisdiction. Provided however, nothing in this subsection is intended to limit the attorney client privilege or attorney work product privilege otherwise available to any public agency or independent public body corporate and politic.

(12) Records of laboratory test results provided by or retained by the Idaho food quality assurance laboratory. Nothing in this subsection shall limit the use which can be made, or availability of such information if used, for regulatory purposes or its admissibility in any enforcement proceeding.

(13) Reports required to be filed under chapter 13, title 62, Idaho Code, identifying electrical or natural or manufactured gas consumption data for an individual customer or account.

(14) Voluntarily prepared environmental audits, and voluntary disclosures of information submitted on or before December 31, 1997, to an environmental agency as defined in section 9-803, Idaho Code, which are claimed to be confidential business information.

(15) Computer programs developed or purchased by or for any public agency or independent public body corporate and politic for its own use. As used in this subsection, "computer program" means a series of instructions or statements which permit the functioning of a computer system in a manner designed to provide storage, retrieval and manipulation of data from the computer system, and any associated documentation and source material that explain how to operate the computer program. Computer program does not include:

(a) The original data including, but not limited to, numbers, text, voice, graphics and images;

(b) Analysis, compilation and other manipulated forms of the original data produced by use of the program; or

(c) The mathematical or statistical formulas that would be used if the manipulated forms of the original data were to be produced manually.

(16) Active investigative records and trademark usage audits of the Idaho potato commission specifically relating to the enforcement of chapter 12, title 22, Idaho Code, until the commencement of formal proceedings as provided by rules of the commission; purchase and sales information submitted to the Idaho potato commission during a trademark usage audit, and investigation or enforcement

proceedings. Inactive investigatory records shall be disclosed unless the disclosure would violate the standards set forth in subsections (1)(a) through (f) of section 9-335, Idaho Code. Nothing in this subsection shall limit the use which can be made, or availability of such information if used, for regulatory purposes or its admissibility in any enforcement proceeding.

(17) All records copied or obtained by the director of the department of agriculture or his designee as a result of an inspection pursuant to section 25-3806, Idaho Code.".

CORRECTIONS TO TITLE

On page 1, in line 8, following "INSPECTIONS," insert: "TO PROVIDE THAT CERTAIN RECORDS SHALL BE CONFIDENTIAL,"; and in line 14, following "VIOLATIONS" insert: "; AND AMENDING SECTION 9-340D, IDAHO CODE, TO PROVIDE THAT RECORDS COPIED OR OBTAINED BY THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE OR HIS DESIGNEE AS A RESULT OF CERTAIN INSPECTIONS SHALL BE EXEMPT FROM PUBLIC DISCLOSURE".

HOUSE AMENDMENT TO H 262

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 32, following "authorized" insert: "as the lead agency"; and delete lines 37 through 40.

On page 2, in line 1, delete "through the"; in line 2, delete "division of animal industries,"; and also in line 2, delete "livestock" and insert: "agricultural"; and in line 45, following "by" insert: ", or reviewed and approved by,".

On page 3, in line 1, following "PLAN" insert: " -- EXCEPTIONS"; in line 21, delete "five" and insert: "three"; and also in line 21, delete "5" and insert: "3"; following line 32, insert:

"(7) An odor emission caused by an act of God or a mechanical failure shall not constitute a violation of this chapter provided that the agricultural operation from which the odor emission is emanating takes reasonable steps to promptly repair the cause of the emission.";

and in line 42, following "." insert: "A complaint must include the name, address and telephone number of the complainant. The response of the department may be limited to informing the complainant that an odor plan is being implemented. Complaints pursuant to this section are a public record open to public inspection and copying pursuant to chapter 3, title 9, Idaho Code.".

On page 4, delete lines 23 through 26.

CORRECTIONS TO TITLE

On page 1, in line 7, delete "AND" and insert: ","; and also in line 7, following "PLANS" insert: "AND TO PROVIDE EXCEPTIONS"; in line 12, delete "," and insert: "AND"; in line 13, delete "AND TO PROVIDE"; delete line 14, and insert: ".".

HOUSE AMENDMENTS TO H 242

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 31, delete ", except that a petition which alleges innocence of the crime of"; delete lines 32 through 43; on page 2, delete lines 1 through 4 and insert: ". The special procedures for fingerprint or forensic DNA testing set forth in sections 19-4901(a)(6) and 19-4902(b) through (f), Idaho Code, are fully applicable in capital cases and are subject to the procedures set forth in this section, and must be pursued through a petition filed within the time limitations of subsection (3) of this section or by July 1, 2002, whichever is later."; in line 7, delete ","; delete line 8; and in line 9, delete "(4) of this section".

AMENDMENTS TO SECTION 2

On page 3, in line 31, delete "provision" and insert: "provisions"; also in line 31, following "19-4902(b)" insert: "through (f)".

AMENDMENTS TO SECTION 3

On page 4, delete lines 13 through 28, and insert:

"(b) A petitioner may, at any time, file a petition before the trial court that entered the judgment of conviction in his or her case for the performance of fingerprint or forensic deoxyribonucleic acid (DNA) testing on evidence that was secured in relation to the trial which resulted in his or her conviction but which was not subject to the testing that is now requested because the technology for the testing was not available at the time of trial. The petition must be filed by July 1, 2002, or within one (1) year after the filing of the judgment of conviction, whichever is later. The clerk shall docket the application upon its receipt and promptly bring it to the attention of the court and deliver a copy to the prosecuting attorney.

(c) The petitioner must present a prima facie case that:

(1) Identity was an issue in the trial which resulted in his or her conviction; and

(2) The evidence to be tested has been subject to a chain of custody sufficient to establish that such evidence has not been substituted, tampered with, replaced or altered in any material aspect.

(d) The trial court shall allow the testing under reasonable conditions designed to protect the state's interests in the integrity of the evidence and the testing process upon a determination that:

(1) The result of the testing has the scientific potential to produce new, noncumulative evidence that would show that it is more probable than not that the petitioner is innocent; and

(2) The testing method requested would likely produce admissible results under the Idaho rules of evidence.

(e) In the event the fingerprint or forensic DNA test results demonstrate, in light of all admissible evidence, that the petitioner is not the person who committed the offense, the court shall order the appropriate relief.";

in line 29, delete "(2)" and insert: "(f)"; also in line 29, delete "petitioners" and insert: "petitioner's"; and in line 31, following "Code" insert: ", in which case the fingerprint or forensic DNA test shall be performed by, and paid for by funds allocated for, Idaho state police forensic services".

CORRECTIONS TO TITLE

On page 1, in line 4, following "PETITION FOR" insert: "SPECIAL PROCEDURES FOR FINGERPRINT AND"; also in line 4, delete "AND PROCEDURE GOVERNING"; in line 5, delete "SUCH A PETITION AND TO MAKE TECHNICAL CORRECTIONS"; in line 8, following "PETITION FOR" insert: "FINGERPRINT AND"; and in line 9, delete "AND PROCEDURE GOVERNING SUCH A PETITION" and insert: ", TO PROVIDE THAT A PETITIONER MUST PRESENT CERTAIN ELEMENTS OF A PRIMA FACIE CASE, TO PROVIDE THAT A TRIAL COURT SHALL ALLOW TESTING UNDER CERTAIN CONDITIONS, TO PROVIDE THAT A COURT SHALL ORDER APPROPRIATE RELIEF IF TESTING DEMONSTRATES A PERSON DID NOT COMMIT AN OFFENSE, TO PROVIDE FOR PAYMENT OF TESTING".

We have also had under consideration **H 273**, and **H 274**, report progress and beg leave to sit again.

DENNEY, Chairman

Mr. Denney moved that the report be adopted. Seconded by Mr. Loertscher.

Whereupon the Speaker declared the report adopted.

H 228, as amended, **H 262**, as amended, and **H 242**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

H 273 and **H 274** were retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

Third Reading of Bills and Joint Resolutions

Mr. Bruneel asked unanimous consent that **S 1180, S 1181, S 1186, S 1187, S 1188, S 1189, S 1190, S 1185, S 1182, S 1184**, and **S 1196** retain their places on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

Mrs. Stone asked unanimous consent that **S 1155** be returned to the Local Government Committee. There being no objection, it was so ordered.

H 192, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ellsworth to open debate.

The question being, "Shall **H 192**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smylie, Stone, Swan(Block), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Black, Callister, Crow, Cuddy, Schaefer, Smith, Stevenson, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **H 192**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Mader asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the Legislative Day. There being no objection, it was so ordered.

SCR 109 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sali to open debate.

The question being, "Shall **SCR 109** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stone, Swan(Block), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Black, Crow, Meyer, Schaefer, Stevenson, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **SCR 109** adopted and ordered the resolution returned to the Senate.

S 1132 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Black to open debate.

The question being, "Shall **S 1132** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused – Black, Crow, Hadley, Meyer, Schaefer, Stevenson. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1132** passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 351** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 351** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Black, Crow, Schaefer, Stevenson. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 351** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Sellman to open debate.

The question being, "Shall **H 351** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Loertscher, Schaefer. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 351** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 352** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 352** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Black, Crow, Schaefer, Stevenson. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 352** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Deal to open debate.

The question being, "Shall **H 352** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Loertscher, Schaefer. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 352** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 211**, as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 211**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy,

Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Black, Crow, Schaefer, Stevenson. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 211**, as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Jones to open debate.

The question being, "Shall **H 211**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Chase, Clark, Collins, Crow, Cuddy, Deal, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Marley, Meyer, Montgomery, Mortensen, Moss, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 58.

NAYS -- Barrett, Bradford, Campbell, Denney, Loertscher, Mader, McKague, Moyle, Pearce, Sali, Wood. Total -- 11.

Absent and excused -- Schaefer. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 211**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 238**, as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 238**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Black, Crow, Schaefer, Stevenson. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 238**, as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **H 238**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 67.

NAYS -- McKague. Total -- 1.

Absent and excused -- Higgins, Schaefer. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 238**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 305**, as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 305**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Black, Crow, Schaefer, Stevenson. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 305**, as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

At this time, Mr. Denney took the Chair.

The question being, "Shall **H 305**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young. Total -- 66.

NAYS -- None.

Absent and excused -- Higgins, Marley, Schaefer, Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 305**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel moved that the House recess until 1:20 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House at recess until 1:20 p.m.

RECESS

Afternoon Session

The House reconvened at 1:20 p.m., Mr. Bruneel in the Chair.

Roll call showed 69 members present.

Absent and excused -- Schaefer. Total -- 1.

Total -- 70.

Prior to recess, the House was at the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 256**, as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 256**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bell, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Collins, Crow, Cuddy, Deal, Denney, Ellsworth, Field(13), Field(20), Hadley, Harwood, Henbest, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Shepherd, Smith, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young. Total -- 54.

NAYS -- None.

Absent and excused -- Bedke, Bieter, Black, Clark, Ellis, Eskridge, Gagner, Gould, Hammond, Higgins, Jones, Marley, Schaefer, Sellman, Smylie, Mr. Speaker. Total -- 16.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 256**, as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Pischner to open debate.

At this time, the Speaker took the Chair.

The question being, "Shall **H 256**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 67.

NAYS -- Chase. Total -- 1.

Absent and excused -- Campbell, Schaefer. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 256**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 311**, as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 311**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bolz, Bruneel, Callister, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jones, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Raybould, Ridinger, Roberts, Sali, Shepherd, Stevenson, Swan(Block), Tilman, Wheeler, Wood, Young, Mr. Speaker. Total -- 48.

NAYS -- Bieter, Black, Boe, Bradford, Chase, Cuddy, Eskridge, Gagner, Henbest, Jaquet, Kellogg, Marley, Meyer, Pomeroy, Robison, Sellman, Smith, Smylie, Stone, Trail. Total -- 20.

Absent and excused -- Campbell, Schaefer. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 311**, as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Barrett to open debate.

Pursuant to Rule 38(3), Ms. Henbest disclosed a conflict of interest regarding **H 311**, as amended.

At this time, Mr. Bruneel took the Chair.

The question being, "Shall **H 311**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bradford, Callister, Campbell, Clark, Collins, Crow, Denney, Ellis, Eskridge, Field(20), Gould, Hadley, Hammond, Harwood, Hornbeck, Kendell, Langford, Loertscher, Mader, McKague, Moyle, Pearce, Pischner, Roberts, Sali, Stevenson, Swan(Block), Tilman, Wheeler, Wood, Young, Mr. Speaker. Total -- 36.

NAYS -- Bieter, Black, Boe, Bolz, Bruneel, Chase, Cuddy, Deal, Ellsworth, Field(13), Gagner, Henbest, Higgins, Jaquet, Jones, Kellogg, Lake, Marley, Meyer, Montgomery, Mortensen, Moss, Pomeroy, Raybould, Ridinger, Robison, Sellman, Shepherd, Smith, Smylie, Stone, Trail. Total -- 32.

Absent and excused -- Kunz, Schaefer. Total -- 2.

Paired Votes:

AYE -- Gould NAY -- Kellogg.

AYE -- Hornbeck NAY -- Boe.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 311**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 10:30 a.m., Thursday, March 15, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 4:05 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

SIXTY-SEVENTH LEGISLATIVE DAY
THURSDAY, MARCH 15, 2001

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused -- Meyer, Trail. Total -- 2.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Ashley Evans, Page.

Approval of Journal

March 15, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-sixth Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

At this time, the Speaker put the House at ease.

Prior to going at ease, the House was at the Third Order of Business.

Approval of Journal

Consideration of Messages from the Governor and the Senate

March 14, 2001

Mr. Speaker:

I transmit herewith enrolled **S 1039, S 1052, S 1060, S 1090, S 1145, S 1146**, and **SCR 110** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1039, S 1052, S 1060, S 1090, S 1145, S 1146**, and **SCR 110** and, when so signed, ordered them returned to the Senate.

March 14, 2001

Mr. Speaker:

I return herewith enrolled **HJM 9** and **H 71**, as amended in the Senate, which have been signed by the President.

WOOD, Secretary

Enrolled **H 71**, as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled **HJM 9** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 14, 2001

Mr. Speaker:

I transmit herewith **S 1195, S 1234, S 1235, S 1236, S 1237, S 1238, S 1239**, and **S 1240** which have passed the Senate.

WOOD, Secretary

S 1195, S 1234, S 1235, S 1236, S 1237, S 1238, S 1239, and **S 1240** were filed for first reading.

March 14, 2001

Mr. Speaker:

I return herewith **HCR 25, HJM 8, H 133**, and **H 150** which have passed the Senate.

WOOD, Secretary

HCR 25, HJM 8, H 133, and **H 150** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 15, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 363** and House Amendments to **H 228, H 262**, and **H 242**.

GOULD, Chairman

H 363 was referred to the State Affairs Committee.

March 15, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 26**, as amended, and **H 10**.

GOULD, Chairman

The Speaker announced he was about to sign enrolled **HCR 26**, as amended, and **H 10**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 15, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 228**, as amended, **H 262**, as amended, and **H 242**, as amended.

GOULD, Chairman

H 228, as amended, **H 262**, as amended, and **H 242**, as amended, were filed for first reading of engrossed bills.

March 15, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 62, H 63, H 64, H 100, H 109, H 111, H 178, H 112, H 160, H 122, H 120, H 119, H 217, H 218**, and **H 2** to the Governor at 11 a.m., as of this date, March 14, 2001.

GOULD, Chairman

March 15, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HJM 7, HCR 1**, and **HCR 27** to the Secretary of State at 10:52 a.m., as of this date, March 14, 2001.

GOULD, Chairman

March 14, 2001

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **S 1111** and recommend that it do pass.

TILMAN, Chairman

S 1111 was filed for second reading.

March 14, 2001

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **S 1168** and recommend that it do pass.

LOERTSCHER, Chairman

S 1168 was filed for second reading.

March 14, 2001

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 359** and **S 1100** and recommend that they do pass.

WOOD, Chairman

H 359 and **S 1100** were filed for second reading.

March 15, 2001

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **S 1038**, as amended, and recommend that it do pass.

TILMAN, Chairman

S 1038, as amended, was filed for second reading.

March 15, 2001

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1194** and recommend that it do pass.

DEAL, Chairman

S 1194 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 35
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND RECOGNIZING EFFORTS TO CREATE THE GREAT WESTERN TRAIL CORRIDOR.

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

WHEREAS, the Great Western Trail has currently been designated as a National Millennium Trail by the White House Millennium Council; and

WHEREAS, the United States Department of Agriculture Forest Service has completed a study on the possibility of designating the trail as a part of the National Trail System; and

WHEREAS, further study is continuing on this concept, the appropriate routes, and appropriate governing features; and

WHEREAS, recognition of the trail is intended to enhance the opportunities for historical, archaeological, geologic, scenic, industrial and agricultural points of discovery for the site visitor; and

WHEREAS, as representatives of the people of the state of Idaho, the Legislature wishes to recognize the Great Western Trail Corridor and to support the concept.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, it is the intent to recognize the efforts of the Great Western Trail Association without in any way impairing private property rights of the citizens.

HCR 35 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

House of Representatives
State of Idaho

March 14, 2001

The Honorable Douglas Jones, Chairman
Agricultural Affairs Committee

Dear Representative Jones:

I hereby designate the Agricultural Affairs Committee a privileged committee for the purpose of introducing RS 11260 on Thursday, March 15, 2001.

Sincerely,
/s/ BRUCE NEWCOMB
Speaker of the House

The letter was ordered filed in the Office of the Chief Clerk.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 364
BY WAYS AND MEANS COMMITTEE
AN ACT

RELATING TO REGISTRATION OF MOTOR VEHICLES WEIGHING IN EXCESS OF SIXTY THOUSAND POUNDS GROSS VEHICLE WEIGHT; AMENDING SECTION 49-434, IDAHO CODE, TO REVISE THE ANNUAL REGISTRATION FEE SCHEDULE FOR MOTOR VEHICLES WEIGHING IN EXCESS OF SIXTY THOUSAND POUNDS AND TO PROVIDE FOR QUARTERLY INSTALLMENT PAYMENTS OF THE ANNUAL REGISTRATION FEE; AMENDING SECTION 17, CHAPTER 418, LAWS OF 2000, TO DELETE LEGISLATIVE INTENT FOR FULL PAYMENT OF THE ANNUAL REGISTRATION FEE ON THE REGISTRATION FEE ONLY SYSTEM AT THE TIME OF REGISTRATION OR RENEWAL OF REGISTRATION FOR REGISTRATIONS AND RENEWAL OF REGISTRATIONS OCCURRING ON AND AFTER OCTOBER 1, 2001; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 365
BY WAYS AND MEANS COMMITTEE
AN ACT

RELATING TO THE APPLICATION OF HISTORIC PRESERVATION ACTIVITIES BY COUNTIES OR CITIES TO STATE-OWNED PROPERTIES AND FACILITIES; AMENDING SECTION 67-4606, IDAHO CODE, TO PROVIDE THAT NOTHING IN THIS CHAPTER SHALL BE CONSTRUED TO ALLOW THE DESIGNATION, REGULATION, CONDITIONING OR ACQUISITION OF PROPERTIES OR FACILITIES OWNED BY THE STATE OR ITS SUBDIVISIONS; AMENDING SECTION 67-4607, IDAHO CODE, TO PROVIDE THAT NOTHING IN CHAPTER 46, TITLE 67, IDAHO CODE, SHALL AUTHORIZE OR BE CONSTRUED TO ALLOW THE DESIGNATION, REGULATION, CONDITIONING OR RESTRICTION BY ORDINANCE OR OTHER MEANS OF ANY PROPERTY OR FACILITY OWNED BY THE STATE OF IDAHO AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-4608, IDAHO CODE, TO CREATE AN EXCEPTION AS PROVIDED IN SECTION 67-4607(d) AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-4612, IDAHO CODE, TO PROVIDE THAT NOTHING IN CHAPTER 46, TITLE 67, IDAHO CODE, SHALL AUTHORIZE OR BE CONSTRUED TO ALLOW THE DESIGNATION, REGULATION, CONDITIONING OR RESTRICTION BY ORDINANCE OR OTHER MEANS OF ANY PROPERTY OR FACILITY OWNED BY THE STATE OF IDAHO; AMENDING SECTION 67-4614, IDAHO CODE, TO PROVIDE THAT NOTHING IN CHAPTER 46, TITLE 67, IDAHO CODE, SHALL AUTHORIZE OR BE CONSTRUED TO ALLOW THE DESIGNATION, REGULATION, CONDITIONING OR RESTRICTION BY ORDINANCE OR OTHER MEANS OF ANY PROPERTY OR FACILITY OWNED BY THE STATE OF IDAHO AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-4616, IDAHO CODE, TO PROVIDE THAT NOTHING IN CHAPTER 46, TITLE 67, IDAHO CODE, SHALL AUTHORIZE OR BE CONSTRUED TO ALLOW THE DESIGNATION, REGULATION, CONDITIONING OR RESTRICTION BY ORDINANCE OR OTHER MEANS OF ANY PROPERTY OR FACILITY OWNED BY THE STATE OF IDAHO AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 366
BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO WAREHOUSES AND THE BONDED WAREHOUSE LAW; AMENDING SECTION 69-202, IDAHO CODE, TO REVISE DEFINITIONS AND TO STRIKE A DEFINITION OF WAREHOUSEMAN AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 69-219, IDAHO CODE, TO STRIKE A REFERENCE TO STORED COMMODITIES AND TO STRIKE A REFERENCE TO REGULATIONS; AMENDING SECTION 69-222, IDAHO CODE, TO PROVIDE FOR THE ISSUANCE OF CERTAIN RECEIPTS AND SCALE TICKETS FOR COMMODITIES DEPOSITED IN LICENSED WAREHOUSES; AMENDING SECTION 69-227,

IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY, TO PROVIDE FOR EXAMINATION OF COMMODITIES AND RECORDS REGARDING COMMODITIES DEPOSITED IN A LICENSED WAREHOUSE AND TO STRIKE A REFERENCE TO REGULATIONS; AMENDING SECTION 69-238, IDAHO CODE, TO PROVIDE FOR A WAREHOUSEMAN'S DUTY TO DELIVER DEPOSITED COMMODITIES; AMENDING SECTION 69-239, IDAHO CODE, TO PROVIDE FOR RECORDS REGARDING DEPOSITED COMMODITIES; AMENDING SECTION 69-248, IDAHO CODE, TO STRIKE A REFERENCE TO BONDED WAREHOUSEMEN AND TO STRIKE A REFERENCE TO AGENTS OF BONDED WAREHOUSEMEN; AMENDING SECTION 69-251, IDAHO CODE, TO PROVIDE FOR PAYMENT OF PURCHASE PRICE BY A WAREHOUSEMAN TO A DEPOSITOR UPON DEPOSIT OF AGRICULTURAL COMMODITIES OR UPON DEMAND BY A DEPOSITOR, TO REQUIRE PAYMENT WITHIN A SPECIFIED TIME OF DEPOSIT OF THE COMMODITIES UNLESS OTHERWISE AGREED TO IN WRITING, TO STRIKE REFERENCES TO OWNER OR AGENT, TO STRIKE THE DEFINITION OF DELIVERY AS USED IN THE SECTION AND TO REVISE THE DEFINITION OF PAYMENT AS USED IN THE SECTION; AMENDING SECTION 69-255, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY, TO STRIKE REFERENCE TO START-UP PROCEDURE, TO PROVIDE A CORRECT CODE REFERENCE, TO PROVIDE THAT PROVISIONS AND DEFINITIONS IN THE CHAPTER, TOGETHER WITH OTHER CITED CODE PROVISIONS, CONSTITUTE THE COMMODITY INDEMNITY FUND PROGRAM, TO STRIKE REFERENCE TO THE EFFECTIVE DATE AND THE DIRECTOR'S NOTIFICATION OF THE EFFECTIVE DATE OF THE PROGRAM TO EACH LICENSED WAREHOUSE AND DEALER AND TO PROVIDE FOR THE APPLICATION OF THE COMMODITY INDEMNITY FUND PROGRAM; AMENDING SECTION 69-256, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY, TO PROVIDE FOR PAYMENT OF ASSESSMENTS BY CERTAIN PERSONS AND TO PROVIDE EXCEPTIONS; AMENDING SECTION 69-258, IDAHO CODE, TO STRIKE REFERENCE TO A TIME PERIOD IN WHICH TO ESTABLISH A RULE REGARDING CERTAIN ASSESSMENTS, TO PROVIDE FOR REMITTANCE OF ASSESSMENTS, TO PROVIDE CORRECT TERMINOLOGY, TO PROVIDE THAT COMMODITY INDEMNITY FUND ASSESSMENTS ARE TRUST FUNDS AND PROPERTY OF THE FUND AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 69-259, IDAHO CODE, TO PROVIDE FOR THE FUNDING AND LIMITS OF THE FUND, TO PROVIDE CORRECT TERMINOLOGY, TO INCREASE THE REQUISITE BALANCE IN THE FUND DURING WHICH TIME ASSESSMENTS WILL BE IMPOSED AND TO STRIKE OUTDATED LANGUAGE; AMENDING SECTION 69-262, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT SHALL PROCESS CERTAIN CLAIMS, TO STRIKE REFERENCE TO CERTAIN WRITTEN EVIDENCE OF OWNERSHIP, TO PROVIDE FOR CLAIMS AGAINST FAILED WAREHOUSES AND DEALERS, TO PROVIDE THAT FOR THE PURPOSES OF THIS SECTION STORAGE OBLIGATIONS OR SALES OF COMMODITIES SHALL NOT INCLUDE CERTAIN SPECIFIED COMMODITIES, TO PROVIDE FOR WRITTEN EVIDENCE OF PRODUCER CLAIMS, TO REQUIRE THE DEPARTMENT TO INVESTIGATE CERTAIN CLAIMS, TO STRIKE REFERENCE TO THE DEPARTMENT'S DETERMINATION OF WHETHER A CLAIMANT'S COMMODITIES ARE UNDER A STORAGE OBLIGATION OR WHETHER A SALE HAS OCCURRED, TO STRIKE REFERENCE TO COMMODITY, TO PROVIDE FOR NOTICE TO THE ADVISORY COMMITTEE, TO PROVIDE CORRECT TERMINOLOGY, TO PROVIDE THAT THE DEPARTMENT MAY REQUIRE A CLAIMANT TO SUBROGATE AND ASSIGN CERTAIN RIGHTS TO RECOVER FROM OTHER SOURCES, TO STRIKE REFERENCE TO A SPECIFIED BASIS FOR THE DEPARTMENT'S INSPECTION AND AUDIT OF CERTAIN WAREHOUSES, TO PROVIDE FOR THE INSPECTION AND AUDIT OF CERTAIN DEALERS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 69-263, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO PROVIDE THAT VERIFIED CLAIMS MUST BE FILED WITHIN A SPECIFIED TIME OF NOTICE BY THE DIRECTOR; AMENDING SECTION 69-264, IDAHO CODE, TO INCREASE THE MINIMUM BALANCE IN THE COMMODITY INDEMNITY FUND AND TO PROVIDE CORRECT TERMINOLOGY; AND DECLARING AN EMERGENCY.

H 364, H 365, and **H 366** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1195, by Finance Committee, was introduced, read the first time by title, and referred to the Appropriations Committee.

S 1234, S 1235, S 1236, S 1237, S 1238, S 1239, and **S 1240**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

First Reading of Engrossed Bills

H 228, as amended, by Business Committee, was introduced, read the first time by title and filed for second reading.

H 262, as amended, by Agricultural Affairs Committee, was introduced, read the first time by title and filed for second reading.

H 242, as amended, by Judiciary, Rules, and Administration Committee, was introduced, read the first time by title and filed for second reading.

Second Reading of Bills and Joint Resolutions

S 1064, as amended, and **S 1143**, by Agricultural Affairs Committee, were read the second time by title and filed for third reading.

S 1050 and **S 1051**, as amended, by Commerce and Human Resources Committee, were read the second time by title and filed for third reading.

S 1166, S 1047, S 1063, S 1170, and **S 1192**, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

H 350, by Education Committee, was read the second time by title and filed for third reading.

H 358, by Ways and Means Committee, was read the second time by title and filed for third reading.

S 1056, S 1055, S 1121, and **S 1122**, by Resources and Environment Committee, were read the second time by title and filed for third reading.

HCR 33, H 284, and **H 357**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

S 1223, S 1224, S 1225, S 1226, S 1227, S 1228, S 1229, and **S 1230**, by Finance Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Bruneel asked unanimous consent that **H 341, H 342, H 343, H 344, H 301, H 334, H 335, H 336, H 337, S 1175, H 330, S 1180, S 1181, S 1186, S 1187, S 1188, S 1189, S 1190, S 1185, S 1182, S 1184, S 1196, S 1197, S 1202, S 1203, S 1204, S 1205, S 1206, S 1207, S 1208, S 1209, S 1212, S 1213, S 1215, S 1216, S 1217, S 1218, S 1219, S 1220, S 1221**, and **S 1222** retain their places on the Third Reading Calendar until Monday, March 19, 2001. There being no objection, it was so ordered.

S 1086 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moss to open debate.

The question being, "Shall **S 1086** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Wheeler, Wood, Young, Mr. Speaker. Total -- 64.
NAYS -- None.
Absent and excused -- Deal, Gagner, Jones, Meyer, Roberts, Trail. Total -- 6.
Total -- 70.

Whereupon the Speaker declared **S 1086** passed the House. Title was approved and the bill was ordered returned to the Senate.

SCR 108 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **SCR 108** be adopted?"

Whereupon the Speaker declared **SCR 108** adopted by voice vote and ordered the resolution returned to the Senate.

S 1069 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mader to open debate.

The question being, "Shall **S 1069** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Wheeler, Wood, Young, Mr. Speaker. Total -- 61.
NAYS -- None.
Absent and excused -- Black, Deal, Gagner, Jones, Kunz, Meyer, Moyle, Roberts, Trail. Total -- 9.
Total -- 70.

Whereupon the Speaker declared **S 1069** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1153 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Hornbeck to open debate.

The question being, "Shall **S 1153** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Denney, Ellis, Ellsworth, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Hornbeck, Jaquet, Kendell, Lake, Langford, Loertscher, Mader, Marley, Montgomery, Mortensen, Moss, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Wheeler, Young, Mr. Speaker. Total -- 54.
NAYS -- Barrett, Eskridge, Higgins, Kellogg, McKague, Wood. Total -- 6.
Absent and excused -- Black, Deal, Gagner, Henbest, Jones, Kunz, Meyer, Moyle, Roberts, Trail. Total -- 10.
Total -- 70.

Whereupon the Speaker declared **S 1153** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel moved that the House recess until 1:30 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:30 p.m.

RECESS

Afternoon Session

The House reconvened at 1:30 p.m., the Speaker in the Chair.

Roll call showed 67 members present.
Absent and excused -- Campbell, Meyer, Wheeler. Total -- 3.
Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

S 1142, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1142**, as amended, pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Swan(Block), Trail, Young, Mr. Speaker. Total -- 61.
NAYS -- None.
Absent and excused -- Campbell, Gagner, Henbest, Jones, Meyer, Stone, Tilman, Wheeler, Wood. Total -- 9.
Total -- 70.

Whereupon the Speaker declared **S 1142**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1016 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith to open debate.

The question being, "Shall **S 1016** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Trail, Young, Mr. Speaker. Total -- 61.
NAYS -- None.
Absent and excused -- Campbell, Gagner, Henbest, Jones, Meyer, Mortensen, Tilman, Wheeler, Wood. Total -- 9.
Total -- 70.

Whereupon the Speaker declared **S 1016** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1017 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ridinger to open debate.

The question being, "Shall **S 1017** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Young, Mr. Speaker. Total -- 61.
NAYS -- None.
Absent and excused -- Campbell, Gagner, Gould, Henbest, Meyer, Mortensen, Swan(Block), Wheeler, Wood. Total -- 9.
Total -- 70.

Whereupon the Speaker declared **S 1017** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 356 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Crow to open debate.

The question being, "Shall **H 356** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Bell, Bieter, Black, Boe, Bolz, Bradford, Callister, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Eskridge, Field(13), Field(20), Gould, Harwood, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Robison, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Trail, Young, Mr. Speaker. Total -- 51.
NAYS -- Barrett, Bedke, Bruneel, Ellsworth, Hadley, Hammond, McKague, Ridinger, Roberts, Sali, Schaefer, Tilman. Total -- 12.
Absent and excused -- Campbell, Gagner, Henbest, Meyer, Mortensen, Wheeler, Wood. Total -- 7.
Total -- 70.

Whereupon the Speaker declared **H 356** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1133 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hammond to open debate.

The question being, "Shall **S 1133** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali,

Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Young, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Campbell, Gagner, Henbest, Meyer, Montgomery, Wheeler, Wood. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **S 1133** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel asked unanimous consent that **S 1082**, as amended in the House, retain its place on the Third Reading Calendar until Tuesday, March 20, 2001. There being no objection, it was so ordered.

H 321, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Shepherd and Mr. Moss to open debate.

The question being, "Shall **H 321**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Young, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Campbell, Gagner, Henbest, Meyer, Wheeler, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 321**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 347, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **H 347**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Young, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Campbell, Gagner, Henbest, Meyer, Wheeler, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 347**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 281, as amended, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Raybould to open debate.

At this time, Mr. Denney took the Chair.

The question being, "Shall **H 281**, as amended, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, Marley, McKague, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Swan(Block), Tilman, Trail, Young, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Campbell, Gagner, Kunz, Meyer, Montgomery, Stone, Wheeler, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 281**, as amended, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

March 15, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 365**.

GOULD, Chairman

H 365 was filed for second reading.

Mr. Chase asked unanimous consent that **H 365** be referred to the State Affairs Committee. Mr. Bruneel objected.

Mr. Chase moved that **H 365** be referred to the State Affairs Committee. Seconded by Ms. Jaquet.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES -- Bieter, Boe, Chase, Cuddy, Ellsworth, Field(13), Henbest, Jaquet, Marley, Montgomery, Robison, Shepherd, Young. Total -- 13.

NAYS -- Barraclough, Barrett, Bedke, Bell, Black, Bolz, Bradford, Bruneel, Callister, Clark, Collins, Crow, Deal, Denney, Ellis, Eskridge, Field(20), Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Sali, Schaefer, Sellman, Smith, Smylie, Stevenson, Swan(Block), Tilman, Trail, Mr. Speaker. Total -- 51.

Absent and excused -- Campbell, Gagner, Meyer, Stone, Wheeler, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared the motion failed.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 365** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 365** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Mader.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Bolz, Bradford, Bruneel, Callister, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Sali, Schaefer, Sellman, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Young, Mr. Speaker. Total -- 57.

NAYS -- Bieter, Boe, Chase, Henbest, Jaquet, Marley, Robison, Shepherd. Total -- 8.

Absent and excused -- Campbell, Gagner, Meyer, Wheeler, Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 365** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Speaker to open debate.

The question being, "Shall **H 365** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Bolz, Bradford, Bruneel, Callister, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Sali, Schaefer, Sellman, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 57.

NAYS -- Bieter, Boe, Chase, Cuddy, Henbest, Jaquet, Marley, Robison, Shepherd. Total -- 9.

Absent and excused -- Campbell, Meyer, Smith, Wheeler. Total -- 4.

Paired Vote:

AYE -- Mader. NAY -- Henbest.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 365** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 8 a.m., Friday, March 16, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 3:08 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

SIXTY-EIGHTH LEGISLATIVE DAY
FRIDAY, MARCH 16, 2001

House of Representatives

The House convened at 8 a.m., the Speaker in the Chair.

Roll call showed 66 members present.

Absent and excused -- Campbell, Clark, Henbest, Wheeler. Total -- 4.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Annie Ward, Page.

Approval of Journal

March 16, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-seventh Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Mr. Denney asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifth Order of Business.

Report of Standing Committees

March 16, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 35, H 364**, and **H 366**.

GOULD, Chairman

HCR 35 and **H 364** were referred to the Transportation and Defense Committee.

H 366 was filed for second reading.

March 16, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 25, HJM 8, H 133**, and **H 150**.

GOULD, Chairman

The Speaker announced he was about to sign enrolled **HCR 25, HJM 8, H 133**, and **H 150**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 16, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HJM 9** to the Secretary of State at 3:29 p.m., as of this date, March 15, 2001.

GOULD, Chairman

March 15, 2001

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **S 1174** and recommend that it do pass.

GAGNER, Vice Chairman

S 1174 was filed for second reading.

March 15, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1011, S 1012, S 1119, S 1127**, as amended, **S 1171**, and **S 1172** and recommend that they do pass.

FIELD(13), Vice Chairman

S 1011, S 1012, S 1119, S 1127, as amended, **S 1171**, and **S 1172** were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 367
BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO THE SALES TAX EXEMPTION FOR MOTOR VEHICLES AND USED MOBILE HOMES; AMENDING SECTION 63-3622R, IDAHO CODE, TO PROVIDE THAT VESSELS AND ATTACHED MOTOR, ALL-TERRAIN VEHICLES, UTILITY TRAILERS AND SNOWMOBILES SHALL BE EXEMPTED FROM SALES TAX IN THE SAME MANNER AS PROVIDED FOR MOTOR VEHICLES AND USED MOBILE HOMES.

H 367 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

Mr. Black asked unanimous consent that **H 228**, as amended, be placed on General Orders for consideration. There being no objection, it was so ordered.

S 1111 and **S 1038**, as amended, by Education Committee, were read the second time by title and filed for third reading.

S 1168 and **S 1194**, by State Affairs Committee, were read the second time by title and filed for third reading.

H 359, by Ways and Means Committee, was read the second time by title and filed for third reading.

S 1100, by Transportation Committee, was read the second time by title and filed for third reading.

S 1234, S 1235, S 1236, S 1237, S 1238, S 1239, and **S 1240**, by Finance Committee, were read the second time by title and filed for third reading.

H 262, as amended, by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

H 242, as amended, by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Bruneel asked unanimous consent that **S 1050** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

S 1050 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Meyer to open debate.

The question being, "Shall **S 1050** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Bedke, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 54.
NAYS -- Barrett, Harwood, Langford, Loertscher, McKague, Moyle, Pearce, Sali. Total -- 8.
Absent and excused -- Bell, Campbell, Clark, Cuddy, Henbest, Jaquet, Robison, Wheeler. Total -- 8.
Total -- 70.

Whereupon the Speaker declared **S 1050** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1064, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Young to open debate.

The question being, "Shall **S 1064**, as amended, pass?"

Roll call resulted as follows:
AYES -- Barraclough, Bell, Bieter, Boe, Bolz, Chase, Cuddy, Deal, Field(20), Gould, Henbest, Jaquet, Jones, Kellogg, Kunz, Langford, Mader, Marley, Meyer, Montgomery, Mortensen, Pischner, Pomeroy, Robison, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Trail, Young. Total -- 32.
NAYS -- Barrett, Bedke, Black, Bradford, Bruneel, Callister, Collins, Crow, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gagner, Hadley, Hammond, Harwood, Higgins, Hornbeck, Kendell, Lake, Loertscher, McKague, Moss, Moyle, Pearce, Raybould, Ridinger, Roberts, Sali, Schaefer, Sellman, Tilman, Wood, Mr. Speaker. Total -- 35.
Absent and excused -- Campbell, Clark, Wheeler. Total -- 3.
Paired Vote:
AYE -- Henbest. NAY -- Raybould.
(Pair enumerated in roll call above.)
Total -- 70.

Whereupon the Speaker declared **S 1064**, as amended, failed to pass the House and ordered the bill returned to the Senate.

S 1051, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Kellogg to open debate.

The question being, "Shall **S 1051**, as amended, pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Callister, Chase, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 64.
NAYS -- None.
Absent and excused -- Bruneel, Campbell, Clark, Henbest, Pischner, Wheeler. Total -- 6.
Total -- 70.

Whereupon the Speaker declared **S 1051**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney asked unanimous consent that **S 1166** retain its place on the Third Reading Calendar until Monday, March 19, 2001. There being no objection, it was so ordered.

H 350 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Higgins to open debate.

The question being, "Shall **H 350** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Callister, Chase, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 62.
NAYS -- None.
Absent and excused -- Bruneel, Campbell, Clark, Crow, Henbest, Pischner, Smith, Wheeler. Total -- 8.
Total -- 70.

Whereupon the Speaker declared **H 350** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1047 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hammond to open debate.

The question being, "Shall **S 1047** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Campbell, Clark, Crow, Henbest, Pischner, Smith, Wheeler. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **S 1047** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1063 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Meyer to open debate.

The question being, "Shall **S 1063** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Chase, Collins, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Higgins, Jaquet, Jones, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 58.

NAYS -- Callister, Ellis, Hammond, Harwood, Hornbeck, Kendell, McKague. Total -- 7.

Absent and excused -- Campbell, Clark, Crow, Henbest, Wheeler. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1063** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1170 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith to open debate.

The question being, "Shall **S 1170** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Bieter, Campbell, Clark, Crow, Gagner, Henbest, Wheeler. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **S 1170** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1192 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Boe to open debate.

The question being, "Shall **S 1192** pass?"

Roll call resulted as follows:

AYES -- Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Chase, Cuddy, Deal, Denney, Ellis, Ellsworth, Field(13), Gould, Hammond, Hornbeck, Jaquet, Jones, Kellogg, Kunz, Lake, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Pearce, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Stevenson, Stone, Swan(Block), Tilman, Trail, Young. Total -- 46.

NAYS -- Barraclough, Bradford, Callister, Collins, Crow, Eskridge, Field(20), Gagner, Hadley, Harwood, Higgins, Kendell, Langford, McKague, Moyle, Pischner, Pomeroy, Smylie, Wood, Mr. Speaker. Total -- 20.

Absent and excused -- Campbell, Clark, Henbest, Wheeler. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1192** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 358 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood and Mrs. Barrett to open debate.

The question being, "Shall **H 358** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Campbell, Clark, Henbest, Kunz, Sellman, Wheeler. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 358** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1143 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(20) to open debate.

The question being, "Shall **S 1143** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Collins, Crow, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 63.
NAYS -- Mader. Total -- 1.
Absent and excused -- Campbell, Clark, Ellis, Field(13), Henbest, Wheeler. Total -- 6.
Total -- 70.

Whereupon the Speaker declared **S 1143** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1056 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **S 1056** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Collins, Crow, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Jones, Kendell, Kunz, Lake, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 62.
NAYS -- Kellogg, Langford. Total -- 2.
Absent and excused -- Campbell, Clark, Ellis, Field(13), Henbest, Wheeler. Total -- 6.
Total -- 70.

Whereupon the Speaker declared **S 1056** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1055 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cuddy to open debate.

The question being, "Shall **S 1055** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Collins, Crow, Cuddy, Deal, Denney, Eskridge, Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 62.
NAYS -- None.
Absent and excused -- Campbell, Clark, Ellis, Ellsworth, Field(13), Henbest, Jones, Wheeler. Total -- 8.
Total -- 70.

Whereupon the Speaker declared **S 1055** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1121 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Barraclough to open debate.

The question being, "Shall **S 1121** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Collins, Crow, Cuddy, Deal, Denney, Eskridge, Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Swan(Block), Tilman, Trail, Young, Mr. Speaker. Total -- 60.
NAYS -- None.
Absent and excused -- Campbell, Clark, Ellis, Ellsworth, Field(13), Henbest, Jones, Stone, Wheeler, Wood. Total -- 10.
Total -- 70.

Whereupon the Speaker declared **S 1121** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1122 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **S 1122** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Collins, Crow, Cuddy, Deal, Denney, Eskridge, Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali,

Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Campbell, Clark, Ellis, Ellsworth, Field(13), Henbest, Jones, Wheeler. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **S 1122** passed the House. Title was approved and the bill was ordered returned to the Senate.

HCR 33 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Gould to open debate.

The question being, "Shall **HCR 33** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Collins, Crow, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Trail, Wood, Young, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Campbell, Clark, Ellis, Field(13), Henbest, Jones, Tilman, Wheeler. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **HCR 33** adopted and ordered the resolution transmitted to the Senate.

H 284 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Barrett to open debate.

The question being, "Shall **H 284** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bolz, Bruneel, Callister, Chase, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Hornbeck, Jaquet, Langford, Loertscher, Mader, McKague, Moyle, Pearce, Raybould, Roberts, Sali, Schaefer, Shepherd, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wood, Young. Total -- 40.

NAYS -- Bieter, Black, Boe, Bradford, Collins, Crow, Deal, Higgins, Jones, Kellogg, Kendell, Kunz, Lake, Marley, Meyer, Montgomery, Mortensen, Moss, Pischner, Pomeroy, Ridinger, Robison, Sellman, Smith, Mr. Speaker. Total -- 25.

Absent and excused -- Campbell, Clark, Field(13), Henbest, Wheeler. Total -- 5.

Paired Vote:

AYE -- Ellis. NAY -- Smith.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 284** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 357 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Kellogg to open debate.

The question being, "Shall **H 357** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Bolz, Bruneel, Callister, Chase, Collins, Crow, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(20), Gagner, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Moss, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Boe, Bradford, Campbell, Clark, Ellis, Field(13), Gould, Henbest, McKague, Mortensen, Moyle, Wheeler. Total -- 12.

Total -- 70.

Whereupon the Speaker declared **H 357** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, March 19, 2001. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 10:30 a.m., Monday, March 19, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 10:30 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

SEVENTY-FIRST LEGISLATIVE DAY
MONDAY, MARCH 19, 2001

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Annie Ward, Page.

Approval of Journal

March 19, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-eighth Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

March 16, 2001

Mr. Speaker:

I transmit herewith enrolled **S 1132** and **SCR 109** for the signature of the Speaker. WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1132** and **SCR 109** and, when so signed, ordered them returned to the Senate.

March 16, 2001

Mr. Speaker:

I return herewith enrolled **HCR 26**, as amended, and **H 10** which have been signed by the President.

WOOD, Secretary

Enrolled **HCR 26**, as amended, was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Enrolled **H 10** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 16, 2001

Mr. Speaker:

I return herewith enrolled **HCR 25, HJM 8, H 133**, and **H 150** which have been signed by the President.

WOOD, Secretary

Enrolled **HCR 25** and **HJM 8** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Enrolled **H 133** and **H 150** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 15, 2001

Mr. Speaker:

I transmit herewith **SJM 106, S 1241, S 1242, S 1243, S 1245, S 1067**, as amended, **S 1244, S 1114**, as amended, **S 1193**, as amended, **S 1040**, as amended, as amended, and **S 1116**, as amended, which have passed the Senate.

WOOD, Secretary

SJM 106, S 1241, S 1242, S 1243, S 1245, S 1067, as amended, **S 1244, S 1114**, as amended, **S 1193**, as amended, **S 1040**, as amended, as amended, and **S 1116**, as amended, were filed for first reading.

March 15, 2001

Mr. Speaker:

I return herewith **HCR 17** and **H 205** which have passed the Senate. WOOD, Secretary

HCR 17 and **H 205** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 16, 2001

Mr. Speaker:

I transmit herewith **S 1210, S 1246, S 1247**, and **S 1248** which have passed the Senate.

WOOD, Secretary

S 1210, S 1246, S 1247, and **S 1248** were filed for first reading.

March 16, 2001

Mr. Speaker:

I return herewith **HCR 24, HJM 10, H 8, H 164, H 101, H 134, H 181, H 182, H 183, H 146, H 143, H 4, H 5**, as amended, **H 9**, as amended, **H 11**, as amended, **H 13**, as amended, **H 302, H 303, H 304, H 313, H 128, H 140, H 141, H 188, H 65**, as amended, **H 244, H 318, H 54, H 67, H 167, H 58, H 193, H 201, H 175, H 249, H 290, H 198, H 214, H 31, H 38, H 39, H 14**, as amended, **H 170, H 154, H 131, H 26, H 22**, and **H 278** which have passed the Senate.

WOOD, Secretary

HCR 24, HJM 10, H 8, H 164, H 101, H 134, H 181, H 182, H 183, H 146, H 143, H 4, H 5, as amended, **H 9**, as amended, **H 11**, as amended, **H 13**, as amended, **H 302, H 303, H 304, H 313, H 128, H 140, H 141, H 188, H 65**, as amended, **H 244, H 318, H 54, H 67, H 167, H 58, H 193, H 201, H 175, H 249, H 290, H 198, H 214, H 31, H 38, H 39, H 14**, as amended, **H 170, H 154, H 131, H 26, H 22**, and **H 278** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 15, 2001

Mr. Speaker:

I return herewith **H 176**, as amended in the Senate, **H 144**, as amended in the Senate, and **H 237**, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

H 176, as amended in the Senate, **H 144**, as amended in the Senate, and **H 237**, as amended in the Senate, were ordered held at the Desk.

Mr. Moyle asked unanimous consent that the House concur in the Senate amendments to **H 176**. There being no objection, it was so ordered.

Mr. Smylie asked unanimous consent that the House concur in the Senate amendments to **H 144**. There being no objection, it was so ordered.

Mr. Gagner asked unanimous consent that the House concur in the Senate amendments to **H 237**. There being no objection, it was so ordered.

H 176, as amended in the Senate, **H 144**, as amended in the Senate, and **H 237**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

Report of Standing Committees

March 19, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 367**.

GOULD, Chairman

H 367 was filed for second reading.

March 19, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 71**, as amended in the Senate, to the Governor at 10:30 a.m., as of this date, March 16, 2001.

GOULD, Chairman

March 16, 2001

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **HCR 35** and **H 364** and recommend that they do pass.

WOOD, Chairman

HCR 35 and **H 364** were filed for second reading.

March 19, 2001

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1164**, as amended, and recommend that it do pass.

DEAL, Chairman

S 1164, as amended, was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

SJM 106, by State Affairs Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1067, as amended, and **S 1040**, as amended, as amended, by Agricultural Affairs Committee, were introduced, read the first time by title, and referred to the Agricultural Affairs Committee.

S 1114, as amended, and **S 1116**, as amended, by Education Committee, were introduced, read the first time by title, and referred to the Education Committee.

S 1193, as amended, by State Affairs Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

S 1210, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

S 1241, S 1242, S 1243, S 1245, S 1244, S 1246, S 1247, and **S 1248**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 366, by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

S 1174, by State Affairs Committee, was read the second time by title and filed for third reading.

S 1011, S 1012, S 1119, S 1171, and **S 1172**, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

S 1127, as amended, by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Bruneel asked unanimous consent that **H 359, H 262**, as amended, **H 242**, as amended, **S 1166, S 1111, S 1168, S 1100, S 1038**, as amended, and **S 1194** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

H 359 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Denney to open debate.

The question being, "Shall **H 359** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bell, Bieter, Black, Bolz, Callister, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Harwood, Henbest, Hornbeck, Jaquet, Jones, Kellogg, Kunz, Lake, Langford, Mader, McKague, Meyer, Mortensen, Moss, Pearce, Pomeroy, Roberts, Robison, Sali, Shepherd, Smylie, Stone, Tilman, Trail, Wood, Mr. Speaker. Total -- 45.

NAYS -- Boe, Bradford, Bruneel, Campbell, Chase, Gagner, Kendell, Marley, Montgomery, Moyle, Pischner, Raybould, Ridinger, Sellman, Smith, Stevenson, Swan(Block), Young. Total -- 18.

Absent and excused -- Bedke, Crow, Hammond, Higgins, Loertscher, Schaefer, Wheeler. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 359** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 262, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Jones to open debate.

The question being, "Shall **H 262**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bell, Bieter, Boe, Bolz, Bradford, Callister, Chase, Collins, Cuddy, Deal, Ellis, Ellsworth, Field(13), Field(20), Gagner, Gould, Hadley, Harwood, Henbest, Jaquet, Jones, Kellogg, Kunz, Lake, Langford, Marley, Montgomery, Moss, Pischner, Pomeroy, Robison, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Trail, Young, Mr. Speaker. Total -- 42.

NAYS -- Barrett, Black, Bruneel, Campbell, Clark, Crow, Denney, Eskridge, Hammond, Higgins, Hornbeck, Kendell, Loertscher, Mader, McKague, Meyer, Moyle, Pearce, Raybould, Ridinger, Roberts, Sali, Schaefer, Tilman, Wood. Total -- 25.

Absent and excused -- Bedke, Mortensen, Wheeler. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 262**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 242, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bieter and Mr. Moss to open debate.

The question being, "Shall **H 242**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Crow, Harwood, Wheeler. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 242**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1166 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **S 1166** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Crow, Harwood, Schaefer, Wheeler. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1166** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1111 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Young to open debate.

The question being, "Shall **S 1111** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Bruneel, Schaefer, Stevenson. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1111** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1168 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(13) and Ms. Henbest to open debate.

The question being, "Shall **S 1168** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **S 1168** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1100 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kunz to open debate.

The question being, "Shall **S 1100** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **S 1100** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1038, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Trail to open debate.

The question being, "Shall **S 1038**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Bell. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1038**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel moved that the House recess until 1:15 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

RECESS

Afternoon Session

The House reconvened at 1:15 p.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused -- Chase, Kunz, Sali. Total -- 3.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

S 1194 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moss to open debate.

The question being, "Shall **S 1194** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Deal, Denney, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Hornbeck, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, Marley, Mortensen, Moss, Pischner, Pomeroy, Raybould, Sellman, Smith, Stevenson, Stone, Swan(Block), Tilman, Trail, Young, Mr. Speaker. Total -- 46.

NAYS -- Barrett, Crow, Cuddy, Ellis, Ellsworth, Henbest, Higgins, McKague, Meyer, Montgomery, Moyle, Pearce, Ridinger, Roberts, Robison, Schaefer, Smylie, Wheeler. Total -- 18.

Absent and excused -- Chase, Jaquet, Kunz, Sali, Shepherd, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1194** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel asked unanimous consent that **H 330** be placed at the top of the Third Reading Calendar and **S 1212, S 1213, S 1215, S 1216, S 1226, S 1227, S 1228**, and **S 1182** be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

Mr. Bruneel asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 366** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 366** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Henbest.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer,

Sellman, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Young, Mr. Speaker. Total -- 60.

NAYS -- None.

Absent and excused -- Barrett, Bedke, Chase, Jaquet, Kunz, Moss, Sali, Shepherd, Wheeler, Wood. Total -- 10.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 366** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Jones to open debate.

The question being, "Shall **H 366** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Sellman, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Chase, Jaquet, Kunz, Moss, Sali, Shepherd, Wood. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 366** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1174** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1174** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Henbest.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Sellman, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Young, Mr. Speaker. Total -- 60.

NAYS -- None.

Absent and excused -- Barrett, Bedke, Chase, Jaquet, Kunz, Moss, Sali, Shepherd, Wheeler, Wood. Total -- 10.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1174** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Deal to open debate.

The question being, "Shall **S 1174** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Robison, Sellman, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 59.

NAYS -- Barrett, McKague, Roberts, Schaefer. Total -- 4.

Absent and excused -- Chase, Jaquet, Kunz, Moss, Sali, Shepherd, Wood. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **S 1174** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1011** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1011** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Henbest.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Sellman, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Young, Mr. Speaker. Total -- 60.

NAYS -- None.

Absent and excused -- Barrett, Bedke, Chase, Jaquet, Kunz, Moss, Sali, Shepherd, Wheeler, Wood. Total -- 10.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1011** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **S 1011** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Sellman, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Chase, Kunz, Moss, Sali, Shepherd, Smith, Wood. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **S 1011** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1012** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1012** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Henbest.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Sellman, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Young, Mr. Speaker. Total -- 60.

NAYS -- None.

Absent and excused -- Barrett, Bedke, Chase, Jaquet, Kunz, Moss, Sali, Shepherd, Wheeler, Wood. Total -- 10.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1012** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hammond to open debate.

The question being, "Shall **S 1012** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Sellman, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Chase, Kunz, Moss, Sali, Shepherd, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1012** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1127**, as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1127**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Henbest.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Sellman, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Young, Mr. Speaker. Total -- 60.

NAYS -- None.

Absent and excused -- Barrett, Bedke, Chase, Jaquet, Kunz, Moss, Sali, Shepherd, Wheeler, Wood. Total -- 10.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1127**, as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **S 1127**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison,

Schaefer, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 62.

NAYS -- Deal, Langford, McKague. Total -- 3.

Absent and excused -- Chase, Kunz, Sali, Sellman, Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1127**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1119** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1119** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Henbest.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Sellman, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Young, Mr. Speaker. Total -- 60.

NAYS -- None.

Absent and excused -- Barrett, Bedke, Chase, Jaquet, Kunz, Moss, Sali, Shepherd, Wheeler, Wood. Total -- 10.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1119** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moss to open debate.

The question being, "Shall **S 1119** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 63.

NAYS -- Bieter, Boe, Marley. Total -- 3.

Absent and excused -- Chase, Kunz, Sali, Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1119** passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 9:30 a.m., Tuesday, March 20, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:18 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

SEVENTY-SECOND LEGISLATIVE DAY
TUESDAY, MARCH 20, 2001

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Hattie Hiatt, Page.

Approval of Journal

March 20, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-first Legislative Day and recommend that same be adopted as corrected. GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

March 19, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 2, H 62, H 63, H 64, H 100, H 109, H 111, H 112, H 119, H 120, H 122, H 160, H 178, H 217, and **H 218**

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

March 19, 2001

Mr. Speaker:

I transmit herewith enrolled **S 1016, S 1017, S 1069, S 1086, S 1133, S 1142**, as amended, **S 1153**, and **SCR 108** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1016, S 1017, S 1069, S 1086, S 1133, S 1142**, as amended, **S 1153**, and **SCR 108** and, when so signed, ordered them returned to the Senate.

March 19, 2001

Mr. Speaker:

I transmit herewith **S 1199, S 1251**, and **S 1252** which have passed the Senate.

WOOD, Secretary

S 1199, S 1251, and **S 1252** were filed for first reading.

March 19, 2001

Mr. Speaker:

I return herewith **H 18**, as amended, **H 185**, as amended, **H 247**, and **H 7**, as amended, which have passed the Senate.

WOOD, Secretary

H 18, as amended, **H 185**, as amended, **H 247**, and **H 7**, as amended, were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 19, 2001

Mr. Speaker:

I return herewith **H 25, H 60**, as amended, **H 245, H 151**, as amended, **H 43, H 223, H 224, H 32, H 148, H 162**, and **H 174** which have passed the Senate.

WOOD, Secretary

H 25, H 60, as amended, **H 245, H 151**, as amended, **H 43, H 223, H 224, H 32, H 148, H 162**, and **H 174** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 19, 2001

Mr. Speaker:

I return herewith **H 206**, as amended in the Senate, which has passed the Senate.

WOOD, Secretary

H 206, as amended in the Senate, was ordered held at the Desk.

Mr. Pearce asked unanimous consent that the House concur in the Senate amendments to **H 206**. There being no objection, it was so ordered.

H 206, as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

Report of Standing Committees

March 20, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 17, H 205, HCR 24, HJM 10, H 8, H 164, H 101, H 134, H 181, H 182, H 183, H 146, H 143, H 4, H 5**, as amended, **H 9**, as amended, **H 11**, as amended, **H 13**, as amended, **H 302, H 303, H 304, H 313, H 128, H 140, H 141, H 188, H 65**, as amended, **H 244, H 318, H 54, H 67, H 167, H 58, H 193, H 201, H 175, H 249, H 290, H 198, H 214, H 31, H 38, H 39, H 14**, as amended, **H 170, H 154, H 131, H 26, H 22**, and **H 278**.

GOULD, Chairman

The Speaker announced he was about to sign enrolled **HCR 17, H 205, HCR 24, HJM 10, H 8, H 164, H 101, H 134, H 181, H 182, H 183, H 146, H 143, H 4, H 5**, as amended, **H 9**, as amended, **H 11**, as amended, **H 13**, as amended, **H 302, H 303, H 304, H 313, H 128, H 140, H 141, H 188, H 65**, as amended, **H 244, H 318, H 54, H 67, H 167, H 58, H 193, H 201, H 175, H 249, H 290, H 198, H 214, H 31, H 38, H 39, H 14**, as amended, **H 170, H 154, H 131, H 26, H 22**, and **H 278**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 20, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 176**, as amended in the Senate, **H 144**, as amended in the Senate, and **H 237**, as amended in the Senate.

GOULD, Chairman

H 176, as amended in the Senate, **H 144**, as amended in the Senate, and **H 237**, as amended in the Senate, were filed for first reading of engrossed bills.

March 20, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 10, H 133**, and **H 150** to the Governor at 10:50 a.m., as of this date, March 19, 2001.

GOULD, Chairman

March 20, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 26**, as amended, **HCR 25**, and **HJM 8** to the Secretary of State at 10:50 a.m., as of this date, March 19, 2001.

GOULD, Chairman

March 19, 2001

Mr. Speaker:

We, your COMMITTEE ON APPROPRIATIONS, report that we have had under consideration **S 1195** and recommend it be referred to the Education Committee.

BELL, Chairman

S 1195 was referred to the Education Committee.

March 19, 2001

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **HCR 34** and recommend that it do pass.

TILMAN, Chairman

HCR 34 was filed for second reading.

March 19, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 310, S 1157**, as amended, and **S 1158**, as amended, and recommend that they do pass.

CROW, Chairman

H 310 was place on the Third Reading Calendar.

S 1157, as amended, and **S 1158**, as amended, were filed for second reading.

March 19, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1031, S 1032, S 1033, S 1059, S 1014**, as amended, **S 1118**, and **S 1191** and recommend that they do pass.

GOULD, Chairman

S 1031, S 1032, S 1033, S 1059, S 1014, as amended, **S 1118**, and **S 1191** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

House of Representatives
State of Idaho

March 20, 2001

The Honorable Robert Schaefer, Chairman
Commerce and Human Resources Committee

Dear Representative Schaefer:

I hereby designate the Commerce and Human Resources Committee a privileged committee for the purpose of introducing RS 11281 on Tuesday, March 20, 2001.

Sincerely,
/s/ BRUCE NEWCOMB
Speaker of the House

The letter was ordered filed in the Office of the Chief Clerk.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 368
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO SALES AND USE TAXES; AMENDING SECTION 63-3622O, IDAHO CODE, TO PROVIDE THAT PLAYGROUND EQUIPMENT AND ASSOCIATED ABSORBING MATERIAL ARE EXEMPT FROM SALES AND USE TAXES.

HOUSE BILL NO. 369
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO TEMPORARY MOTOR VEHICLE REGISTRATIONS; AMENDING SECTION 49-119, IDAHO CODE, TO DEFINE "REGISTERED MAXIMUM GROSS WEIGHT" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-432, IDAHO CODE, TO PROVIDE FOR TEMPORARY OPERATION OF A VEHICLE IN EXCESS OF THE REGISTERED MAXIMUM GROSS VEHICLE WEIGHT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-434, IDAHO CODE, TO PROVIDE FOR PURCHASE OF TEMPORARY PERMITS FOR OPERATION OF VEHICLES AT WEIGHTS IN EXCESS OF THE REGISTERED MAXIMUM GROSS WEIGHT; AND AMENDING SECTION 49-438, IDAHO CODE, TO PROVIDE A PENALTY FOR OPERATING A VEHICLE AT A WEIGHT IN EXCESS OF THE REGISTERED MAXIMUM GROSS WEIGHT ALLOWED BY A TEMPORARY PERMIT.

HOUSE BILL NO. 370
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO TAXATION; AMENDING SECTION 63-3024, IDAHO CODE, TO PROVIDE FOR A REDUCTION IN RATES FOR TAXABLE YEAR 2001 AND THEREAFTER; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3081, IDAHO CODE, TO PROVIDE A REBATE OF INCOME TAXES PAID BY INDIVIDUALS FOR TAXABLE YEARS BEGINNING IN 1999, TO DETERMINE THE RATE OF THE REBATE, TO SET MAXIMUM AND MINIMUM AMOUNTS, TO PROVIDE PROCEDURES, TO APPROPRIATE MONEYS AND TO AUTHORIZE CONTRACTS; AMENDING SECTION 63-3022H, IDAHO CODE, TO INCREASE THE DEDUCTION ALLOWED FOR QUALIFIED CAPITAL GAINS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3024A, IDAHO CODE, TO INCREASE THE INCOME TAX CREDIT FOR SALES TAXES PAID BY INDIVIDUALS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3025, IDAHO CODE, TO REDUCE THE CORPORATE INCOME TAX RATE FROM EIGHT TO SEVEN AND SIX-TENTHS PERCENT FOR TAXABLE YEAR 2001 AND THEREAFTER; AMENDING SECTION 63-3025A, IDAHO CODE, TO REDUCE THE CORPORATE FRANCHISE TAX RATE FROM EIGHT PERCENT TO THE RATE OF THE CORPORATE INCOME TAX AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3029B, IDAHO CODE, TO PROVIDE THAT TAXPAYERS MAKING EXPENDITURES FOR QUALIFIED BROADBAND EQUIPMENT ARE ENTITLED TO THE CREDIT AND TO REVISE PROCEDURES FOR RECAPTURE; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029G, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR CERTAIN EXPENDITURES RELATING TO RESEARCH ACTIVITIES CONDUCTED IN IDAHO, TO PROVIDE A SUNSET, TO PROVIDE A CARRYOVER OF UNUSED CREDITS, TO PROVIDE DEFINITIONS AND TO PROVIDE PROCEDURES; AMENDING SECTION 63-3029H, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029I, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR CERTAIN EXPENDITURES RELATING TO HIGH SPEED

BROADBAND COMMUNICATIONS ACCESS IN IDAHO, TO PROVIDE A SUNSET, TO PROVIDE A CARRYOVER OF UNUSED CREDITS, TO PROVIDE DEFINITIONS AND TO PROVIDE PROCEDURES; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3022P, IDAHO CODE, TO PROVIDE, WITH RESPECT TO A TAXPAYER, AN AMOUNT EQUAL TO THE AMOUNT PAID BY THE TAXPAYER DURING THE TAXABLE YEAR FOR INSURANCE, WHICH CONSTITUTES MEDICAL CARE FOR THE TAXPAYER AND THE SPOUSE AND DEPENDENTS OF THE TAXPAYER WHICH IS NOT OTHERWISE DEDUCTED BY THE TAXPAYER FOR FEDERAL INCOME TAX PURPOSES SHALL BE ALLOWED AS A DEDUCTION AGAINST TAXABLE INCOME, AND TO PROVIDE A DEFINITION OF INSURANCE WHICH CONSTITUTES MEDICAL CARE; AMENDING CHAPTER 6, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-602EE, IDAHO CODE, TO PROVIDE THAT CERTAIN TANGIBLE PERSONAL PROPERTY IS EXEMPT FROM TAXATION; AMENDING SECTION 63-3067, IDAHO CODE, TO PROVIDE FOR REMITTANCE OF INCOME TAX MONEYS TO REPLACE PROPERTY TAXES ON CERTAIN PERSONAL PROPERTY EXEMPT FROM TAXATION, TO PROVIDE A FORMULA AND TO MAKE A TECHNICAL CORRECTION; PROVIDING FOR NONSEVERABILITY OF CERTAIN PROVISIONS OF THIS ACT; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 371
BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO THE FIREMEN'S RETIREMENT FUND; AMENDING SECTION 72-1434, IDAHO CODE, TO PROVIDE THAT CERTAIN PAID FIREFIGHTERS EMPLOYED ON OR AFTER JULY 1, 1976, MAY MAKE AN ELECTION TO SELECT EITHER OPTION I OR OPTION II PRIOR TO RETIREMENT, TO PROVIDE THAT SUCH PAID FIREFIGHTERS WHO SELECT OPTION II SHALL PAY ANY ADDITIONAL REQUIRED EMPLOYEE CONTRIBUTIONS PRIOR TO RETIREMENT, TO PROVIDE THAT THE FIREFIGHTER'S EMPLOYER SHALL PAY ANY ADDITIONAL REQUIRED EMPLOYER CONTRIBUTIONS AS DETERMINED BY THE BOARD AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY.

H 368, H 369, H 370, and **H 371** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1199, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1251 and **S 1252**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

First Reading of Engrossed Bills

H 176, as amended in the Senate, by Resources and Conservation Committee, was introduced, read the first time by title and filed for second reading.

H 144, as amended in the Senate, by State Affairs Committee, was introduced, read the first time by title and filed for second reading.

H 237, as amended in the Senate, by Business Committee, was introduced, read the first time by title and filed for second reading.

Second Reading of Bills and Joint Resolutions

H 367, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

HCR 35, by State Affairs Committee, was read the second time by title and filed for third reading.

H 364, by Ways and Means Committee, was read the second time by title and filed for third reading.

S 1164, as amended, by State Affairs Committee, was read the second time by title and filed for third reading.

S 1241, S 1242, S 1243, S 1245, S 1244, S 1246, S 1247, and **S 1248**, by Finance Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Jones asked unanimous consent that **H 273** and **H 274** be returned to the Agricultural Affairs Committee. There being no objection, it was so ordered.

H 330 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

Mr. Lake asked unanimous consent that **H 330** be placed on General Orders for consideration. Mr. Clark objected.

Mr. Lake moved that **H 330** be placed on General Orders for consideration. Seconded by Mr. Pearce.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bradford, Callister, Campbell, Collins, Crow, Denney, Ellis, Ellsworth, Eskridge, Gould, Hammond, Harwood, Higgins, Hornbeck, Kendell, Lake, Langford, Loertscher, McKague, Mortensen, Moyle, Pearce, Raybould, Roberts, Sali, Schaefer, Smith, Stevenson, Tilman, Wheeler, Wood, Mr. Speaker. Total -- 35.

NAYS -- Bell, Bieter, Black, Boe, Bolz, Bruneel, Chase, Clark, Cuddy, Deal, Field(13), Field(20), Gagner, Hadley, Henbest, Jaquet, Jones, Kellogg, Kunz, Mader, Marley, Meyer, Montgomery, Moss, Pischner, Pomeroy, Ridinger, Robison, Sellman, Shepherd, Smylie, Stone, Swan(Block), Trail, Young. Total -- 35.

Total -- 70.

Whereupon the Speaker declared the motion failed.

The question being, "Shall **H 330** pass?"

Roll call resulted as follows:

AYES -- Bell, Bieter, Black, Boe, Bolz, Bruneel, Chase, Clark, Crow, Cuddy, Deal, Ellsworth, Field(13), Field(20), Gagner, Gould, Hadley, Henbest, Jaquet, Jones, Kellogg, Kendell, Kunz, Mader, Marley, Meyer, Montgomery, Moss, Pischner, Pomeroy, Ridinger, Robison, Sellman, Shepherd, Smylie, Stone, Swan(Block), Trail, Young, Mr. Speaker. Total -- 40.

NAYS -- Barraclough, Barrett, Bedke, Bradford, Callister, Campbell, Collins, Denney, Ellis, Eskridge, Hammond, Harwood, Higgins, Hornbeck, Lake, Langford, Loertscher, McKague, Mortensen, Moyle, Pearce, Raybould, Roberts, Sali, Schaefer, Smith, Stevenson, Tilman, Wheeler, Wood. Total -- 30.

Total -- 70.

Whereupon the Speaker declared **H 330** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 341 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Pischner to open debate.

The question being, "Shall **H 341** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 64.

NAYS -- Bedke, McKague, Tilman. Total -- 3.

Absent and excused -- Campbell, Crow, Lake. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 341** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 342 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hadley to open debate.

The question being, "Shall **H 342** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Deal, Denney, Ellis, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 61.

NAYS -- Cuddy, Jaquet, Loertscher, McKague, Moyle, Schaefer. Total -- 6.

Absent and excused -- Campbell, Crow, Ellsworth. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 342** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 343 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Pomeroy to open debate.

The question being, "Shall **H 343** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Eskridge, Field(13), Field(20), Gagner, Hadley, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Pischner, Pomeroy, Raybould, Ridinger, Robison, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 57.

NAYS -- Barrett, Gould, Hammond, Harwood, Langford, Pearce, Roberts, Sali, Smith. Total -- 9.

Absent and excused -- Ellsworth, Lake, McKague, Moyle. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 343** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 344 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(20) to open debate.

At this time, Mr. Bruneel took the Chair.

Mr. Chase asked unanimous consent that **H 344** be placed on General Orders for consideration. Mr. Speaker objected.

Mr. Chase moved that **H 344** be placed on General Orders for consideration. Seconded by Ms. Jaquet.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES -- Bieter, Boe, Callister, Chase, Cuddy, Ellis, Ellsworth, Hammond, Henbest, Jaquet, Marley, Moyle, Robison, Shepherd, Wood. Total -- 15.

NAYS -- Barraclough, Barrett, Bedke, Bell, Black, Bolz, Bradford, Bruneel, Campbell, Clark, Collins, Crow, Deal, Denney, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Harwood, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts,

Sali, Schaefer, Sellman, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 55.

Total -- 70.

Whereupon the Speaker Pro Tem declared the motion failed.

The question being, "Shall **H 344** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Deal, Denney, Ellis, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Higgins, Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Pearce, Pischner, Pomeroy, Raybould, Roberts, Sali, Sellman, Smith, Smylie, Stone, Swan(Block), Tilman, Trail, Young, Mr. Speaker. Total -- 52.

NAYS -- Bieter, Boe, Chase, Cuddy, Ellsworth, Harwood, Henbest, Jaquet, Loertscher, Marley, Moyle, Ridinger, Robison, Schaefer, Shepherd, Stevenson, Wheeler, Wood. Total -- 18.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 344** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that the House recess until 1:15 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House at recess until 1:15 p.m.

RECESS

Afternoon Session

The House reconvened at 1:15 p.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused -- Raybould. Total -- 1.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Bruneel asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the Legislative Day. There being no objection, it was so ordered.

H 301 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Pischner to open debate.

Mr. Clark asked unanimous consent that **H 301** be placed on General Orders for consideration. Ms. Jaquet objected.

Mr. Clark moved that **H 301** be placed on General Orders for consideration. Seconded by Mr. Lake.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bolz, Callister, Chase, Clark, Crow, Denney, Ellis, Ellsworth, Eskridge, Hammond, Higgins, Kendell, Lake, Langford, Loertscher, McKague, Montgomery, Moss, Moyle, Pearce, Roberts, Sali, Smith, Wheeler, Wood. Total -- 28.

NAYS -- Bell, Bieter, Black, Boe, Bradford, Bruneel, Campbell, Collins, Cuddy, Deal, Field(13), Field(20), Gagner, Gould, Hadley, Harwood, Henbest, Hornbeck, Jaquet, Jones, Kellogg, Mader, Marley, Meyer, Mortensen, Pischner, Pomeroy, Ridinger, Robison, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Young, Mr. Speaker. Total -- 40.

Absent and excused -- Kunz, Raybould. Total -- 2.

Total -- 70.

Whereupon the Speaker declared the motion failed.

The question being, "Shall **H 301** pass?"

Roll call resulted as follows:

AYES -- Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Collins, Crow, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Lake, Langford, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Robison, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 55.

NAYS -- Barraclough, Barrett, Callister, Chase, Clark, Ellis, Hammond, Kendell, Loertscher, McKague, Moyle, Sali, Smith. Total -- 13.

Absent and excused -- Kunz, Raybould. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 301** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 334 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **H 334** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Deal, Kunz, Mader, Raybould. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 334** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **HCR 35** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **HCR 35** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Deal, Gagner, Kunz, Marley, Raybould. Total -- 5.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **HCR 35** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Langford to open debate.

The question being, "Shall **HCR 35** be adopted?"

Whereupon the Speaker declared **HCR 35** adopted by voice vote and ordered the resolution transmitted to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 364** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 364** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Deal, Gagner, Kunz, Marley, Raybould. Total -- 5.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 364** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood to open debate.

The question being, "Shall **H 364** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Crow, Deal, Gagner, Kunz, Raybould. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 364** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

HOUSE RESOLUTION NO. 4
BY WAYS AND MEANS COMMITTEE

A HOUSE RESOLUTION

RECOGNIZING THE IMPORTANCE OF IDAHO'S ACTIVE PARTICIPATION IN THE MULTISTATE HIGHWAY TRANSPORTATION AGREEMENT, AND SUPPORTING THE CONTINUING APPOINTMENT OF AN IDAHO

REPRESENTATIVE TO THE COORDINATING COMMITTEE OF THE MULTISTATE HIGHWAY TRANSPORTATION AGREEMENT.

Be It Resolved by the House of Representatives of the State of Idaho:

WHEREAS, the House of Representatives recognizes that highway transportation is the major mode for movement of people and goods in the western states;

WHEREAS, several western states determined that a consortium of states would provide a forum through which the participating jurisdictions could promote sound public policies of highway use, development, safety and taxation, and could serve as a clearinghouse for the collection and dissemination of information concerning present
and proposed national, state and local legislation, regulation and taxation affecting highway transportation;WHEREAS, in 1975 Idaho enacted into law and became a participating member in the Multistate Highway Transportation Agreement;

WHEREAS, among the purposes of the agreement are adherence to the principle that each participating jurisdiction should have the freedom to develop the vehicle size and weight standards that it determines to be most appropriate to its economy and highway system while also promoting uniformity among participating jurisdictions in vehicle size and weight standards and as much as possible, secure uniformity of administration procedures in the enforcement of recommended vehicle size and weight standards;

WHEREAS, a significant benefit of participation in the agreement is that representatives from the participating jurisdictions enjoy the advantage of consulting directly with regional departments of transportation as well as private industry regarding major interstate transportation issues.

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives, assembled in the First Regular Session of the Fifty-sixth Idaho Legislature, that we recognize the importance of Idaho's active participation in this agreement and support the continuing appointment of an Idaho representative to the coordinating committee of the Multistate Highway Transportation Agreement.

HR 4 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 9 a.m., Wednesday, March 21, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 3 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

SEVENTY-THIRD LEGISLATIVE DAY
WEDNESDAY, MARCH 21, 2001

House of Representatives

The House convened at 9 a.m., Mr. Bruneel in the Chair.

Roll call showed 68 members present.
Absent and excused -- Boe, Gagner. Total -- 2.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Sally Wrigley, Page.

Approval of Journal

March 21, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-second Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

March 19, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 133

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

Mr. Speaker asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the Legislative Day. There being no objection, it was so ordered.

March 20, 2001

Mr. Speaker:

I transmit herewith enrolled **S 1047, S 1050, S 1051**, as amended, **S 1055, S 1056, S 1063, S 1121, S 1122, S 1143, S 1170**, and **S 1192** for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced that enrolled **S 1047, S 1050, S 1051**, as amended, **S 1055, S 1056, S 1063, S 1121, S 1122, S 1143, S 1170**, and **S 1192** would be signed by the Speaker, and, when so signed, ordered them returned to the Senate.

Report of Standing Committees

March 21, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 368, H 369, H 370, H 371**, and **HR 4**.

GOULD, Chairman

H 368 and **H 370** were referred to the Revenue and Taxation Committee.

HR 4 and **H 369** were referred to the Transportation and Defense Committee.

H 371 was filed for second reading.

March 21, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 18**, as amended, **H 185**, as amended, **H 247, H 7**, as amended, **H 25, H 60**, as amended, **H 245, H 151**, as amended, **H 43, H 223, H 224, H 32, H 148, H 162**, and **H 174**.

GOULD, Chairman

The Speaker Pro Tem announced that enrolled **H 18**, as amended, **H 185**, as amended, **H 247, H 7**, as amended, **H 25, H 60**, as amended, **H 245, H 151**, as amended, **H 43, H 223, H 224, H 32, H 148, H 162**, and **H 174** would be signed by the Speaker, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 21, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 206**, as amended in the Senate.

GOULD, Chairman

H 206, as amended in the Senate, was filed for first reading of engrossed bills.

March 20, 2001

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration **S 1156**, as amended, and recommend that it do pass.

STONE, Chairman

S 1156, as amended, was filed for second reading.

March 20, 2001

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **S 1037** and **S 1147** and recommend that they do pass.

LOERTSCHER, Chairman

S 1037 and **S 1147** were filed for second reading.

March 20, 2001

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **S 1077**, as amended, and **S 1140**, as amended, and recommend that they do pass.

WOOD, Chairman

S 1077, as amended, and **S 1140**, as amended, were filed for second reading.

March 20, 2001

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **S 1040**, as amended, as amended, and **S 1067**, as amended, and recommend that they do pass.

JONES, Chairman

S 1040, as amended, as amended, and **S 1067**, as amended, were filed for second reading.

There being no objection, the House advanced to the Ninth Order of Business.

First Reading of Engrossed Bills

H 206, as amended in the Senate, by State Affairs Committee, was introduced, read the first time by title and filed for second reading.

Second Reading of Bills and Joint Resolutions

HCR 34, by Ways and Means Committee, was read the second time by title and filed for third reading.

S 1157, as amended, and **S 1158**, as amended, by Local Government and Taxation Committee, were read the second time by title and filed for third reading.

S 1031, S 1032, S 1033, S 1059, S 1014, as amended, **S 1118**, and **S 1191**, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

S 1251 and **S 1252**, by Finance Committee, were read the second time by title and filed for third reading.

H 176, as amended in the Senate, by Resources and Conservation Committee, was read the second time by title and filed for third reading.

H 144, as amended in the Senate, by State Affairs Committee, was read the second time by title and filed for third reading.

H 237, as amended in the Senate, by Business Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 335 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Pomeroy to open debate.

The question being, "Shall **H 335** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bell, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Deal, Denney, Ellis, Eskridge, Field(13), Field(20), Hadley, Harwood, Henbest, Hornbeck, Jaquet, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Shepherd, Smith, Smylie, Stevenson, Stone, Wood. Total -- 45.

NAYS -- None.

Absent and excused -- Bedke, Bieter, Black, Boe, Bolz, Bradford, Cuddy, Ellsworth, Gagner, Gould, Hammond, Higgins, Jones, Kendell, Marley, Montgomery, Mortensen, Sali, Sellman, Swan(Block), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 25.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 335** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 336 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Robison to open debate.

The question being, "Shall **H 336** pass?"

Roll call resulted as follows:

AYES -- Bell, Bieter, Black, Bruneel, Callister, Clark, Cuddy, Deal, Ellsworth, Field(13), Field(20), Hadley, Henbest, Jaquet, Kellogg, Kendell, Kunz, Mader, Marley, Meyer, Pischner, Pomeroy, Ridinger, Robison, Sellman, Shepherd, Smylie, Stevenson, Stone, Trail, Young. Total -- 31.

NAYS -- Barraclough, Barrett, Bedke, Bolz, Bradford, Campbell, Chase, Collins, Denney, Ellis, Eskridge, Harwood, Higgins, Hornbeck, Lake, Langford, Loertscher, McKague, Mortensen, Moss, Moyle, Pearce, Raybould, Roberts, Sali, Schaefer, Smith, Swan(Block), Tilman, Wheeler, Wood. Total -- 31.

Absent and excused -- Boe, Crow, Gagner, Gould, Hammond, Jones, Montgomery, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 336** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

H 337 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Hadley to open debate.

The question being, "Shall **H 337** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Bolz, Bradford, Bruneel, Campbell, Chase, Collins, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(13), Field(20), Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan(Block), Trail, Wheeler, Wood, Young. Total -- 54.

NAYS -- Barrett, Callister, Clark, Ellis, Langford, Loertscher, Marley, Schaefer, Smith, Tilman. Total -- 10.

Absent and excused -- Boe, Crow, Gagner, Gould, Jones, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 337** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Chase, having voted on the prevailing side, served notice that he may ask for reconsideration of the vote by which **H 336** failed the House.

H 336 was ordered held at the Desk.

Mr. Denney asked unanimous consent that **H 310** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

H 310 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Smith to open debate.

The question being, "Shall **H 310** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bieter, Black, Bolz, Bradford, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Ellis, Eskridge, Field(13), Field(20), Hammond, Henbest, Jones, Kellogg, Kendell, Lake, Mader, Marley, Montgomery, Moss, Pomeroy, Roberts, Robison, Sellman, Shepherd, Smith, Smylie, Stone, Tilman, Trail, Young. Total -- 39.

NAYS -- Barrett, Bell, Bruneel, Denney, Ellsworth, Hadley, Harwood, Hornbeck, Jaquet, Kunz, Langford, McKague, Meyer, Mortensen, Moyle, Pearce, Pischner, Raybould, Ridinger, Sali, Schaefer, Stevenson, Swan(Block), Wheeler, Wood. Total -- 25.

Absent and excused -- Boe, Gagner, Gould, Higgins, Loertscher, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 310** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that **S 1175** retain its place on the Third Reading Calendar. There being no objection, it was so ordered.

S 1180 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Lake to open debate.

The question being, "Shall **S 1180** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Bolz, Bruneel, Callister, Campbell, Chase, Collins, Cuddy, Deal, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Hadley, Hammond, Henbest, Higgins, Jaquet, Jones, Kendell, Kunz, Lake, Langford, Mader, Marley, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stone, Swan(Block), Trail, Wheeler, Wood, Young. Total -- 52.

NAYS -- Barrett, Clark, Denney, Harwood, Hornbeck, Kellogg, Loertscher, McKague, Mortensen, Schaefer, Stevenson, Tilman. Total -- 12.

Absent and excused -- Boe, Bradford, Crow, Gagner, Gould, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1180** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1181 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Pischner to open debate.

The question being, "Shall **S 1181** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Bolz, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Robison, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 58.

NAYS -- Barrett, Langford, McKague, Ridinger, Sali, Schaefer. Total -- 6.

Absent and excused -- Boe, Bradford, Bruneel, Crow, Gagner, Gould. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1181** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1186 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Meyer to open debate.

The question being, "Shall **S 1186** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bell, Bieter, Black, Bolz, Bruneel, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Eskridge, Field(13), Hadley, Henbest, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Pischner, Pomeroy, Ridinger, Robison, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan(Block), Trail, Young. Total -- 42.

NAYS -- Barrett, Bedke, Callister, Ellis, Ellsworth, Hammond, Harwood, Higgins, Hornbeck, Langford, Loertscher, McKague, Moyle, Pearce, Raybould, Roberts, Sali, Smith, Tilman, Wheeler, Wood. Total -- 21.

Absent and excused -- Boe, Bradford, Crow, Field(20), Gagner, Gould, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1186** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1187 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Hadley to open debate.

The question being, "Shall **S 1187** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Bolz, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young. Total -- 62.

NAYS -- None.

Absent and excused -- Boe, Bradford, Crow, Field(20), Gagner, Gould, Kunz, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1187** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney asked unanimous consent that **S 1188** retain its place on the Third Reading Calendar. There being no objection, it was so ordered.

S 1189 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Pischner to open debate.

The question being, "Shall **S 1189** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Bolz, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Eskridge, Field(20), Gould, Hadley, Hammond, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Young. Total -- 56.

NAYS -- Barrett, Callister, Ellsworth, Field(13), Harwood, Langford, McKague, Sali, Wood. Total -- 9.

Absent and excused -- Boe, Bradford, Gagner, Schaefer, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1189** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1190 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Field(20) to open debate.

The question being, "Shall **S 1190** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Bolz, Bruneel, Campbell, Chase, Collins, Crow, Cuddy, Deal, Denney, Ellis, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 62.

NAYS -- Callister, Clark, Moyle, Tilman. Total -- 4.

Absent and excused -- Boe, Bradford, Ellsworth, Gagner. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1190** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1185 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Pischner to open debate.

The question being, "Shall **S 1185** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bell, Bieter, Black, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Deal, Field(13), Field(20), Gould, Hadley, Harwood, Henbest, Hornbeck, Jaquet, Jones, Kellogg, Kunz, Langford, Mader, Marley, Meyer, Montgomery, Mortensen, Pischner, Pomeroy, Ridinger, Robison, Sellman, Shepherd, Smylie, Stone, Swan(Block), Trail, Young, Mr. Speaker. Total -- 41.

NAYS -- Barrett, Bedke, Callister, Crow, Denney, Ellis, Eskridge, Hammond, Higgins, Kendell, Lake, Loertscher, McKague, Moss, Moyle, Pearce, Raybould, Roberts, Sali, Schaefer, Smith, Stevenson, Tilman, Wheeler, Wood. Total -- 25.

Absent and excused -- Boe, Cuddy, Ellsworth, Gagner. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1185** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1184 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Lake to open debate.

The question being, "Shall **S 1184** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Swan(Block), Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 62.

NAYS -- Gould, Hammond, Loertscher, Moyle, Tilman. Total -- 5.

Absent and excused -- Boe, Gagner, Stone. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1184** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1196 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Pischner to open debate.

The question being, "Shall **S 1196** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Bolz, Bruneel, Campbell, Chase, Clark, Cuddy, Ellis, Eskridge, Field(20), Gould, Hadley, Harwood, Henbest, Jaquet, Jones, Kellogg, Kunz, Mader, Meyer, Montgomery, Pischner, Pomeroy, Ridinger, Robison, Sellman, Shepherd, Smith, Stevenson, Stone, Swan(Block), Trail, Young, Mr. Speaker. Total -- 38.

NAYS -- Barrett, Bradford, Callister, Collins, Crow, Deal, Denney, Ellsworth, Field(13), Hammond, Higgins, Hornbeck, Kendell, Lake, Langford, Loertscher, Marley, McKague, Mortensen, Moss, Moyle, Pearce, Raybould, Roberts, Sali, Schaefer, Smylie, Tilman, Wheeler, Wood. Total -- 30.

Absent and excused -- Boe, Gagner. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1196** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1197 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Meyer to open debate.

The question being, "Shall **S 1197** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Boe, Crow, Gagner, Kunz, Smith, Stevenson. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1197** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1202 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Robison to open debate.

The question being, "Shall **S 1202** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smylie, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 59.

NAYS -- McKague, Schaefer. Total -- 2.

Absent and excused -- Boe, Crow, Deal, Gagner, Kunz, Moss, Pischner, Smith, Stevenson. Total -- 9.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1202** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1203 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Clark to open debate.

The question being, "Shall **S 1203** pass?"

Roll call resulted as follows:

AYES -- Barrett, Bedke, Bell, Bieter, Black, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Hadley, Henbest, Hornbeck, Jaquet, Jones, Kellogg, Lake, Mader, Marley, Meyer, Montgomery, Mortensen, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smith, Stone, Swan(Block), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 48.

NAYS -- Barraclough, Callister, Cuddy, Gould, Hammond, Harwood, Higgins, Kendell, Langford, Loertscher, McKague, Pearce, Schaefer, Wood. Total -- 14.

Absent and excused -- Boe, Crow, Gagner, Kunz, Moss, Moyle, Smylie, Stevenson. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1203** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1204 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Clark to open debate.

The question being, "Shall **S 1204** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bell, Bieter, Black, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellsworth, Field(13), Field(20), Gould, Hadley, Harwood, Henbest, Higgins, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Pischner, Pomeroy, Raybould, Ridinger, Robison, Schaefer, Sellman, Shepherd, Smith, Stone, Swan(Block), Trail, Mr. Speaker. Total -- 46.

NAYS -- Barrett, Bedke, Bolz, Ellis, Eskridge, Hammond, Hornbeck, Langford, Loertscher, McKague, Pearce, Roberts, Sali, Smylie, Tilman, Wheeler, Wood, Young. Total -- 18.

Absent and excused -- Boe, Callister, Crow, Gagner, Moyle, Stevenson. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1204** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1205 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Meyer to open debate.

The question being, "Shall **S 1205** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Boe, Callister, Crow, Ellis, Gagner, Moyle, Stevenson. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1205** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1206 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Pomeroy to open debate.

At this time, the Speaker took the Chair

The question being, "Shall **S 1206** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Bolz, Bradford, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Boe, Bruneel, Gagner, Moyle. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1206** passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House advanced to the Thirteenth Order of Business.

Miscellaneous and Unfinished Business

Notice having been served and having voted on the prevailing side, Mr. Chase moved that the House now reconsider the vote by which **H 336** failed the House. Seconded by Ms. Jaquet.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES -- Bell, Bieter, Black, Bolz, Bruneel, Callister, Chase, Clark, Cuddy, Deal, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Henbest, Higgins, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Marley, Meyer, Montgomery, Pischner, Pomeroy, Ridinger, Robison, Sellman, Shepherd, Smith, Smylie, Stone, Trail, Young, Mr. Speaker. Total -- 39.

NAYS -- Barraclough, Barrett, Bedke, Bradford, Campbell, Collins, Crow, Denney, Ellis, Hammond, Harwood, Hornbeck, Langford, Loertscher, Mader, McKague, Mortensen, Moss, Pearce, Raybould, Roberts, Sali, Schaefer, Stevenson, Swan(Block), Tilman, Wheeler, Wood. Total -- 28.

Absent and excused -- Boe, Gagner, Moyle. Total -- 3.

Total -- 70.

Whereupon the Speaker declared the motion to reconsider carried.

The question being, "Shall **H 336** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bell, Bieter, Black, Bruneel, Callister, Chase, Clark, Cuddy, Deal, Ellsworth, Field(13), Hadley, Harwood, Henbest, Higgins, Jaquet, Jones, Kellogg, Kunz, Lake, Mader, Marley, Meyer, Montgomery, Pischner, Pomeroy, Ridinger, Robison, Sellman, Shepherd, Smylie, Stone, Trail, Wheeler, Young, Mr. Speaker. Total -- 37.

NAYS -- Barrett, Bedke, Bolz, Bradford, Campbell, Collins, Crow, Denney, Ellis, Eskridge, Gould, Hammond, Hornbeck, Kendell, Langford, Loertscher, McKague, Mortensen, Moss, Moyle, Pearce, Raybould, Roberts, Sali, Schaefer, Smith, Stevenson, Swan(Block), Tilman, Wood. Total -- 30.

Absent and excused -- Boe, Field(20), Gagner. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 336** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House returned to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Bruneel asked unanimous consent that **S 1207** retain its place on the Third Reading Calendar. There being no objection, it was so ordered.

S 1208 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hadley to open debate.

The question being, "Shall **S 1208** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Boe, Gagner, Mader, Stone. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1208** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1209 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Robison to open debate.

The question being, "Shall **S 1209** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Ellsworth, Field(13), Field(20), Gould, Hadley, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Pischner, Pomeroy, Ridinger, Robison, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 53.

NAYS -- Callister, Ellis, Eskridge, Hammond, Harwood, Loertscher, McKague, Moyle, Pearce, Roberts, Sali, Schaefer, Smith. Total -- 13.

Absent and excused -- Boe, Denney, Gagner, Raybould. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1209** passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

March 20, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 10 and **H 150**

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

March 21, 2001

Mr. Speaker:

I transmit herewith enrolled **S 1011, S 1012, S 1038**, as amended, **S 1100, S 1111, S 1119, S 1127**, as amended, **S 1166, S 1168, S 1174**, and **S 1194** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1011, S 1012, S 1038**, as amended, **S 1100, S 1111, S 1119, S 1127**, as amended, **S 1166, S 1168, S 1174**, and **S 1194** and, when so signed, ordered them returned to the Senate.

March 21, 2001

Mr. Speaker:

I return herewith enrolled **HCR 17, H 205, HCR 24, HJM 10, H 8, H 164, H 101, H 134, H 181, H 182, H 183, H 146, H 143, H 4, H 5**, as amended, **H 9**, as amended, **H 11**, as amended, **H 13**, as amended, **H 302, H 303, H 304, H 313, H 128, H 140, H 141, H 188, H 65**, as amended, **H 244, H 318, H 54, H 67, H 167, H 58, H 193, H 201, H 175, H 249, H 290, H 198, H 214, H 31, H 38, H 39, H 14**, as amended, **H 170, H 154, H 131, H 26, H 22**, and **H 278** which have been signed by the President.

WOOD, Secretary

Enrolled **H 205, H 8, H 164, H 101, H 134, H 181, H 182, H 183, H 146, H 143, H 4, H 5**, as amended, **H 9**, as amended, **H 11**, as amended, **H 13**, as amended, **H 302, H 303, H 304, H 313, H 128, H 140, H 141, H 188, H 65**, as amended, **H 244, H 318, H 54, H 67, H 167, H 58, H 193, H 201, H 175, H 249, H 290, H 198, H 214, H 31, H 38, H 39, H 14**, as amended, **H 170, H 154, H 131, H 26, H 22**, and **H 278** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled **HCR 17, HCR 24**, and **HJM 10** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 20, 2001

Mr. Speaker:

I return herewith **H 251, H 72, H 212, H 270, H 124, H 73, H 165, H 30, H 221, H 186, H 149, H 308, H 33**, as amended, **H 76, H 90, H 184, H 345, H 177, H 75, H 195, H 196, H 257, H 338, H 129, H 130, H 322, H 294, H 215, H 34, H 180**, as amended, **H 49, H 233, H 23, H 132, H 147, H 202, H 209, H 42, H 41, H 27, H 29**, as amended, **H 222, H 226, H 331, H 156**, as amended, **H 225, H 28**, as amended, **H 161, H 50**, and **H 191**, as amended, which have passed the Senate.

WOOD, Secretary

H 251, H 72, H 212, H 270, H 124, H 73, H 165, H 30, H 221, H 186, H 149, H 308, H 33, as amended, **H 76, H 90, H 184, H 345, H 177, H 75, H 195, H 196, H 257, H 338, H 129, H 130, H 322, H 294, H 215, H 34, H 180**, as amended, **H 49, H 233, H 23, H 132, H 147, H 202, H 209, H 42, H 41, H 27, H 29**, as amended, **H 222, H 226, H 331, H 156**, as amended, **H 225, H 28**, as amended, **H 161, H 50**, and **H 191**, as amended, were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 20, 2001

Mr. Speaker:

I transmit herewith **S 1253, S 1167**, as amended, **S 1200**, as amended, and **S 1106** which have passed the Senate.

WOOD, Secretary

S 1253, S 1167, as amended, **S 1200**, as amended, and **S 1106** were filed for first reading.

March 21, 2001

Mr. Speaker:

I transmit herewith **S 1255, S 1257**, and **S 1258** which have passed the Senate.

WOOD, Secretary

S 1255, S 1257, and **S 1258** were filed for first reading.

March 21, 2001

Mr. Speaker:

I return herewith **HCR 32** which has passed the Senate.

WOOD, Secretary

HCR 32 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 20, 2001

Mr. Speaker:

I return herewith **H 317**, as amended in the Senate, **H 35**, as amended, as amended in the Senate, and **H 47**, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

H 317, as amended in the Senate, **H 35**, as amended, as amended in the Senate, and **H 47**, as amended in the Senate, were ordered held at the Desk.

Mr. Moss asked unanimous consent that the House concur in the Senate amendments to **H 317**. There being no objection, it was so ordered.

Mr. Deal asked unanimous consent that the House concur in the Senate amendments to **H 35**, as amended. There being no objection, it was so ordered.

Mrs. Hornbeck asked unanimous consent that the House concur in the Senate amendments to **H 47**. There being no objection, it was so ordered.

H 317, as amended in the Senate, **H 35**, as amended, as amended in the Senate, and **H 47**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

Mr. Black asked unanimous consent that **H 228**, as amended, be returned to the Business Committee. There being no objection, it was so ordered.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Bruneel moved that the House recess until 1:15 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

RECESS

Afternoon Session

The House reconvened at 1:15 p.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

There being no objection, the House returned to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 372
BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO THE LEGISLATIVE ACCOUNT; AMENDING SECTION 67-451, IDAHO CODE, TO INCREASE THE AMOUNT OF MONEYS TRANSFERRED TO THE LEGISLATIVE ACCOUNT FROM THE GENERAL FUND BY THE STATE CONTROLLER COMMENCING JUNE 1, 2001 AND TO MAKE A TECHNICAL CORRECTION; APPROPRIATING MONEYS FROM THE GENERAL FUND TO THE LEGISLATIVE ACCOUNT; AND DECLARING AN EMERGENCY.

H 372 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1253, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1167, as amended, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Local Government Committee.

S 1200, as amended, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Revenue and Taxation Committee.

S 1106, by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

S 1255, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

S 1257 and **S 1258**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

S 1217 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **S 1217** pass?"

Roll call resulted as follows:

AYES -- Bedke, Bell, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Field(13), Field(20), Gagner, Gould, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Loertscher, Mader, Marley, Meyer,

Montgomery, Mortensen, Moss, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Robison, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 57.

NAYS -- Barrett, Eskridge, Langford, McKague, Moyle, Roberts, Sali, Smith, Wood. Total -- 9.

Absent and excused -- Barraclough, Bieter, Crow, Hammond. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1217** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1175 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **S 1175** pass?"

Roll call resulted as follows:

AYES -- Barrett, Bedke, Bell, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Barraclough, Bieter, Crow, Deal. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1175** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1188 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **S 1188** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Bieter, Crow, Deal. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1188** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1207 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **S 1207** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 67.

NAYS -- Sali. Total -- 1.

Absent and excused -- Bieter, Crow. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1207** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 367 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Gould to open debate.

The question being, "Shall **H 367** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Bieter. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 367** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1218 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hadley to open debate.

The question being, "Shall **S 1218** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake,

Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Bieter. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1218** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1219 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Pomeroy to open debate.

The question being, "Shall **S 1219** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Bieter, Roberts. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1219** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1220 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Meyer to open debate.

Mr. Clark asked unanimous consent that, pursuant to Rule 38(3), he be excused from voting on **S 1220** due to a conflict of interest. There being no objection, it was so ordered.

The question being, "Shall **S 1220** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Collins, Crow, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 68.

NAYS -- Ellis. Total -- 1.

Absent and excused -- Clark. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1220** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1221 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **S 1221** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Harwood, Henbest, Higgins, Jaquet, Kellogg, Lake, Mader, Marley, Meyer, Montgomery, Moss, Pischner, Pomeroy, Raybould, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Young, Mr. Speaker. Total -- 45.

NAYS -- Barrett, Clark, Collins, Crow, Ellis, Gould, Hornbeck, Kendell, Kunz, Langford, Loertscher, McKague, Mortensen, Pearce, Ridinger, Roberts, Sali, Schaefer, Wheeler, Wood. Total -- 20.

Absent and excused -- Bieter, Jones, Moyle, Robison, Trail. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1221** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1222 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Pomeroy to open debate.

The question being, "Shall **S 1222** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Wheeler, Wood, Young, Mr. Speaker. Total -- 63.

NAYS -- Ellis, Pearce. Total -- 2.

Absent and excused -- Bieter, Jones, Moyle, Robison, Trail. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1222** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel asked unanimous consent that **S 1223** retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

S 1224 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(20) to open debate.

The question being, "Shall **S 1224** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Wheeler, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bieter, Jones, Robison, Trail. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1224** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

Mrs. Crow asked unanimous consent that **S 1158**, as amended, be placed above **S 1157**, as amended, on the Second Reading Calendar. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 9 a.m., Thursday, March 22, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:17 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

SEVENTY-FOURTH LEGISLATIVE DAY
THURSDAY, MARCH 22, 2001

House of Representatives

The House convened at 9 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Jennifer Blake, Page.

Approval of Journal

March 22, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-third Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

March 21, 2001

Mr. Speaker:

I return herewith enrolled **H 18**, as amended, **H 185**, as amended, **H 247, H 7**, as amended, **H 25, H 60**, as amended, **H 245, H 151**, as amended, **H 43, H 223, H 224, H 32, H 148, H 162**, and **H 174** which have been signed by the President.

WOOD, Secretary

Enrolled **H 18**, as amended, **H 185**, as amended, **H 247, H 7**, as amended, **H 25, H 60**, as amended, **H 245, H 151**, as amended, **H 43, H 223, H 224, H 32, H 148, H 162**, and **H 174** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 21, 2001

Mr. Speaker:

I return herewith **H 74, H 246, H 53, H 70, H 256**, as amended, **H 306, H 307, H 340, H 353, H 292, H 316, H 52, H 252, H 232**, as amended, **H 155**, and **H 24**, as amended, which have passed the Senate.

WOOD, Secretary

H 74, H 246, H 53, H 70, H 256, as amended, **H 306, H 307, H 340, H 353, H 292, H 316, H 52, H 252, H 232**, as amended, **H 155**, and **H 24**, as amended, were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Mrs. Kellogg asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the Legislative Session. There being no objection, it was so ordered.

Report of Standing Committees

March 22, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 372**.

GOULD, Chairman

H 372 was filed for second reading.

March 22, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 251, H 72, H 212, H 270, H 124, H 73, H 165, H 30, H 221, H 186, H 149,**

H 308, H 33, as amended, **H 76, H 90, H 184, H 345, H 177, H 75, H 195, H 196, H 257, H 338, H 129, H 130, H 322, H 294, H 215, H 34, H 180**, as amended, **H 49, H 233, H 23, H 132, H 147, H 202, H 209, H 42, H 41, H 27, H 29**, as amended, **H 222, H 226, H 331, H 156**, as amended, **H 225, H 28**, as amended, **H 161, H 50, H 191**, as amended, and **HCR 32**.

GOULD, Chairman

The Speaker announced he was about to sign enrolled **H 251, H 72, H 212, H 270, H 124, H 73, H 165, H 30, H 221, H 186, H 149, H 308, H 33**, as amended, **H 76, H 90, H 184, H 345, H 177, H 75, H 195, H 196, H 257, H 338, H 129, H 130, H 322, H 294, H 215, H 34, H 180**, as amended, **H 49, H 233, H 23, H 132, H 147, H 202, H 209, H 42, H 41, H 27, H 29**, as amended, **H 222, H 226, H 331, H 156**, as amended, **H 225, H 28**, as amended, **H 161, H 50, H 191**, as amended, and **HCR 32**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 22, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 317**, as amended in the Senate, **H 35**, as amended, as amended in the Senate, and **H 47**, as amended in the Senate.

GOULD, Chairman

H 317, as amended in the Senate, **H 35**, as amended, as amended in the Senate, and **H 47**, as amended in the Senate, were filed for first reading of engrossed bills.

March 22, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 205, H 8, H 164, H 101, H 134, H 181, H 182, H 183, H 146, H 143, H 4, H 5**, as amended, **H 9**, as amended, **H 11**, as amended, **H 13**, as amended, **H 302, H 303, H 304, H 313, H 128, H 140, H 141, H 188, H 65**, as amended, **H 244, H 318, H 54, H 67, H 167, H 58, H 193, H 201, H 175, H 249, H 290, H 198, H 214, H 31, H 38, H 39, H 14**, as amended, **H 170, H 154, H 131, H 26, H 22**, and **H 278** to the Governor at 1:35 p.m., as of this date, March 21, 2001.

GOULD, Chairman

March 22, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 17, HCR 24**, and **HJM 10** to the Secretary of State at 1:28 p.m., as of this date, March 21, 2001.

GOULD, Chairman

March 21, 2001

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **S 1116**, as amended, and recommend that it do pass.

TILMAN, Chairman

S 1116, as amended, was filed for second reading.

March 21, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1022, S 1023, S 1043**, as amended, **S 1053**, and **S 1120** and recommend that they do pass.

GOULD, Chairman

S 1022, S 1023, S 1043, as amended, **S 1053**, and **S 1120** were filed for second reading.

There being no objection, the House advanced to the Ninth Order of Business.

First Reading of Engrossed Bills

H 317, as amended in the Senate, by Education Committee, was introduced, read the first time by title and filed for second reading.

H 35, as amended, as amended in the Senate, by Mr. Speaker, requested by Department of Insurance, was introduced, read the first time by title and filed for second reading.

H 47, as amended in the Senate, by Hornbeck, was introduced, read the first time by title and filed for second reading.

Second Reading of Bills and Joint Resolutions

H 371, by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

S 1156, as amended, by Local Government and Taxation Committee, was read the second time by title and filed for third reading.

S 1037 and **S 1147**, by Health and Welfare Committee, were read the second time by title and filed for third reading.

S 1077, as amended, by Transportation Committee, was read the second time by title and filed for third reading.

S 1140, as amended, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

S 1040, as amended, as amended, and **S 1067**, as amended, by Agricultural Affairs Committee, were read the second time by title and filed for third reading.

H 206, as amended in the Senate, by State Affairs Committee, was read the second time by title and filed for third reading.

S 1257 and **S 1258**, by Finance Committee, were read the second time by title and filed for third reading.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 371** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with,

this being a case of urgency; and that **H 371** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan(Block), Tilman, Wheeler, Wood, Young, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Hammond, Jones, Marley, Mortensen, Smith, Trail. Total -- 6.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 371** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Schaefer to open debate.

The question being, "Shall **H 371** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Jones, Smith. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 371** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 372** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 372** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan(Block), Tilman, Wheeler, Wood, Young, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Hammond, Jones, Marley, Mortensen, Smith, Trail. Total -- 6.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 372** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **H 372** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- Callister, Hammond. Total -- 2.

Absent and excused -- Jones, Smith. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 372** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Deal asked unanimous consent that **S 1082**, as amended in the House, be returned to the State Affairs Committee. There being no objection, it was so ordered.

Mr. Bruneel asked unanimous consent that **HCR 34** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

Mr. Bruneel asked unanimous consent that **S 1212, S 1213, S 1215**, and **S 1216** be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

HCR 34 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **HCR 34** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **HCR 34** adopted and ordered the resolution transmitted to the Senate.

S 1223 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Robison to open debate.

The question being, "Shall **S 1223** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bradford, Bruneel, Chase, Cuddy, Deal, Ellsworth, Field(13), Field(20), Gagner, Gould, Hadley, Henbest, Jaquet, Jones, Kellogg, Kunz, Mader, Marley, Meyer, Montgomery, Pischner, Pomeroy, Ridinger, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Young, Mr. Speaker. Total -- 42.

NAYS -- Barrett, Bolz, Callister, Campbell, Clark, Collins, Crow, Denney, Ellis, Eskridge, Hammond, Harwood, Higgins, Hornbeck, Kendell, Lake, Langford, Loertscher, McKague, Mortensen, Moss, Moyle, Pearce, Raybould, Roberts, Smith, Wheeler, Wood. Total -- 28.

Total -- 70.

Whereupon the Speaker declared **S 1223** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1225 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **S 1225** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Pischner, Pomeroy, Raybould, Ridinger, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- Barrett, Hornbeck, Moyle, Pearce, Roberts. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1225** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1229 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hadley to open debate.

The question being, "Shall **S 1229** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pischner, Pomeroy, Raybould, Ridinger, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Swan(Block), Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 58.

NAYS -- Callister, Denney, Ellis, Hammond, Harwood, Loertscher, Pearce, Roberts, Sali, Stevenson, Wheeler. Total -- 11.

Absent and excused -- Deal. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1229** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1230 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **S 1230** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 66.

NAYS -- Barrett, McKague, Moyle. Total -- 3.

Absent and excused -- Wood. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1230** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1234 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **S 1234** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bruneel, Callister, Campbell, Chase, Clark, Collins, Deal, Denney, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Pearce, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan(Block), Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 61.

NAYS -- Bolz, Bradford, Cuddy, Ellis, Ridinger. Total -- 5.

Absent and excused -- Crow, Moyle, Pischner, Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1234** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1235 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

At this time, Mr. Mader took the Chair.

The question being, "Shall **S 1235** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bell, Bieter, Boe, Bradford, Bruneel, Campbell, Chase, Collins, Crow, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Henbest, Higgins, Jaquet, Jones, Kellogg, Kendell, Kunz, Mader, Marley, McKague, Meyer, Montgomery, Pomeroy, Ridinger, Robison, Sellman, Shepherd, Smylie, Stevenson, Stone, Trail, Young. Total -- 42.

NAYS -- Barrett, Bedke, Bolz, Callister, Clark, Ellis, Hammond, Harwood, Hornbeck, Lake, Langford, Loertscher, Mortensen, Moss, Pearce, Pischner, Raybould, Roberts, Sali, Schaefer, Smith, Tilman, Wheeler. Total -- 23.

Absent and excused -- Black, Moyle, Swan(Block), Wood, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1235** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1236 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Field(20) to open debate.

The question being, "Shall **S 1236** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bieter, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellsworth, Field(13), Field(20), Gagner, Hadley, Hammond, Henbest, Higgins, Jaquet, Jones, Kellogg, Kunz, Lake, Langford, Mader, Marley, Meyer, Montgomery, Mortensen, Pischner, Pomeroy, Raybould, Ridinger, Robison, Sali, Schaefer, Shepherd, Smylie, Stevenson, Stone, Trail, Young, Mr. Speaker. Total -- 47.

NAYS -- Barrett, Bedke, Callister, Ellis, Eskridge, Harwood, Hornbeck, Kendell, Loertscher, McKague, Moss, Pearce, Roberts, Smith, Tilman, Wheeler. Total -- 16.

Absent and excused -- Bell, Black, Gould, Moyle, Sellman, Swan(Block), Wood. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1236** passed the House. Title was approved and the bill was ordered returned to the Senate.

At this time the Speaker took the Chair.

Mr. Bruneel moved that the House recess until 1 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1 p.m.

RECESS

Afternoon Session

The House reconvened at 1 p.m., Mr. Denney in the Chair.

Roll call showed all 69 members present.

*District 23 House Seat B is temporarily vacant.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

March 22, 2001

Mr. Speaker:

I return herewith enrolled **H 251, H 72, H 212, H 270, H 124, H 73, H 165, H 30, H 221, H 186, H 149, H 308, H 33**, as amended, **H 76, H 90, H 184, H 345, H 177, H 75, H 195, H 196, H 257, H 338, H 129, H 130, H 322, H 294, H 215, H 34, H 180**, as amended, **H 49, H 233, H 23, H 132, H 147, H 202, H 209, H 42, H 41, H 27, H 29**, as amended, **H 222, H 226, H 331, H 156**, as amended, **H 225, H 28**, as amended, **H 161, H 50, H 191**, as amended, and **HCR 32** which have been signed by the President and Secretary.

WOOD, Secretary

Enrolled **H 251, H 72, H 212, H 270, H 124, H 73, H 165, H 30, H 221, H 186, H 149, H 308, H 33**, as amended, **H 76, H 90, H 184, H 345, H 177, H 75, H 195, H 196, H 257, H 338, H 129, H 130, H 322, H 294, H 215, H 34, H 180**, as amended, **H 49, H 233, H 23, H 132, H 147, H 202, H 209, H 42, H 41, H 27, H 29**, as amended, **H 222, H 226, H 331, H 156**, as amended, **H 225, H 28**, as amended, **H 161, H 50**, and **H 191**, as amended, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled **HCR 32** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 22, 2001

Mr. Speaker:

I transmit herewith **SJM 107, SJM 108, SJM 109, SCR 116, SCR 114**, and **S 1256** which have passed the Senate.

WOOD, Secretary

SJM 107, SJM 108, SJM 109, SCR 116, SCR 114, and **S 1256** were filed for first reading.

March 22, 2001

Mr. Speaker:

I return herewith **H 321**, as amended, which has passed the Senate.

WOOD, Secretary

H 321, as amended, was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 22, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 74, H 246, H 53, H 70, H 256**, as amended, **H 306, H 307, H 340, H 353, H 292, H 316, H 52, H 252, H 232**, as amended, **H 155**, and **H 24**, as amended.

GOULD, Chairman

The Speaker Pro Tem announced that enrolled **H 74, H 246, H 53, H 70, H 256**, as amended, **H 306, H 307, H 340, H 353, H 292, H 316, H 52, H 252, H 232**, as amended, **H 155**, and **H 24**, as amended, would be signed by the Speaker, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 22, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 18**, as amended, **H 185**, as amended, **H 247, H 7**, as amended, **H 25, H 60**, as amended, **H 245, H 151**, as amended, **H 43, H 223, H 224, H 32, H 148, H 162**, and **H 174** to the Governor at 9:20 a.m., as of this date, March 22, 2001.

GOULD, Chairman

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

SJM 107, SJM 108, and **SJM 109**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Agricultural Affairs Committee.

SCR 116, by State Affairs Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

SCR 114, by State Affairs Committee, was introduced, read the first time by title, and referred to the Ways and Means Committee.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 373
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING MONEYS FROM THE GENERAL FUND TO THE PERMANENT BUILDING FUND AND EXPRESSING LEGISLATIVE INTENT REGARDING SURPLUS GENERAL FUNDS; APPROPRIATING MONEYS FROM THE PERMANENT BUILDING FUND TO THE DIVISION OF PUBLIC WORKS FOR THE VARIOUS PURPOSES SPECIFIED; EXPRESSING LEGISLATIVE INTENT CONCERNING THE USE OF MONEYS APPROPRIATED IN THIS ACT; EXEMPTING THE APPROPRIATIONS FROM THE PROVISIONS OF CHAPTER 36, TITLE 67, IDAHO CODE, AND FROM THE PROVISIONS OF SECTION 67-3516, IDAHO CODE; AUTHORIZING THE USE OF TAX ANTICIPATION NOTES; APPROPRIATING GENERAL FUND MONEYS UPON THE REQUEST OF THE PERMANENT BUILDING FUND ADVISORY COUNCIL; AND DECLARING AN EMERGENCY FOR SECTIONS 1, 2, 3, 4 AND 5 OF THIS ACT.

HOUSE BILL NO. 374
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE PUBLIC UTILITIES COMMISSION FOR COMMISSIONER SALARIES FOR FISCAL YEAR 2002; APPROPRIATING ADDITIONAL MONEYS TO THE STATE TAX COMMISSION FOR COMMISSIONER SALARIES FOR FISCAL YEAR 2002; AND APPROPRIATING ADDITIONAL MONEYS TO THE INDUSTRIAL COMMISSION FOR COMMISSIONER SALARIES FOR FISCAL YEAR 2002.

HOUSE BILL NO. 375
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2002.

H 373, H 374, and **H 375** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1256, by State Affairs Committee, was introduced, read the first time by title, and referred to the Revenue and Taxation Committee.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

S 1237 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Robison to open debate.

Mr. Wheeler moved that **S 1237** be placed on General Orders for consideration. Seconded by Mr. Bedke.

The question being, "Shall the motion carry?"

Whereupon the Speaker Pro Tem declared the motion carried by voice vote and **S 1237** was placed on the General Orders for consideration.

Mrs. Bell asked unanimous consent that **S 1237** be returned to the Appropriations Committee. There being no objection, it was so ordered.

S 1238 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Lake to open debate.

The question being, "Shall **S 1238** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 64.
NAYS -- Chase, Henbest, Marley. Total -- 3.
Absent and excused -- Crow, Pischner. Total -- 2.
Total -- 69.

Whereupon the Speaker Pro Tem declared **S 1238** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1239 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Meyer to open debate.

The question being, "Shall **S 1239** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bell, Bieter, Black, Boe, Bolz, Bruneel, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellsworth, Field(13), Field(20), Gagner, Gould, Hadley, Henbest, Higgins, Jaquet, Jones, Kellogg, Kunz, Lake, Langford, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Pomeroy, Raybould, Ridinger, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Trail, Wood, Young, Mr. Speaker. Total -- 50.
NAYS -- Bedke, Bradford, Callister, Ellis, Eskridge, Hammond, Harwood, Hornbeck, Kendell, Loertscher, McKague, Moyle, Pearce, Roberts, Smith, Tilman, Wheeler. Total -- 17.
Absent and excused -- Crow, Pischner. Total -- 2.
Total -- 69.

Whereupon the Speaker Pro Tem declared **S 1239** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1240 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Hadley to open debate.

The question being, "Shall **S 1240** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellsworth, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Jaquet, Jones, Kellogg, Kunz, Lake, Langford, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Pischner, Pomeroy, Raybould, Ridinger, Robison, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Trail, Wheeler, Young, Mr. Speaker. Total -- 53.
NAYS -- Bradford, Callister, Ellis, Eskridge, Hornbeck, Kendell, Loertscher, McKague, Pearce, Roberts, Sali, Smith, Tilman, Wood. Total -- 14.
Absent and excused -- Crow, Moyle. Total -- 2.
Total -- 69.

Whereupon the Speaker Pro Tem declared **S 1240** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1226 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Pischner to open debate.

The question being, "Shall **S 1226** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bell, Black, Boe, Bolz, Bruneel, Campbell, Collins, Crow, Cuddy, Deal, Denney, Ellsworth, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Meyer, Montgomery, Mortensen, Moss, Pischner, Pomeroy, Raybould, Ridinger, Robison, Sali, Schaefer, Sellman, Shepherd, Stevenson, Stone, Trail, Young, Mr. Speaker. Total -- 50.
NAYS -- Bedke, Bieter, Bradford, Callister, Chase, Ellis, Eskridge, Loertscher, Marley, McKague, Moyle, Pearce, Roberts, Smith, Smylie, Tilman, Wheeler, Wood. Total -- 18.
Absent and excused -- Clark. Total -- 1.
Total -- 69.

Whereupon the Speaker Pro Tem declared **S 1226** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 8 a.m., Friday, March 23, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 3:10 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

SEVENTY-FIFTH LEGISLATIVE DAY
FRIDAY, MARCH 23, 2001

House of Representatives

The House convened at 8 a.m., the Speaker in the Chair.

Roll call showed all 69 members present.
*District 23 House Seat B is temporarily vacant.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Jo Shaffer, Page.

Approval of Journal

March 23, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-fourth Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

March 21, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:
I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 71, as amended in the Senate

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

March 22, 2001

Mr. Speaker:
I return herewith **H 358, H 339, H 309, H 351, H 352**, and **H 365** which have passed the Senate.

WOOD, Secretary

H 358, H 339, H 309, H 351, H 352, and **H 365** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 23, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 373, H 374**, and **H 375**.

GOULD, Chairman

H 373, H 374, and **H 375** were filed for second reading.

March 23, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 321**, as amended.

GOULD, Chairman

The Speaker announced he was about to sign enrolled **H 321**, as amended, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

March 23, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 251, H 72, H 212, H 270, H 124, H 73, H 165, H 30, H 221, H 186, H 149, H 308, H 33**, as amended, **H 76, H 90, H 184, H 345, H 177, H 75, H 195, H 196, H 257, H 338, H 129, H 130, H 322, H 294, H 215, H 34, H 180**, as amended, **H 49, H 233, H 23, H 132, H 147, H 202, H 209, H 42, H 41, H 27, H 29**, as amended, **H 222, H 226, H 331, H 156**, as amended, **H 225, H 28**, as amended, **H 161, H 50**, and **H 191**, as amended, to the Governor at 2:40 p.m., as of this date, March 22, 2001.

GOULD, Chairman

March 23, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 32** to the Secretary of State at 2:38 p.m., as of this date, March 22, 2001.

GOULD, Chairman

March 22, 2001

Mr. Speaker:
We, your COMMITTEE ON EDUCATION, report that we have had under consideration **S 1114**, as amended, and recommend that it do pass.

TILMAN, Chairman

S 1114, as amended, was filed for second reading.

March 22, 2001

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **S 1210** and recommend that it do pass.

LOERTSCHER, Chairman

S 1210 was filed for second reading.

March 22, 2001

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **HR 4, H 369**, and **S 1105**, as amended, and recommend that they do pass.

WOOD, Chairman

HR 4, H 369, and **S 1105**, as amended, were filed for second reading.

March 21, 2001

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration **S 1057** and report it back with amendments attached to be placed on General Orders for consideration.

STONE, Chairman

S 1057 was placed on General Orders for consideration.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 376
BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION/STATE DEPARTMENT OF EDUCATION FOR FISCAL YEAR 2002; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; EXPRESSING LEGISLATIVE INTENT WITH RESPECT TO CERTAIN EXPENDITURES; REAPPROPRIATING A CERTAIN UNEXPENDED AND UNENCUMBERED BALANCE OF GENERAL FUNDS; SETTING FORTH CONDITIONS FOR THE REAPPROPRIATION; APPROPRIATING ADDITIONAL MONEYS TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION/STATE DEPARTMENT OF EDUCATION FOR FISCAL YEAR 2001; REDUCING APPROPRIATIONS TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION/STATE DEPARTMENT OF EDUCATION FOR FISCAL YEAR 2001; PROVIDING ONE ADDITIONAL FULL-TIME EQUIVALENT POSITION FOR FISCAL YEAR 2001; AND DECLARING AN EMERGENCY FOR SECTIONS 6, 7 AND 8 OF THIS ACT.

H 376 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

S 1116, as amended, by Education Committee, was read the second time by title and filed for third reading.

S 1022, S 1023, S 1043, as amended, **S 1053**, and **S 1120**, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

H 317, as amended in the Senate, by Education Committee, was read the second time by title and filed for third reading.

H 35, as amended, as amended in the Senate, by Mr. Speaker, requested by Department of Insurance, was read the second time by title and filed for third reading.

H 47, as amended in the Senate, by Hornbeck, was read the second time by title and filed for third reading.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

March 23, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 376**.

GOULD, Chairman

H 376 was filed for second reading.

March 23, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 358, H 339, H 309, H 351, H 352**, and **H 365**.

GOULD, Chairman

The Speaker announced he was about to sign enrolled **H 358, H 339, H 309, H 351, H 352**, and **H 365**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Denney moved that **H 362** be reported forthwith to the Desk, referred to General Orders for amending; and after amending, returned to the Education Committee. Seconded by Ms. Jaquet.

The question being, "Shall the motion carry?"

Whereupon the Speaker declared the motion carried by voice vote and **H 362** was referred to General Orders.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 374** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 374** be read the first time by

title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Denney.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Clark, Gagner, Henbest, Jones, Kendell, Meyer, Stevenson. Total -- 7.

Total -- 69.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 374** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Pomeroy to open debate.

The question being, "Shall **H 374** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Crow, Cuddy, Deal, Denney, Eskridge, Field(13), Field(20), Gould, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kunz, Lake, Loertscher, Mader, Marley, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Robison, Sellman, Shepherd, Smylie, Stevenson, Trail, Young, Mr. Speaker. Total -- 44.

NAYS -- Barrett, Bedke, Callister, Collins, Ellis, Ellsworth, Hadley, Hammond, Harwood, McKague, Montgomery, Ridinger, Roberts, Sali, Schaefer, Smith, Stone, Tilman, Wheeler, Wood. Total -- 20.

Absent and excused -- Clark, Gagner, Jones, Kendell, Langford. Total -- 5.

Total -- 69.

Whereupon the Speaker declared **H 374** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 375** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 375** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Denney.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Clark, Gagner, Henbest, Jones, Kendell, Meyer, Stevenson. Total -- 7.

Total -- 69.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 375** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Pischner to open debate.

The question being, "Shall **H 375** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Henbest, Hornbeck, Jaquet, Kellogg, Kunz, Lake, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 61.

NAYS -- None.

Absent and excused -- Bedke, Bradford, Clark, Gagner, Higgins, Jones, Kendell, Langford. Total -- 8.

Total -- 69.

Whereupon the Speaker declared **H 375** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 376** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 376** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Denney.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner,

Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Clark, Gagner, Henbest, Jones, Kendell, Meyer, Stevenson. Total -- 7.

Total -- 69.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 376** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **H 376** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Henbest, Hornbeck, Jaquet, Jones, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Clark, Gagner, Higgins, Kendell. Total -- 4.

Total -- 69.

Whereupon the Speaker declared **H 376** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **HR 4** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **HR 4** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Denney.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Clark, Gagner, Henbest, Jones, Kendell, Meyer, Stevenson.

Total -- 7.

Total -- 69.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **HR 4** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bruneel to open debate.

The question being, "Shall **HR 4** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jones, Kellogg, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Stevenson, Stone, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 60.

NAYS -- Bieter, Chase, Henbest, Jaquet, Marley. Total -- 5.

Absent and excused -- Kendell, Kunz, Smylie, Tilman. Total -- 4.

Total -- 69.

Whereupon the Speaker declared **HR 4** adopted and ordered the resolution filed in the Office of the Chief Clerk.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 369** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 369** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Denney.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Clark, Gagner, Henbest, Jones, Kendell, Meyer, Stevenson.

Total -- 7.

Total -- 69.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 369** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cuddy to open debate.

The question being, "Shall **H 369** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 65.
NAYS -- None.
Absent and excused -- Gould, Kendell, Marley, Tilman. Total -- 4.
Total -- 69.

Whereupon the Speaker declared **H 369** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Bruneel asked unanimous consent that **S 1037** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

S 1037 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest and Mr. Marley to open debate.

The question being, "Shall **S 1037** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 67.
NAYS -- None.
Absent and excused -- Kendell, Pischner. Total -- 2.
Total -- 69.

Whereupon the Speaker declared **S 1037** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel asked unanimous consent that **S 1147** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

S 1147 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **S 1147** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Hornbeck, Jaquet, Jones, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 66.
NAYS -- None.
Absent and excused -- Deal, Higgins, Kendell. Total -- 3.
Total -- 69.

Whereupon the Speaker declared **S 1147** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1227 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **S 1227** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellsworth, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Henbest, Higgins, Jaquet, Jones, Kellogg, Kunz, Lake, Langford, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Pischner, Pomeroy, Ridinger, Robison, Schaefer, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 51.
NAYS -- Barrett, Callister, Ellis, Eskridge, Harwood, Hornbeck, Loertscher, McKague, Moyle, Pearce, Raybould, Roberts, Sali, Sellman, Smith, Wood. Total -- 16.
Absent and excused -- Crow, Kendell. Total -- 2.
Total -- 69.

Whereupon the Speaker declared **S 1227** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1228 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Pischner to open debate.

The question being, "Shall **S 1228** pass?"

Roll call resulted as follows:
AYES -- Bell, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Cuddy, Ellsworth, Field(13), Field(20), Gagner, Gould, Hadley, Henbest, Jaquet, Jones, Kellogg, Kunz, Lake, Langford, Mader, Marley, Meyer, Montgomery, Moss,

Moyle, Pischner, Raybould, Ridinger, Robison, Sellman, Shepherd, Smith, Smylie, Stone, Trail, Young, Mr. Speaker. Total -- 42.

NAYS -- Barraclough, Barrett, Bedke, Callister, Denney, Ellis, Eskridge, Hammond, Harwood, Higgins, Hornbeck, Loertscher, McKague, Mortensen, Pearce, Roberts, Sali, Schaefer, Stevenson, Tilman, Wheeler, Wood. Total -- 22.

Absent and excused -- Bieter, Crow, Deal, Kendell, Pomeroy. Total -- 5.

Total -- 69.

Whereupon the Speaker declared **S 1228** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1182 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(20) to open debate.

The question being, "Shall **S 1182** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kunz, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pischner, Pomeroy, Raybould, Ridinger, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stone, Tilman, Trail, Wheeler, Young, Mr. Speaker. Total -- 58.

NAYS -- Barrett, Lake, McKague, Pearce, Roberts, Stevenson. Total -- 6.

Absent and excused -- Field(13), Henbest, Kendell, Schaefer, Wood. Total -- 5.

Paired Vote:

AYE -- Jones. NAY -- Stevenson.

(Pair enumerated in roll call above.)

Total -- 69.

Whereupon the Speaker declared **S 1182** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1171 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Boe and Mr. Young to open debate.

At this time, Mr. Black took the Chair.

The question being, "Shall **S 1171** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young. Total -- 61.

NAYS -- None.

Absent and excused -- Bradford, Campbell, Field(13), Henbest, Jones, Kendell, Schaefer, Mr. Speaker. Total -- 8.

Total -- 69.

Whereupon the Speaker Pro Tem declared **S 1171** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1172 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Moss to open debate.

The question being, "Shall **S 1172** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Collins, Crow, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(20), Gagner, Gould, Hadley, Hammond, Higgins, Hornbeck, Jaquet, Kellogg, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 56.

NAYS -- Barrett, Clark, Ellis, Harwood, McKague. Total -- 5.

Absent and excused -- Bradford, Field(13), Henbest, Jones, Kendell, Kunz, Moyle, Pischner. Total -- 8.

Total -- 69.

Whereupon the Speaker Pro Tem declared **S 1172** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1164, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Moss to open debate.

The question being, "Shall **S 1164**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Kellogg, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 59.

NAYS -- None.

Absent and excused -- Bradford, Field(13), Henbest, Jones, Kendell, Kunz, Lake, Mader, Moyle, Pischner. Total -- 10.

Total -- 69.

Whereupon the Speaker Pro Tem declared **S 1164**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1241 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Robison to open debate.

The question being, "Shall **S 1241** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Kellogg, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 58.
NAYS -- Callister, Pearce. Total -- 2.
Absent and excused -- Field(13), Henbest, Jones, Kendell, Kunz, Lake, Moyle, Pischner, Stevenson. Total -- 9.
Total -- 69.

Whereupon the Speaker Pro Tem declared **S 1241** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1242 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Meyer to open debate.

Mr. Eskridge moved that **S 1242** be placed on General Orders for consideration. Seconded by Mr. Pearce.

At this time, the Speaker took the Chair.

The question being, "Shall the motion carry?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bolz, Bradford, Callister, Collins, Crow, Ellis, Eskridge, Gagner, Hammond, Harwood, Higgins, Hornbeck, Lake, Loertscher, McKague, Mortensen, Moss, Moyle, Pearce, Raybould, Ridinger, Roberts, Sali, Schaefer, Wood, Mr. Speaker. Total -- 29.
NAYS -- Bell, Bieter, Black, Boe, Bruneel, Campbell, Chase, Clark, Cuddy, Deal, Denney, Ellsworth, Field(13), Field(20), Gould, Hadley, Henbest, Jaquet, Kellogg, Kunz, Langford, Mader, Marley, Meyer, Montgomery, Pischner, Pomeroy, Robison, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Young. Total -- 37.
Absent and excused -- Jones, Kendell, Wheeler. Total -- 3.
Total -- 69.

Whereupon the Speaker declared the motion failed.

Mr. Meyer asked unanimous consent that, pursuant to Rule 22, discussion of **S 1048** be allowed in debate of **S 1242**. There being no objection, it was so ordered.

The question being, "Shall **S 1242** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Bell, Bieter, Black, Boe, Bolz, Bruneel, Campbell, Chase, Collins, Crow, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Kellogg, Kunz, Langford, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Pischner, Pomeroy, Raybould, Ridinger, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Young, Mr. Speaker. Total -- 50.
NAYS -- Barrett, Bedke, Bradford, Callister, Clark, Ellis, Gagner, Hammond, Lake, Loertscher, McKague, Moyle, Pearce, Roberts, Sali. Total -- 15.
Absent and excused -- Jones, Kendell, Wheeler, Wood. Total -- 4.
Total -- 69.

Whereupon the Speaker declared **S 1242** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, March 26, 2001. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 9:30 a.m., Monday, March 26, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:02 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

SEVENTY-EIGHTH LEGISLATIVE DAY
MONDAY, MARCH 26, 2001

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed 67 members present.
Absent and excused -- Pischner, Wheeler. Total -- 2.
Total -- 69.
*District 23 House Seat B is temporarily vacant.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Julia Sharp, Page.

Approval of Journal

March 26, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-fifth Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that Margaret Henbest, State Representative, District 16, House Seat A, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Eileen Farley, of Boise, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Eileen Farley, Acting State Representative, District 16, Seat A, State of Idaho, for a term commencing on Monday, March 26, 2001, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

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 20th day of March in the year of our Lord two thousand and one, and of the Independence of the United States of America, the two hundred and twenty-fifth year.

/s/ DIRK A. KEMPTHORNE
Governor
/s/ PETE T. CENARRUSA
Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mrs. Farley.

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 67-423A, Idaho Code, (Emergency Interim Successor); Mr. Randy Hansen, of Twin Falls, Idaho, shall perform the duties of Acting State Representative from District 23, Seat B, Twin Falls County, State of Idaho.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Randy Hansen, Acting State Representative, District 23, House Seat B, State of Idaho, for a term commencing on Monday, March 26, 2001, and continuing until a permanent appointment is made. This apppointment is necessary due to the untimely death of Representative George Swan.

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 23rd day of March in the year of our Lord two thousand and one, and of the Independence of the United States of America, the two hundred and twenty-fifth year.

/s/ DIRK A. KEMPTHORNE
Governor
/s/ PETE T. CENARRUSA
Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mr. Hansen.

OFFICE OF THE GOVERNOR
Boise

March 22, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 4, H 5, as amended, **H 7**, as amended, **H 8, H 9**, as amended, **H 11**, as amended, **H 13**, as amended, **H 14**, as amended, **H 22, H 25, H 26, H 31, H 32, H 38, H 39, H 54, H 58, H 60**, as amended, **H 67, H 101, H 131, H 134, H 143, H 146, H 148, H 151**, as amended, **H 154, H 164, H 167, H 170, H 175, H 185**, as amended, **H 188, H 193, H 198, H 201, H 244, H 245, H 278, H 302, H 304, H 313**, and **H 318**

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

March 23, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 23, H 27, H 28, as amended, **H 29**, as amended, **H 30, H 33**, as amended, **H 34, H 41, H 42, H 49, H 50, H 290, H 249, H 247, H 72, H 73, H 75, H 76, H 90, H 129, H 130, H 132, H 147,**

H 156, as amended, **H 161, H 162, H 149, H 177, H 180**, as amended, **H 183, H 184, H 186, H 191**, as amended, **H 195, H 196, H 202, H 212, H 215, H 221, H 222, H 223, H 224, H 226, H 233, H 257, H 270, H 303, H 331**, and **H 345**

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

March 23, 2001

Mr. Speaker:

I transmit herewith enrolled **S 1175, S 1180, S 1181, S 1184, S 1185, S 1186, S 1187, S 1188, S 1189, S 1190, S 1196, S 1197, S 1202, S 1203, S 1204, S 1205, S 1206, S 1207, S 1208, S 1209, S 1217, S 1218, S 1219, S 1220, S 1221, S 1222**, and **S 1224** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1175, S 1180, S 1181, S 1184, S 1185, S 1186, S 1187, S 1188, S 1189, S 1190, S 1196, S 1197, S 1202, S 1203, S 1204, S 1205, S 1206, S 1207, S 1208, S 1209, S 1217, S 1218, S 1219, S 1220, S 1221, S 1222**, and **S 1224** and, when so signed, ordered them returned to the Senate.

March 23, 2001

Mr. Speaker:

I return herewith enrolled **H 74, H 246, H 53, H 70, H 256**, as amended, **H 306, H 307, H 340, H 353, H 292, H 316, H 52, H 252, H 232**, as amended, **H 155, H 24**, as amended, and **H 321**, as amended, which have been signed by the President.

WOOD, Secretary

Enrolled **H 74, H 246, H 53, H 70, H 256**, as amended, **H 306, H 307, H 340, H 353, H 292, H 316, H 52, H 252, H 232**, as amended, **H 155, H 24**, as amended, and **H 321**, as amended, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 23, 2001

Mr. Speaker:

I transmit herewith **S 1254** which has passed the Senate.

WOOD, Secretary

S 1254 was filed for first reading.

March 23, 2001

Mr. Speaker:

I return herewith **H 211**, as amended, **H 269, H 327, H 192**, as amended, **H 315**, as amended, **H 330, H 341**, and **H 342** which have passed the Senate.

WOOD, Secretary

H 211, as amended, **H 269, H 327, H 192**, as amended, **H 315**, as amended, **H 330, H 341**, and **H 342** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 23, 2001

Mr. Speaker:

I return herewith **H 275**, as amended in the Senate, which has passed the Senate.

WOOD, Secretary

H 275, as amended in the Senate, was ordered held at the Desk.

Mrs. Crow asked unanimous consent that the House not concur in the Senate amendments to **H 275**. Ms. Jaquet objected.

Mrs. Crow moved that the House not concur in the Senate amendments to **H 275**. Seconded by Mrs. Wood.

The question being "Shall the motion pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Higgins, Hornbeck, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Sali, Schaefer, Sellman, Smith, Smylie, Stevenson, Stone, Tilman, Wood, Young, Mr. Speaker. Total -- 57.

NAYS -- Bieter, Boe, Chase, Henbest(Farley), Jaquet, Jones, Marley, Robison, Shepherd, Trail. Total -- 10.

Absent and excused -- Cuddy, Pischner, Wheeler. Total -- 3.

Total -- 70.

Whereupon the Speaker declared the motion passed and the House did not concur in the Senate amendments to **H 275**.

H 275, as amended in the Senate, was filed in the Office of the Chief Clerk.

Report of Standing Committees

March 23, 2001

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **SJM 106** and recommend that it do pass.

WHEELER, Chairman

SJM 106 was filed for second reading.

March 26, 2001

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1255** and recommend that it do pass.

DEAL, Chairman

S 1255 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1254, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 373, by Appropriations Committee, was read the second time by title and filed for third reading.

S 1114, as amended, by Education Committee, was read the second time by title and filed for third reading.

S 1210, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

S 1105, as amended, by Transportation Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

S 1243 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **S 1243** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 64.
NAYS -- None.
Absent and excused -- Crow, Cuddy, Deal, Moyle, Pischner, Wheeler. Total -- 6.
Total -- 70.

Whereupon the Speaker declared **S 1243** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1245 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **S 1245** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Young, Mr. Speaker. Total -- 64.
NAYS -- McKague. Total -- 1.
Absent and excused -- Crow, Moyle, Pischner, Wheeler, Wood. Total -- 5.
Total -- 70.

Whereupon the Speaker declared **S 1245** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1244 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hadley to open debate.

The question being, "Shall **S 1244** pass?"

Roll call resulted as follows:
AYES -- Bell, Black, Boe, Bruneel, Campbell, Chase, Collins, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hansen, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kunz, Lake, Langford, Mader, Marley, Montgomery, Mortensen, Moss, Pomeroy, Ridinger, Robison, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Young, Mr. Speaker. Total -- 45.
NAYS -- Barraclough, Barrett, Bedke, Bieter, Bolz, Callister, Clark, Ellis, Hammond, Kendell, Loertscher, McKague, Pearce, Raybould, Roberts, Sali, Smith, Wood. Total -- 18.
Absent and excused -- Bradford, Crow, Harwood, Meyer, Moyle, Pischner, Wheeler. Total -- 7.
Total -- 70.

Whereupon the Speaker declared **S 1244** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1246 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **S 1246** pass?"

Roll call resulted as follows:
AYES -- Barraclough, Bell, Bieter, Black, Boe, Bruneel, Campbell, Chase, Clark, Cuddy, Deal, Ellsworth, Field(13), Field(20), Gagner, Gould, Hadley, Hansen, Harwood, Henbest(Farley), Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Marley, Meyer, Moss, Pomeroy, Ridinger, Robison, Sali, Sellman, Shepherd, Smylie, Stevenson, Stone, Trail, Young, Mr. Speaker. Total -- 43.
NAYS -- Barrett, Bedke, Bolz, Callister, Collins, Denney, Ellis, Eskridge, Hammond, Higgins, Jones, Loertscher, McKague, Montgomery, Mortensen, Pearce, Raybould, Roberts, Schaefer, Smith, Tilman, Wood. Total -- 22.
Absent and excused -- Bradford, Crow, Moyle, Pischner, Wheeler. Total -- 5.
Total -- 70.

Whereupon the Speaker declared **S 1246** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1247 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(20) to open debate.

The question being, "Shall **S 1247** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bradford, Crow, Lake, Moyle, Pischner, Wheeler. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1247** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1248 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Pomeroy to open debate.

The question being, "Shall **S 1248** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bell, Bieter, Black, Boe, Bruneel, Campbell, Chase, Clark, Crow, Cuddy, Deal, Ellsworth, Field(13), Field(20), Gagner, Gould, Hadley, Hansen, Harwood, Henbest(Farley), Higgins, Jaquet, Kellogg, Kunz, Lake, Langford, Mader, Marley, Meyer, Montgomery, Moss, Pomeroy, Ridinger, Robison, Sellman, Shepherd, Smylie, Stevenson, Stone, Trail, Wood, Young, Mr. Speaker. Total -- 44.

NAYS -- Barrett, Bedke, Bolz, Callister, Collins, Denney, Ellis, Eskridge, Hammond, Hornbeck, Kendell, Loertscher, McKague, Mortensen, Pearce, Raybould, Roberts, Sali, Schaefer, Smith, Tilman. Total -- 21.

Absent and excused – Bradford, Jones, Moyle, Pischner, Wheeler. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1248** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1158, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Kellogg to open debate.

The question being, "Shall **S 1158**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Bradford, Field(20), Moyle, Pischner, Wheeler. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1158**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1157, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Raybould to open debate.

The question being, "Shall **S 1157**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Bradford, Pischner, Wheeler. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1157**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1031 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **S 1031** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer,

Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bradford, Pischner, Sellman, Wheeler. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1031** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1032 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ellsworth to open debate.

The question being, "Shall **S 1032** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused – Black, Bradford, Pischner, Wheeler. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1032** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1033 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Pearce to open debate.

The question being, "Shall **S 1033** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 65.

NAYS -- Higgins. Total -- 1.

Absent and excused -- Bradford, Crow, Pischner, Wheeler. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1033** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1059 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **S 1059** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Callister, Campbell, Chase, Clark, Collins, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Pearce, Pomeroy, Raybould, Roberts, Robison, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 59.

NAYS -- Cuddy, Ridinger, Smith. Total -- 3.

Absent and excused -- Bradford, Bruneel, Crow, Loertscher, Moyle, Pischner, Sali, Wheeler. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **S 1059** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1014, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Young to open debate.

The question being, "Shall **S 1014**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Callister, Chase, Clark, Collins, Deal, Denney, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Roberts, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 55.

NAYS -- Barrett, Campbell, Cuddy, Ellis, Hornbeck, McKague, Ridinger. Total -- 7.

Absent and excused -- Bradford, Bruneel, Crow, Hadley, Loertscher, Pischner, Sali, Wheeler. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **S 1014**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1118 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Sellman to open debate.

The question being, "Shall **S 1118** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Callister, Chase, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley,

Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Bradford, Bruneel, Campbell, Cuddy, Loertscher, Pischner, Sali, Wheeler. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **S 1118** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1191 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moss to open debate.

The question being, "Shall **S 1191** pass?"

Mrs. Sellman asked unanimous consent that, pursuant to Rule 38(3), she be excused from voting on **S 1191** due to a conflict of interest. There being no objection, it was so ordered.

Roll call resulted as follows:

AYES -- Black, Boe, Bruneel, Callister, Campbell, Chase, Clark, Crow, Cuddy, Deal, Denney, Eskridge, Field(13), Gagner, Gould, Hadley, Hansen, Henbest(Farley), Hornbeck, Jaquet, Jones, Kellogg, Kunz, Mader, Marley, Meyer, Mortensen, Moss, Pomeroy, Raybould, Ridinger, Robison, Shepherd, Stone, Trail, Young, Mr. Speaker. Total -- 37.

NAYS -- Barraclough, Barrett, Bedke, Bell, Bieter, Bolz, Collins, Ellis, Ellsworth, Field(20), Hammond, Harwood, Higgins, Kendell, Lake, Langford, Loertscher, McKague, Montgomery, Moyle, Pearce, Roberts, Schaefer, Smylie, Stevenson, Tilman, Wood. Total -- 27.

Absent and excused -- Bradford, Pischner, Sali, Sellman, Smith, Wheeler. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1191** passed the House. Title was approved and the bill was ordered returned to the Senate.

At this time Mr. Deal took the Chair.

S 1251 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Clark to open debate.

The question being, "Shall **S 1251** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wood, Young. Total -- 65.

NAYS -- None.

Absent and excused -- Bradford, Bruneel, Pischner, Wheeler, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1251** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1252 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Clark to open debate.

The question being, "Shall **S 1252** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bell, Bieter, Black, Boe, Bolz, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Trail, Wood, Young. Total -- 59.

NAYS -- Bedke, Loertscher, McKague, Pearce, Smith, Tilman. Total -- 6.

Absent and excused -- Bradford, Bruneel, Pischner, Wheeler, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1252** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 176, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Moyle to open debate.

The question being, "Shall **H 176**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bieter, Black, Boe, Bolz, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger,

Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Trail, Wood, Young. Total -- 62.

NAYS -- None.

Absent and excused -- Bell, Bradford, Bruneel, Mader, Pischner, Stone, Wheeler, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 176**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

H 144, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Smylie to open debate.

The question being, "Shall **H 144**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bieter, Black, Boe, Bolz, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Trail, Wood, Young. Total -- 60.

NAYS -- None.

Absent and excused -- Bell, Bradford, Bruneel, Jones, Kunz, Marley, Pischner, Stone, Wheeler, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 144**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

H 237, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Gagner to open debate.

The question being, "Shall **H 237**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bieter, Black, Boe, Bolz, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Langford, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Trail, Young, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Bell, Bradford, Kunz, Loertscher, Pischner, Stone, Wheeler, Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 237**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

At this time the Speaker took the Chair.

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

March 26, 2001

Mr. Speaker:

I transmit herewith enrolled **S 1223, S 1225, S 1226, S 1229, S 1230, S 1234, S 1235, S 1236, S 1238, S 1239**, and **S 1240** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1223, S 1225, S 1226, S 1229, S 1230, S 1234, S 1235, S 1236, S 1238, S 1239**, and **S 1240** and, when so signed, ordered them returned to the Senate.

March 26, 2001

Mr. Speaker:

I return herewith enrolled **H 358, H 339, H 309, H 351, H 352**, and **H 365** which have been signed by the President.

WOOD, Secretary

Enrolled **H 358, H 339, H 309, H 351, H 352**, and **H 365** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 26, 2001

Mr. Speaker:

I transmit herewith **SCR 117** and **SCR 118** which have passed the Senate.

WOOD, Secretary

SCR 117 and **SCR 118** were filed for first reading.

Mr. Denney moved that the House recess until 1:15 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

RECESS

Afternoon Session

The House reconvened at 1:15 p.m., the Speaker in the Chair.

Roll call showed 68 members present.
Absent and excused -- Pischner, Wheeler. Total -- 2.
Total -- 70.

Prior to recess, the House was at the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

March 26, 2001

Mr. Speaker:

I return herewith **H 169**, as amended, as amended in the Senate, **H 280**, as amended in the Senate, **H 121**, as amended in the Senate, and **H 262**, as amended, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

H 169, as amended, as amended in the Senate, **H 280**, as amended in the Senate, **H 121**, as amended in the Senate, and **H 262**, as amended, as amended in the Senate, were ordered held at the Desk.

Mr. Bolz asked unanimous consent that the House concur in the Senate amendments to **H 169**, as amended. There being no objection, it was so ordered.

Mr. Campbell asked unanimous consent that the House concur in the Senate amendments to **H 280**. There being no objection, it was so ordered.

Mr. Smith asked unanimous consent that the House concur in the Senate amendments to **H 121**. There being no objection, it was so ordered.

Mr. Jones asked unanimous consent that the House concur in the Senate amendments to **H 262**, as amended. There being no objection, it was so ordered.

H 169, as amended, as amended in the Senate, **H 280**, as amended in the Senate, **H 121**, as amended in the Senate, and **H 262**, as amended, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

Report of Standing Committees

March 26, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 211**, as amended, **H 269, H 327, H 192**, as amended, **H 315**, as amended, **H 330, H 341, H 342, H 176**, as amended in the Senate, **H 144**, as amended in the Senate, and **H 237**, as amended in the Senate.

GOULD, Chairman

The Speaker announced he was about to sign enrolled **H 211**, as amended, **H 269, H 327, H 192**, as amended, **H 315**, as amended, **H 330, H 341, H 342, H 176**, as amended in the Senate, **H 144**, as amended in the Senate, and **H 237**, as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

SCR 117, by State Affairs Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

SCR 118, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

S 1212 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hadley to open debate.

Mr. Sali moved that **S 1212** be placed on General Orders for consideration. Seconded by Mr. Loertscher.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bolz, Bradford, Bruneel, Callister, Collins, Crow, Denney, Ellis, Ellsworth, Field(13), Gould, Hammond, Hansen, Harwood, Higgins, Hornbeck, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Mortensen, Moss, Moyle, Pearce, Raybould, Ridinger, Roberts, Sali, Schaefer, Smith, Smylie, Tilman, Wood, Young, Mr. Speaker. Total -- 40.

NAYS -- Bell, Bieter, Black, Boe, Campbell, Chase, Clark, Cuddy, Deal, Eskridge, Field(20), Gagner, Hadley, Henbest(Farley), Jaquet, Jones, Kellogg, Marley, Meyer, Montgomery, Pomeroy, Robison, Sellman, Shepherd, Stevenson, Stone, Trail. Total -- 28.

Absent and excused -- Pischner, Wheeler. Total -- 2.

Total -- 70.

Whereupon the Speaker declared the motion carried and **S 1212** was placed on the General Orders for consideration.

S 1213 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

Mr. Sali asked unanimous consent that **S 1213** be placed on General Orders for consideration. Mr. Robison objected.

Mr. Sali moved that **S 1213** be placed on General Orders for consideration. Seconded by Mr. Loertscher.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Crow, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gould, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Raybould, Ridinger, Roberts, Sali, Schaefer, Smith, Smylie, Tilman, Wood, Young, Mr. Speaker. Total -- 47.

NAYS -- Bell, Bieter, Black, Boe, Campbell, Deal, Gagner, Hadley, Jaquet, Jones, Kellogg, Marley, Meyer, Pomeroy, Robison, Sellman, Shepherd, Stevenson, Stone, Trail. Total -- 20.

Absent and excused -- Field(20), Pischner, Wheeler. Total -- 3.

Total -- 70.

Whereupon the Speaker declared the motion carried and **S 1213** was placed on the General Orders for consideration.

Mr. Sali asked unanimous consent that **S 1215** and **S 1216** be placed on General Orders for consideration. There being no objection, it was so ordered.

S 1156, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Higgins to open debate.

The question being, "Shall **S 1156**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 64.

NAYS -- Moyle, Smith. Total -- 2.

Absent and excused -- Field(20), Loertscher, Pischner, Wheeler. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1156**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1077, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Shepherd to open debate.

The question being, "Shall **S 1077**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 64.

NAYS -- Smith. Total -- 1.

Absent and excused -- Field(20), Gagner, Pischner, Schaefer, Wheeler. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1077**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel asked unanimous consent that **S 1140**, as amended, retain its place on the Third Reading Calendar until Wednesday, March 28, 2001. There being no objection, it was so ordered.

S 1040, as amended, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Jones to open debate.

The question being, "Shall **S 1040**, as amended, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Ellsworth, Field(13), Field(20), Gould, Hadley, Hammond, Hansen, Henbest(Farley), Higgins, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Marley, Montgomery, Mortensen, Moss, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Trail, Mr. Speaker. Total -- 51.

NAYS -- Barrett, Callister, Harwood, Hornbeck, Loertscher, McKague, Moyle, Pearce, Wood. Total -- 9.

Absent and excused -- Denney, Ellis, Eskridge, Gagner, Meyer, Pischner, Stone, Tilman, Wheeler, Young. Total -- 10.

Total -- 70.

Whereupon the Speaker declared **S 1040**, as amended, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1067, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **S 1067**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Ellsworth, Field(13), Field(20), Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader,

Marley, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Trail, Wood, Mr. Speaker. Total -- 57.

NAYS -- Barrett, Hornbeck, McKague. Total -- 3.

Absent and excused -- Denney, Ellis, Eskridge, Gagner, Meyer, Pischner, Stone, Tilman, Wheeler, Young. Total -- 10.

Total -- 70.

Whereupon the Speaker declared **S 1067**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

H 206, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Pearce to open debate.

The question being, "Shall **H 206**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Trail, Mr. Speaker. Total -- 58.

NAYS -- Ellsworth, Field(20), Hornbeck, McKague, Schaefer. Total -- 5.

Absent and excused -- Ellis, Meyer, Pischner, Stone, Wheeler, Wood, Young. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 206**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

Mr. Bruneel asked unanimous consent that **S 1257** retain its place on the Third Reading Calendar until Wednesday, March 28, 2001. There being no objection, it was so ordered.

S 1258 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **S 1258** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Trail, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Deal, Lake, Meyer, Pischner, Stone, Wheeler, Young. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **S 1258** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1116, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Montgomery and Mr. Gagner to open debate.

The question being, "Shall **S 1116**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hansen, Harwood, Hornbeck, Jones, Kellogg, Kunz, Lake, Loertscher, Mader, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Raybould, Ridinger, Roberts, Sali, Schaefer, Smith, Stone, Tilman, Trail, Young, Mr. Speaker. Total -- 45.

NAYS -- Barrett, Bell, Bieter, Boe, Chase, Cuddy, Gould, Hadley, Hammond, Henbest(Farley), Higgins, Jaquet, Kendell, Langford, Marley, Pomeroy, Robison, Sellman, Shepherd, Smylie, Stevenson. Total -- 21.

Absent and excused -- Meyer, Pischner, Wheeler, Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1116**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Wednesday, March 28, 2001. There being no objection, it was so ordered.

Mr. Bruneel moved that the House recess until 4:20 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 4:20 p.m.

RECESS

The House reconvened at 4:20 p.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused -- Meyer, Pischner, Wheeler. Total -- 3.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

There being no objection, the House returned to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 377
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO TAXATION; AMENDING SECTION 63-3024, IDAHO CODE, TO PROVIDE FOR A REDUCTION IN RATES FOR TAXABLE YEAR 2001 AND EACH YEAR THEREAFTER; AMENDING SECTION 63-3022H, IDAHO CODE, TO INCREASE THE DEDUCTION ALLOWED FOR QUALIFIED CAPITAL GAINS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3025, IDAHO CODE, TO REDUCE THE CORPORATE INCOME TAX RATE FROM EIGHT TO SEVEN AND SIX-TENTHS PERCENT FOR TAXABLE YEAR 2001 AND EACH YEAR THEREAFTER; AMENDING SECTION 63-3025A, IDAHO CODE, TO REDUCE THE CORPORATE FRANCHISE TAX RATE FROM EIGHT PERCENT TO THE RATE OF THE CORPORATE INCOME TAX AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3029B, IDAHO CODE, TO PROVIDE THAT TAXPAYERS MAKING EXPENDITURES FOR QUALIFIED BROADBAND EQUIPMENT ARE ENTITLED TO THE CREDIT AND TO REVISE PROCEDURES FOR RECAPTURE; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029G, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR CERTAIN EXPENDITURES RELATING TO RESEARCH ACTIVITIES CONDUCTED IN IDAHO, TO PROVIDE A SUNSET, TO PROVIDE A CARRYOVER OF UNUSED CREDITS, TO PROVIDE DEFINITIONS AND TO PROVIDE PROCEDURES; AMENDING SECTION 63-3029H, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029I, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR CERTAIN EXPENDITURES RELATING TO HIGH SPEED BROADBAND COMMUNICATIONS ACCESS IN IDAHO, TO PROVIDE A SUNSET, TO PROVIDE A CARRYOVER OF UNUSED CREDITS, TO PROVIDE DEFINITIONS AND TO PROVIDE PROCEDURES; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3022P, IDAHO CODE, TO PROVIDE, WITH RESPECT TO AN INDIVIDUAL TAXPAYER, AN AMOUNT EQUAL TO THE AMOUNT PAID BY THE TAXPAYER DURING THE TAXABLE YEAR FOR INSURANCE, WHICH CONSTITUTES MEDICAL CARE FOR THE TAXPAYER, THE SPOUSE OR DEPENDENTS OF THE TAXPAYER WHICH IS NOT OTHERWISE DEDUCTED OR ACCOUNTED FOR BY THE TAXPAYER FOR IDAHO INCOME TAX PURPOSES SHALL BE ALLOWED AS A DEDUCTION AGAINST IDAHO TAXABLE INCOME, AND TO PROVIDE A DEFINITION OF INSURANCE WHICH CONSTITUTES MEDICAL CARE; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029J, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR CERTAIN EXPENDITURES RELATING TO INVESTMENT IN AREAS IN IDAHO WITH HIGH UNEMPLOYMENT OR LOW PERSONAL INCOME AT THE ELECTION OF THE TAXPAYER FOR TAXABLE YEAR 2001, TO PROVIDE A CARRYOVER OF UNUSED CREDITS, TO PROVIDE DEFINITIONS AND TO PROVIDE PROCEDURES; AMENDING SECTIONS 63-3029E AND 63-3029F, IDAHO CODE, TO EXPAND THE NEW JOBS CREDIT BY REMOVING THE LIMITATION OF QUALIFYING TAXPAYERS TO REVENUE-PRODUCING ENTERPRISE CREATING VALUE-ADDED NATURAL RESOURCE PRODUCTS; REPEALING SECTIONS 63-3029E AND 63-3029F, IDAHO CODE; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029E, IDAHO CODE, TO PROVIDE DEFINITIONS AND CONSTRUCTION OF TERMS; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029F, IDAHO CODE, TO PROVIDE SPECIAL CREDITS TO THE INCOME TAX FOR NEW EMPLOYEES FOR AN ENTERPRISE THAT PRODUCES, ASSEMBLES, FABRICATES OR PROCESSES NATURAL RESOURCE PRODUCTS; PROVIDING FOR NONSEVERABILITY OF CERTAIN PROVISIONS OF THIS ACT; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION FOR CERTAIN PROVISIONS OF THIS ACT, AND PROVIDING AN EFFECTIVE DATE FOR CERTAIN PROVISIONS OF THIS ACT.

HOUSE BILL NO. 378
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO TAXATION; AMENDING CHAPTER 6, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-602EE, IDAHO CODE, TO PROVIDE THAT CERTAIN TANGIBLE PERSONAL PROPERTY IS EXEMPT FROM TAXATION; AMENDING SECTION 63-3067, IDAHO CODE, TO PROVIDE FOR REMITTANCE OF INCOME TAX MONEYS TO REPLACE PROPERTY TAXES ON CERTAIN PERSONAL PROPERTY EXEMPT FROM TAXATION, TO PROVIDE A FORMULA AND TO MAKE A TECHNICAL CORRECTION; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 379
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO INCOME TAXATION; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3022Q, IDAHO CODE, TO PROVIDE FOR A DEDUCTION OF CAPITAL GAINS FOR QUALIFYING TAXPAYERS, TO PROVIDE LIMITATION, TO DEFINE TERMS AND TO PROVIDE PROCEDURES; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

H 377, H 378, and **H 379** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

March 26, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 377, H 378**, and **H 379**.

GOULD, Chairman

H 377, H 378, and **H 379** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 377** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 377** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 64.

NAYS -- Bieter, Boe. Total -- 2.

Absent and excused -- Higgins, Meyer, Pischner, Wheeler. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 377** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Crow to open debate.

The question being, "Shall **H 377** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Hornbeck, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Sali, Schaefer, Sellman, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 59.

NAYS -- Bieter, Boe, Chase, Jaquet, Marley, Robison, Shepherd. Total -- 7.

Absent and excused -- Higgins, Meyer, Pischner, Wheeler. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 377** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 378** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 378** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 64.

NAYS -- Bieter, Boe. Total -- 2.

Absent and excused -- Higgins, Meyer, Pischner, Wheeler. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 378** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Crow to open debate.

The question being, "Shall **H 378** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 61.

NAYS -- Bieter, Boe, Chase, Henbest(Farley), Marley, Robison. Total -- 6.

Absent and excused -- Meyer, Pischner, Wheeler. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 378** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 379** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 379** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 64.

NAYS -- Bieter, Boe. Total -- 2.

Absent and excused -- Higgins, Meyer, Pischner, Wheeler. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 379** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mader and Mr. Cuddy to open debate.

The question being, "Shall **H 379** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Hansen, Harwood, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Mader, McKague, Montgomery, Mortensen, Moss, Moyle, Pomeroy, Raybould, Ridinger, Roberts, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wood, Young, Mr. Speaker. Total -- 58.

NAYS -- Bieter, Chase, Clark, Gagner, Henbest(Farley), Lake, Marley, Pearce, Robison. Total -- 9.

Absent and excused -- Meyer, Pischner, Wheeler. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 379** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 11 a.m., Wednesday, March 28, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 7:06 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

EIGHTIETH LEGISLATIVE DAY
WEDNESDAY, MARCH 28, 2001

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused -- Wood. Total -- 1.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by T.J. Anderson, Page.

Approval of Journal

March 28, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-eighth Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that Gary F. Young, State Representative, District 5, House Seat B, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Lynne Young, of Moscow, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by

Section 59-917, Idaho Code, do hereby appoint Lynne Young, Acting State Representative, District 5, House Seat B, State of Idaho, for a term commencing on Tuesday, March 27, 2001, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

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 21st day of March in the year of our Lord two thousand and one, and of the Independence of the United States of America, the two hundred and twenty-fifth year.

/s/ DIRK A. KEMPTHORNE
Governor
/s/ PETE T. CENARRUSA
Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mrs. Young.

OFFICE OF THE GOVERNOR
Boise

March 26, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 18, as amended, **H 65**, as amended, **H 124, H 128, H 209, H 214, H 308**, and **H 338**

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

March 26, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 140, H 141, H 181, and **H 182**

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

March 28, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 165, H 225, H 251, and **H 322**

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

March 26, 2001

Mr. Speaker:

I transmit herewith enrolled **S 1037, S 1147, S 1164**, as amended, **S 1171, S 1172, S 1182, S 1227, S 1228, S 1241**, and **S 1242** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1037, S 1147, S 1164**, as amended, **S 1171, S 1172, S 1182, S 1227, S 1228, S 1241**, and **S 1242** and, when so signed, ordered them returned to the Senate.

March 26, 2001

Mr. Speaker:

I transmit herewith **S 1259, S 1261, S 1260, S 1262**, and **S 1107**, as amended, which have passed the Senate.

WOOD, Secretary

S 1259, S 1261, S 1260, S 1262, and **S 1107**, as amended, were filed for first reading.

March 26, 2001

Mr. Speaker:

I return herewith **H 343, H 344, H 301, H 334, H 231, H 335, H 336, H 367, H 366, H 371, H 372, H 348, H 242**, as amended, **H 375, H 282**, as amended, **H 376, H 210, H 238**, as amended, **H 305**, as amended, and **H 374** which have passed the Senate.

WOOD, Secretary

H 343, H 344, H 301, H 334, H 231, H 335, H 336, H 367, H 366, H 371, H 372, H 348, H 242, as amended, **H 375, H 282**, as amended, **H 376, H 210, H 238**, as amended, **H 305**, as amended, and **H 374** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 26, 2001

Mr. Speaker:

I return herewith **H 326**, as amended, as amended in the Senate, and **H 356**, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

H 326, as amended, as amended in the Senate, and **H 356**, as amended in the Senate, were ordered held at the Desk.

Mr. Trail asked unanimous consent that the House concur in the Senate amendments to **H 326**, as amended. There being no objection, it was so ordered.

Mrs. Crow asked unanimous consent that the House concur in the Senate amendments to **H 356**. There being no objection, it was so ordered.

H 326, as amended, as amended in the Senate, and **H 356**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

Report of Standing Committees

March 28, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 206**, as amended in the Senate, **H 343, H 344, H 301, H 334, H 231, H 335, H 336, H 367, H 366, H 371, H 372, H 348, H 242**, as amended, **H 375, H 282**, as amended, **H 376, H 210, H 238**, as amended, **H 305**, as amended, and **H 374**.

GOULD, Chairman

The Speaker announced he was about to sign enrolled **H 206**, as amended in the Senate, **H 343, H 344, H 301, H 334, H 231, H 335, H 336, H 367, H 366, H 371, H 372, H 348, H 242**, as amended, **H 375, H 282**, as amended, **H 376, H 210, H 238**, as amended, **H 305**, as amended, and **H 374**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 28, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 169**, as amended, as amended in the Senate, **H 280**, as amended in the Senate, **H 121**, as amended in the Senate, and **H 262**, as amended, as amended in the Senate.

GOULD, Chairman

H 169, as amended, as amended in the Senate, **H 280**, as amended in the Senate, **H 121**, as amended in the Senate, and **H 262**, as amended, as amended in the Senate, were filed for first reading of engrossed bills.

March 28, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 74, H 246, H 53, H 70, H 256**, as amended, **H 306, H 307, H 340, H 353, H 292, H 316, H 52, H 252, H 232**, as amended, **H 155, H 24**, as amended, and **H 321**, as amended, to the Governor at 10:30 a.m., as of this date, March 26, 2001.

GOULD, Chairman

March 28, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 358, H 339, H 309, H 351, H 352**, and **H 365** to the Governor at 1:05 p.m., as of this date, March 26, 2001.

GOULD, Chairman

March 26, 2001

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **SJM 107, SJM 108**, and **SJM 109** and recommend that they do pass.

JONES, Chairman

SJM 107, SJM 108, and **SJM 109** were filed for second reading.

March 26, 2001

Mr. Speaker:

We, your COMMITTEE ON WAYS AND MEANS, report that we have had under consideration **SCR 114** and recommend that it do pass.

KUNZ, Chairman

SCR 114 was filed for second reading.

March 26, 2001

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **S 1106, S 1193**, as amended, **S 1139, S 1177**, and **S 1075** and recommend that they do pass.

WOOD, Chairman

S 1106, S 1193, as amended, **S 1139, S 1177**, and **S 1075** were filed for second reading.

March 28, 2001

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1178** and **SCR 118** and recommend that they do pass.

DEAL, Chairman

S 1178 and **SCR 118** were filed for second reading.

March 28, 2001

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1254** and recommend it be referred to the Transportation and Defense Committee.

DEAL, Chairman

S 1254 was referred to the Transportation and Defense Committee.

March 28, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1253** and recommend that it do pass.

GOULD, Chairman

S 1253 was filed for second reading.

March 28, 2001

Mr. Speaker:

We, your COMMITTEE ON APPROPRIATIONS, report that we have had under consideration **S 1237** and recommend that it do pass.

BELL, Chairman

S 1237 was returned to the Third Reading Calendar.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 380
BY WAYS AND MEANS COMMITTEE
AN ACT

RELATING TO TAX RELIEF; AMENDING TITLE 57, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 20, TITLE 57, IDAHO CODE, TO PROVIDE FOR THE CREATION OF THE TAX RELIEF FUND, TO SPECIFY THE PURPOSE OF THE FUND AND TO PROVIDE FOR ALLOCATION OF CERTAIN MONEYS TO THE FUND.

HOUSE BILL NO. 381
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO INCOME TAX; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3024C, IDAHO CODE, TO PROVIDE FOR STATE INCOME TAX CREDIT FOR THE PAYMENT OF REAL PROPERTY TAXES BY CERTAIN TAXPAYERS DURING TAX YEAR 2001, TO PROVIDE A DEFINITION OF "MINING," TO PROVIDE THE MAXIMUM AMOUNT OF CREDIT AND TO PROVIDE PROCEDURES; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 382
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO RECREATION DISTRICTS; AMENDING SECTION 31-4304, IDAHO CODE, TO PROVIDE THAT PETITIONS FOR FORMATION OF RECREATION DISTRICTS SHALL STATE THE MAXIMUM TAX RATE THAT WOULD BE IMPOSED UPON TAXABLE PROPERTY WITHIN THE DISTRICT OR PLANNED UNIT DEVELOPMENT RECREATION DISTRICT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-4318, IDAHO CODE, TO PROVIDE FOR A TAX LEVY FOR DISTRICTS CREATED PRIOR TO JULY 1, 2001, TO PROVIDE A LEVY FOR DISTRICTS CREATED ON OR AFTER JULY 1, 2001, TO PROVIDE MAXIMUM RATES AND TO PROVIDE A PROCEDURE IF A DISTRICT DESIRES TO IMPOSE A TAX RATE IN EXCESS OF THAT CONTAINED IN THE PETITION; AND DECLARING AN EMERGENCY.

H 380, H 381, and **H 382** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1259, S 1261, and **S 1262**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

S 1260, by State Affairs Committee, was introduced, read the first time by title, and referred to the Agricultural Affairs Committee.

S 1107, as amended, by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

First Reading of Engrossed Bills

H 169, as amended, as amended in the Senate, and **H 262**, as amended, as amended in the Senate, by Agricultural Affairs Committee, were introduced, read the first time by title and filed for second reading.

H 280, as amended in the Senate, by State Affairs Committee, was introduced, read the first time by title and filed for second reading.

H 121, as amended in the Senate, by Revenue and Taxation Committee, was introduced, read the first time by title and filed for second reading.

Second Reading of Bills and Joint Resolutions

SJM 106 and **S 1255**, by State Affairs Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Bruneel asked unanimous consent that **H 373** be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

S 1140, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Pischner to open debate.

At this time, Mrs. Sellman took the Chair.

The question being, "Shall **S 1140**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Black, Boe, Bolz, Bradford, Bruneel, Chase, Collins, Cuddy, Deal, Denney, Field(13), Gagner, Hadley, Hammond, Hornbeck, Jaquet, Jones, Kellogg, Kunz, Langford, Marley, McKague, Meyer, Montgomery, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Sali, Schaefer, Shepherd, Smith, Smylie, Stone, Tilman, Trail, Young(Young), Mr. Speaker. Total -- 44.

NAYS -- Bell, Bieter, Callister, Campbell, Clark, Crow, Ellis, Ellsworth, Eskridge, Field(20), Gould, Hansen, Harwood, Henbest(Farley), Higgins, Kendell, Lake, Loertscher, Mader, Mortensen, Moss, Robison, Sellman, Stevenson, Wheeler. Total -- 25.

Absent and excused -- Wood. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1140**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel moved that the House recess until 1:20 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House at recess until 1:20 p.m.

RECESS

Afternoon Session

The House reconvened at 1:20 p.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Consideration of General Orders

Mr. Bruneel moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Chase. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Denney in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

March 28, 2001

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **S 1057, S 1212, S 1213, S 1215**, and **S 1216** and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO S 1057

AMENDMENTS TO SECTION 4

On page 2 of the printed bill, in line 19, following "question" delete the remainder of the line; delete all of lines 20 through 25, and insert: ", subject to the restrictions of section 50-1401, Idaho Code. The city council shall be governed by the following provisions:

(1) When the property is offered for sale, the property shall be sold at a public auction to the highest bidder and no bids shall be accepted for less than the minimum declared value previously recorded on the record at a public meeting of the council, provided however, if no bids are received, the city council shall have the authority to sell such property as it deems in the best interest of the city.

(2) When it is determined by the city council to be in the city's best interest that the property be offered for exchange, the council may do all things necessary to exchange any property owned by the city for real property of equal value pursuant to terms which shall be a matter of public record.

(3) When property is purchased, donated or otherwise conveyed to a city and the city has previously used federal funding to acquire the property, with funds specifically designated for the purpose of assisting low- to moderate-income families with decent, safe, affordable housing opportunities, the property may be sold, donated or otherwise conveyed directly to a low- to moderate-income family, so long as the sale or conveyance is consistent with the applicable federal regulations under which the property was obtained initially. In such instances, the city council shall pass an ordinance stating:

(a) That the property was acquired, in whole, with federal funds;

(b) That the property is to be sold or otherwise conveyed to a low- to moderate-income family;

(c) That the sale or conveyance is consistent with all applicable federal, state or local statutes, laws, regulations and policies; and

(d) That the property may be offered for sale, donation or otherwise conveyed immediately upon the passing of the ordinance.

(4) When it is determined by the city council to be in the city's best interest that a transfer or conveyance be made, the city council may, by ordinance duly enacted, authorize the transfer or conveyance of any real property owned by such city to any tax supported governmental unit, with or without consideration.

(5) When it is determined by the city council to be in the city's best interest, the city may transfer property to a trustee for security purposes, or for purposes of accommodating a transaction, or for funding of construction of capital facilities on city owned property.".

HOUSE AMENDMENT TO S 1212

AMENDMENTS TO SECTION 1

On page 2 of the printed bill, in line 7, delete "20,324,900" and insert: "18,534,000"; and also in line 7, delete "26,065,300" and insert: "24,274,400"; in line 30, delete "34,115,600" and insert: "32,324,700"; and also in line 30, delete "53,812,600" and insert: "52,021,700"; in line 32, delete "87,511,800" and insert: "85,720,900"; and also in line 32, delete "150,964,600" and insert: "149,173,700".

AMENDMENT TO THE BILL

On page 3, following line 8, insert:

"SECTION 7. Notwithstanding the provisions of Section 67-3511(1), Idaho Code, it is hereby declared to be the intent of the Idaho Legislature that the appropriation for personnel costs, as contained in Section 1 of this act, shall be utilized for personnel costs only for the period July 1, 2001, through June 30, 2002.".

CORRECTIONS TO THE TITLE

On page 1, in line 7, delete "AND"; and in line 9, following "SERVICES" insert: "; AND PROHIBITING TRANSFERS FROM PERSONNEL COSTS".

HOUSE AMENDMENT TO S 1213

AMENDMENT TO THE BILL

On page 3 of the printed bill, following line 5, insert:

"SECTION 6. Notwithstanding the provisions of Section 67-3511(1), Idaho Code, it is hereby declared to be the intent of the Idaho Legislature that the appropriation for personnel costs, as contained in Section 1 of this act, shall be utilized for personnel costs only for the period July 1, 2001, through June 30, 2002.".

CORRECTIONS TO TITLE

On page 1, in line 6, delete "AND"; and in line 7, following "POSITIONS" insert: "; AND PROHIBITING TRANSFERS FROM PERSONNEL COSTS".

HOUSE AMENDMENT TO S 1215

AMENDMENTS TO THE BILL

On page 2 of the printed bill, following line 24, insert:

"SECTION 7. Notwithstanding the provisions of Section 67-3511(1), Idaho Code, it is hereby declared to be the intent of the Idaho Legislature that the appropriation for personnel costs, as contained in Section 1 of this act, shall be utilized for personnel costs only for the period July 1, 2001, through June 30, 2002."; and renumber the subsequent section of the bill accordingly.

CORRECTION TO THE TITLE

On page 1, in line 8, following "2001;" insert: "PROHIBITING TRANSFERS FROM PERSONNEL COSTS;".

HOUSE AMENDMENT TO S 1216

AMENDMENTS TO THE BILL

On page 2 of the printed bill, following line 35, insert:

"SECTION 7. Notwithstanding the provisions of Section 67-3511(1), Idaho Code, it is hereby declared to be the intent of the Idaho Legislature that the appropriation for personnel costs, as contained in Section 1 of this act, shall be utilized for personnel costs only for the period July 1, 2001, through June 30, 2002."; and renumber the subsequent section of the act accordingly.

CORRECTION TO THE TITLE

On page 1, in line 9, following "2001;" insert: "PROHIBITING TRANSFERS FROM PERSONNEL COSTS;".

We have also had under consideration **H 362**, report progress and beg leave to sit again.

DENNEY, Chairman

Mr. Denney moved that the report be adopted. Seconded by Mr. Bruneel.

Whereupon the Speaker declared the report adopted.

S 1057, as amended in the House, **S 1212**, as amended in the House, **S 1213**, as amended in the House, **S 1215**, as amended in the House, and **S 1216**, as amended in the House, were filed for first reading.

H 362 was retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

S 1257 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Meyer to open debate.

At this time, Mrs. Field(20) took the Chair.

Ms. Jaquet asked unanimous consent that **S 1257** be placed on General Orders for consideration. Mr. Meyer objected.

Ms. Jaquet moved that **S 1257** be placed on General Orders for consideration. Seconded by Mr. Chase.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES -- Bieter, Boe, Callister, Chase, Cuddy, Hammond, Henbest(Farley), Jaquet, Marley, Montgomery, Robison, Shepherd, Trail. Total -- 13.

NAYS – Barraclough, Barrett, Bedke, Bell, Black, Bolz, Bradford, Bruneel, Campbell, Clark, Collins, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hansen, Higgins, Hornbeck, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Sali, Schaefer, Sellman, Smith, Smylie, Stevenson, Stone, Tilman, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 53.

Absent and excused -- Crow, Gould, Harwood, Jones. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared the motion failed.

The question being, "Shall **S 1257** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 66.

NAYS -- McKague, Roberts. Total -- 2.

Absent and excused -- Crow, Gould, Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1257** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1022 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Sali to open debate.

The question being, "Shall **S 1022** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Hadley, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd,

Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 59.

NAYS -- Hammond. Total -- 1.

Absent and excused -- Bell, Crow, Cuddy, Gagner, Gould, Hansen, Kellogg, Marley, Pischner, Ridinger. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1022** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1023 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Clark to open debate.

The question being, "Shall **S 1023** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kendell, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Crow, Gould, Kellogg, Kunz, Pischner. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1023** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1043, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Montgomery to open debate.

The question being, "Shall **S 1043**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Young(Young), Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Kellogg, Pischner, Wood. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1043**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1053 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Moss to open debate.

The question being, "Shall **S 1053** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Hornbeck, Jaquet, Jones, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 61.

NAYS -- Bieter, Henbest(Farley). Total -- 2.

Absent and excused -- Campbell, Higgins, Kellogg, Montgomery, Pischner, Roberts, Smith. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1053** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1120 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Moss to open debate.

At this time, Mr. Cuddy took the Chair.

The question being, "Shall **S 1120** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Shepherd, Stevenson, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 59.

NAYS -- Ellis, Harwood, McKague, Moyle, Smylie. Total -- 5.

Absent and excused -- Campbell, Kellogg, Pischner, Sellman, Smith, Stone. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1120** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 317, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Moss to open debate.

The question being, "Shall **H 317**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Shepherd, Smylie, Stevenson, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Pischner, Sellman, Smith, Stone. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 317**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

H 35, as amended, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Deal to open debate.

The question being, "Shall **H 35**, as amended, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 64.

NAYS -- McKague. Total -- 1.

Absent and excused -- Bruneel, Loertscher, Marley, Smith, Stevenson. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 35**, as amended, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

H 47, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Hornbeck to open debate.

The question being, "Shall **H 47**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Black, Boe, Bolz, Bradford, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Eskridge, Field(13), Field(20), Gould, Hadley, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 58.

NAYS -- Barrett, Bieter, Callister, Hammond, Sali, Schaefer. Total -- 6.

Absent and excused -- Bruneel, Ellsworth, Gagner, Loertscher, Moyle, Smith. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 47**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

S 1114, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Hammond to open debate.

The question being, "Shall **S 1114**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bieter, Black, Boe, Bradford, Bruneel, Callister, Chase, Collins, Crow, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(13), Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Jones, Kunz, Langford, Loertscher, Mader, Marley, Montgomery, Mortensen, Moss, Raybould, Robison, Sali, Schaefer, Smith, Smylie, Stone, Tilman, Trail, Young(Young). Total -- 42.

NAYS -- Bedke, Bell, Bolz, Campbell, Clark, Ellis, Field(20), Gagner, Gould, Hornbeck, Jaquet, Kellogg, Kendell, Lake, McKague, Meyer, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Shepherd, Stevenson. Total -- 24.

Absent and excused -- Sellman, Wheeler, Wood, Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1114**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1210 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bradford to open debate.

The question being, "Shall **S 1210** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Young(Young). Total -- 65.

NAYS -- None.

Absent and excused -- Bieter, Pischner, Wheeler, Wood, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1210** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1105, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. McKague to open debate.

The question being, "Shall **S 1105**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Young(Young). Total -- 64.

NAYS -- None.

Absent and excused -- Lake, Moyle, Pischner, Wheeler, Wood, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1105**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

At this time, the Speaker took the Chair.

Mr. Bruneel moved that the House recess until 4:15 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 4:15 p.m.

RECESS

The House reconvened at 4:15 p.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Bruneel asked unanimous consent that **H 373** retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **SJM 107** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **SJM 107** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 67.

NAYS -- Meyer. Total -- 1.

Absent and excused -- Crow, Hadley. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **SJM 107** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **SJM 107** be adopted?"

Whereupon the Speaker declared **SJM 107** adopted by voice vote and ordered the memorial returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **SJM 108** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **SJM 108** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 67.

NAYS -- Meyer. Total -- 1.

Absent and excused -- Crow, Hadley. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **SJM 108** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Langford to open debate.

The question being, "Shall **SJM 108** be adopted?"

Whereupon the Speaker declared **SJM 108** adopted by voice vote and ordered the memorial returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **SJM 109** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **SJM 109** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 67.

NAYS -- Meyer. Total -- 1.

Absent and excused -- Crow, Hadley. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **SJM 109** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Marley to open debate.

The question being, "Shall **SJM 109** be adopted?"

Whereupon the Speaker declared **SJM 109** adopted by voice vote and ordered the memorial returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **SCR 114** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **SCR 114** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 67.

NAYS -- Meyer. Total -- 1.

Absent and excused -- Crow, Hadley. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **SCR 114** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **SCR 114** be adopted?"

Roll call resulted as follows:

AYES -- Bell, Bieter, Black, Boe, Chase, Cuddy, Denney, Eskridge, Henbest(Farley), Jaquet, Jones, Marley, Ridinger, Robison, Shepherd, Smylie, Trail. Total -- 17.

NAYS -- Barraclough, Barrett, Bedke, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Deal, Ellis, Ellsworth, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Higgins, Hornbeck, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pomeroy, Raybould, Roberts, Sali, Schaefer, Sellman, Smith, Stevenson, Stone, Tilman, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 51.

Absent and excused -- Crow, Pischner. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **SCR 114** failed to be adopted and ordered the resolution returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1106** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1106** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 67.

NAYS -- Meyer. Total -- 1.

Absent and excused -- Crow, Hadley. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1106** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McKague to open debate.

The question being, "Shall **S 1106** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Crow, Jones. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1106** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1193**, as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1193**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 67.

NAYS -- Meyer. Total -- 1.

Absent and excused -- Crow, Hadley. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1193**, as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Kellogg to open debate.

The question being, "Shall **S 1193**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Campbell, Clark, Collins, Cuddy, Deal, Denney, Ellsworth, Field(13), Field(20), Gagner, Gould, Hadley, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Mortensen, Moss, Pischner, Pomeroy, Raybould, Roberts, Robison, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Young(Young), Mr. Speaker. Total -- 53.

NAYS -- Barrett, Bruneel, Callister, Ellis, Eskridge, Hammond, McKague, Montgomery, Moyle, Pearce, Ridinger, Sali, Smith, Wood. Total -- 14.

Absent and excused -- Chase, Crow, Schaefer. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1193**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1139** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1139** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 67.

NAYS -- Meyer. Total -- 1.

Absent and excused -- Crow, Hadley. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1139** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kunz to open debate.

The question being, "Shall **S 1139** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bieter, Black, Boe, Bradford, Chase, Collins, Cuddy, Deal, Ellsworth, Field(13), Gould, Hadley, Hansen, Harwood, Henbest(Farley), Hornbeck, Kellogg, Kunz, Mader, Marley, Montgomery, Pischner, Pomeroy, Robison, Sellman, Shepherd, Smylie, Stevenson, Trail, Young(Young), Mr. Speaker. Total -- 33.

NAYS -- Barrett, Bell, Bolz, Bruneel, Callister, Campbell, Clark, Crow, Denney, Ellis, Eskridge, Field(20), Gagner, Hammond, Higgins, Jaquet, Jones, Kendell, Lake, Langford, Loertscher, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Raybould, Ridinger, Roberts, Sali, Schaefer, Smith, Stone, Tilman, Wheeler, Wood. Total -- 37.

Total -- 70.

Whereupon the Speaker declared **S 1139** failed to pass the House and ordered the bill returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1177** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1177** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 67.

NAYS -- Meyer. Total -- 1.

Absent and excused -- Crow, Hadley. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1177** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Pomeroy to open debate.

The question being, "Shall **S 1177** pass?"

Roll call resulted as follows:

AYES -- Bieter, Boe, Cuddy, Hadley, Henbest(Farley), Kellogg, Kunz, Pischner, Pomeroy, Robison, Shepherd, Smith, Smylie. Total -- 13.

NAYS -- Barraclough, Barrett, Bedke, Bell, Black, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hammond, Hansen, Harwood, Higgins, Hornbeck, Jaquet, Jones, Kendell, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Raybould, Ridinger, Roberts, Sali, Schaefer, Sellman, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 57.

Total -- 70.

Whereupon the Speaker declared **S 1177** failed to pass the House and ordered the bill returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1075** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1075** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 67.

NAYS -- Meyer. Total -- 1.

Absent and excused -- Crow, Hadley. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1075** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ridinger to open debate.

The question being, "Shall **S 1075** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Black, Boe, Bolz, Bradford, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, McKague, Meyer, Montgomery, Mortensen, Moss, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stone, Trail, Wood, Young(Young), Mr. Speaker. Total -- 56.

NAYS -- Bell, Bruneel, Callister, Chase, Gould, Hansen, Kendell, Marley, Moyle, Stevenson, Tilman, Wheeler. Total -- 12.

Absent and excused -- Bieter, Smith. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1075** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1178** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1178** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 67.

NAYS -- Meyer. Total -- 1.

Absent and excused -- Crow, Hadley. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1178** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **S 1178** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moyle, Pearce, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 63.

NAYS -- Chase, Meyer, Pischner. Total -- 3.

Absent and excused -- Crow, Hornbeck, Moss, Smith. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1178** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **SCR 118** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **SCR 118** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 67.

NAYS -- Meyer. Total -- 1.

Absent and excused -- Crow, Hadley. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **SCR 118** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ellsworth to open debate.

The question being, "Shall **SCR 118** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins,

Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Kunz, Moyle. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **SCR 118** adopted and ordered the resolution returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1253** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1253** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 67.

NAYS -- Meyer. Total -- 1.

Absent and excused -- Crow, Hadley. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1253** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sali to open debate.

The question being, "Shall **S 1253** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Black, Kunz. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1253** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1259** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1259** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 67.

NAYS -- Meyer. Total -- 1.

Absent and excused -- Crow, Hadley. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1259** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(20) to open debate.

The question being, "Shall **S 1259** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Cuddy. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1259** passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 9:30 a.m., Thursday, March 29, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 5:35 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

EIGHTY-FIRST LEGISLATIVE DAY
THURSDAY, MARCH 29, 2001

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Josie Noah, Page.

Approval of Journal

March 29, 2001

Mr. Speaker:
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eightieth Legislative Day and recommend that same be adopted as corrected. GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

March 26, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:
I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 43, H 174, H 205, and **H 294**

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

March 28, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:
I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 24, as amended, **H 52, H 70, H 74, H 155, H 292, H 306, H 307, H 316, H 321**, as amended, **H 352, H 353**, and **H 365**

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

March 28, 2001

Mr. Speaker:
I transmit herewith enrolled **S 1040**, as amended, as amended, **S 1067**, as amended, **S 1077**, as amended, **S 1116**, as amended, **S 1156**, as amended, **S 1258, S 1014**, as amended, **S 1031, S 1032, S 1033, S 1059, S 1118, S 1157**, as amended, **S 1158**, as amended, **S 1191, S 1243, S 1244, S 1245, S 1246, S 1247, S 1248, S 1251**, and **S 1252** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1040**, as amended, as amended, **S 1067**, as amended, **S 1077**, as amended, **S 1116**, as amended, **S 1156**, as amended, **S 1258, S 1014**, as amended, **S 1031, S 1032, S 1033, S 1059, S 1118, S 1157**, as amended, **S 1158**, as amended, **S 1191, S 1243, S 1244, S 1245, S 1246, S 1247, S 1248, S 1251**, and **S 1252** and, when so signed, ordered them returned to the Senate.

March 28, 2001

Mr. Speaker:
I return herewith enrolled **H 211**, as amended, **H 269, H 327, H 192**, as amended, **H 315**, as amended, **H 330, H 341, H 342, H 176**, as amended in the Senate, **H 144**, as amended in the Senate, **H 237**, as amended in the Senate, **H 206**, as amended in the Senate, **H 343, H 344, H 301, H 334, H 231, H 335, H 336, H 367, H 366, H 371, H 372, H 348, H 242**, as amended, **H 375, H 282**, as amended, **H 376, H 210, H 238**, as amended, **H 305**, as amended, and **H 374** which have been signed by the President.

WOOD, Secretary

Enrolled **H 211**, as amended, **H 269, H 327, H 192**, as amended, **H 315**, as amended, **H 330, H 341, H 342, H 176**, as amended in the Senate, **H 144**, as amended in the Senate, **H 237**, as amended in the Senate, **H 206**, as amended in the Senate, **H 343, H 344, H 301, H 334, H 231, H 335, H 336, H 367, H 366, H 371, H 372, H 348, H 242**, as amended, **H 375, H 282**, as amended, **H 376, H 210, H 238**, as amended, **H 305**, as amended, and **H 374** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 28, 2001

Mr. Speaker:

I transmit herewith **S 1263, S 1264, S 1265, S 1266, S 1267, S 1268, S 1269**, and **S 1270** which have passed the Senate.

WOOD, Secretary

S 1263, S 1264, S 1265, S 1266, S 1267, S 1268, S 1269, and **S 1270** were filed for first reading.

March 28, 2001

Mr. Speaker:

I return herewith **HCR 35, H 364, H 369, H 359, HCR 31, H 378, H 347**, as amended, **H 337, H 110, H 80, H 299**, and **H 312**, as amended, which have passed the Senate.

WOOD, Secretary

HCR 35, H 364, H 369, H 359, HCR 31, H 378, H 347, as amended, **H 337, H 110, H 80, H 299**, and **H 312**, as amended, were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 28, 2001

Mr. Speaker:

I return herewith **H 377**, as amended in the Senate, which has passed the Senate.

WOOD, Secretary

H 377, as amended in the Senate, was ordered held at the Desk.

Mrs. Crow asked unanimous consent that the House concur in the Senate amendments to **H 377**. There being no objection, it was so ordered.

H 377, as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

At this time Mr. Denney took the Chair.

Report of Standing Committees

March 29, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 380, H 381, H 382**, and House amendments to **S 1057, S 1212, S 1213, S 1215**, and **S 1216**.

GOULD, Chairman

H 380, H 381, and **H 382** were filed for second reading.

March 29, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 317**, as amended in the Senate, **H 35**, as amended, as amended in the Senate, **H 47**, as amended in the Senate, **HCR 35, H 364, H 369, H 359, HCR 31, H 378, H 347**, as amended, **H 337, H 110, H 80, H 299**, and **H 312**, as amended.

GOULD, Chairman

The Speaker Pro Tem announced that enrolled **H 317**, as amended in the Senate, **H 35**, as amended, as amended in the Senate, **H 47**, as amended in the Senate, **HCR 35, H 364, H 369, H 359, HCR 31, H 378, H 347**, as amended, **H 337, H 110, H 80, H 299**, and **H 312**, as amended, would be signed by the Speaker, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 29, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 326**, as amended, as amended in the Senate, and **H 356**, as amended in the Senate.

GOULD, Chairman

H 326, as amended, as amended in the Senate, and **H 356**, as amended in the Senate, were filed for first reading of engrossed bills.

March 28, 2001

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **S 1260** and recommend that it do pass.

JONES, Chairman

S 1260 was filed for second reading.

March 28, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1199** and report it back with amendments attached to be placed on General Orders for consideration.

GOULD, Chairman

S 1199 was placed on General Orders for consideration.

March 29, 2001

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 87** and **H 88** and recommend that they do pass.

CROW, Chairman

H 87 and **H 88** were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 383
BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO RENTAL OF STORAGE WATER TO AUGMENT RIVER FLOWS TO AID SALMON MIGRATION; AMENDING SECTION 42-1763B, IDAHO CODE, TO REVISE FINDINGS AND INTENT OF THE LEGISLATURE, TO AUTHORIZE THE U.S. BUREAU OF RECLAMATION TO RELEASE WATER IN 2001 UNDER LIMITED CONDITIONS, TO PROVIDE NECESSARY DATE CHANGES AND TO MOVE THE SUNSET CLAUSE BACK ONE YEAR; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 384
BY WAYS AND MEANS COMMITTEE
AN ACT

RELATING TO DAYLIGHT SAVING TIME; AMENDING CHAPTER 1, TITLE 73, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 73-123, IDAHO CODE, TO PROVIDE THAT A SPECIFIED PORTION OF THE STATE OF IDAHO SHALL BE EXEMPTED FROM THE DAYLIGHT SAVING TIME PROVISIONS OF FEDERAL LAW; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 385
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO INCOME TAX RELIEF; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3081, IDAHO CODE, TO PROVIDE A REBATE OF INCOME TAXES PAID BY INDIVIDUALS FOR TAXABLE YEARS BEGINNING IN 1999, TO DETERMINE THE RATE OF THE REBATE, TO SET MAXIMUM AND MINIMUM AMOUNTS, TO PROVIDE PROCEDURES, TO APPROPRIATE MONEYS AND TO AUTHORIZE CONTRACTS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 386
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO INCOME TAXATION; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3022Q, IDAHO CODE, TO PROVIDE FOR A DEDUCTION OF CAPITAL GAINS FOR QUALIFYING TAXPAYERS, TO PROVIDE LIMITATION, TO DEFINE TERMS AND TO PROVIDE PROCEDURES; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 387
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO CERTAIN CREDITS AND REFUNDS AND SALES AND USE TAX; AMENDING SECTION 63-3024A, IDAHO CODE, TO INCREASE INCOME TAX CREDITS, REFUNDS AND PAYMENTS FROM THE REFUND FUND FOR CERTAIN RESIDENTS AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 63-3024A, IDAHO CODE; AMENDING CHAPTER 30, TITLE 63, BY THE ADDITION OF A NEW SECTION 63-3024A, IDAHO CODE, TO PROVIDE FOR CERTAIN TAX CREDITS AND REFUNDS; REPEALING SECTION 63-3024A, IDAHO CODE; AMENDING SECTION 63-3029F, IDAHO CODE, TO STRIKE A CODE REFERENCE; AMENDING SECTION 63-3619, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM SALES TAX FOR CERTAIN FOOD SOLD FOR HUMAN CONSUMPTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3621, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM USE TAX FOR CERTAIN FOOD SOLD FOR HUMAN CONSUMPTION; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE FOR AN INCREASE IN THE PERCENTAGE OF APPROPRIATED FUNDS DISTRIBUTED TO THE REVENUE SHARING ACCOUNT AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY, PROVIDING FOR RETROACTIVE APPLICATION AND PROVIDING EFFECTIVE DATES.

H 383, H 384, H 385, H 386, and **H 387** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1263, S 1264, S 1265, S 1266, S 1267, S 1268, S 1269, S 1270, S 1212, as amended in the House, **S 1213**, as amended in the House, **S 1215**, as amended in the House, and **S 1216**, as amended in the House, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

S 1057, as amended in the House, by Local Government and Taxation Committee, was introduced, read the first time by title, and filed for second reading.

First Reading of Engrossed Bills

H 326, as amended, as amended in the Senate, by Education Committee, was introduced, read the first time by title and filed for second reading.

H 356, as amended in the Senate, by State Affairs Committee, was introduced, read the first time by title and filed for second reading.

Second Reading of Bills and Joint Resolutions

S 1261 and **S 1262**, by Finance Committee, were read the second time by title and filed for third reading.

H 169, as amended, as amended in the Senate, and **H 262**, as amended, as amended in the Senate, by Agricultural Affairs Committee, were read the second time by title and filed for third reading.

H 280, as amended in the Senate, by State Affairs Committee, was read the second time by title and filed for third reading.

H 121, as amended in the Senate, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

S 1237, having previously been read the third time at length, was placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Robison to open debate.

The question being, "Shall **S 1237** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Deal, Denney, Ellis, Ellsworth, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Henbest(Farley), Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Pischner, Pomeroy,

Ridinger, Roberts, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Trail, Young(Young). Total -- 53.

NAYS -- Pearce, Tilman. Total -- 2.

Absent and excused -- Bell, Crow, Cuddy, Eskridge, Harwood, Jones, Loertscher, Mader, Moyle, Raybould, Sali, Stevenson, Wheeler, Wood, Mr. Speaker. Total -- 15.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1237** passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

March 29, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 383, H 384, H 385, H 386**, and **H 387**.

GOULD, Chairman

H 383, H 384, H 385, H 386, and **H 387** were filed for second reading.

March 29, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 377**, as amended in the Senate.

GOULD, Chairman

H 377, as amended in the Senate, was filed for first reading of engrossed bills.

There being no objection, the House advanced to the Ninth Order of Business.

First Reading of Engrossed Bills

H 377, as amended in the Senate, by Revenue and Taxation Committee, was introduced, read the first time by title and filed for second reading.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 280**, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 280**, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Henbest(Farley), Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Tilman, Trail, Young(Young). Total -- 60.

NAYS -- None.

Absent and excused -- Cuddy, Eskridge, Harwood, Jones, Mader, Raybould, Stevenson, Wheeler, Wood, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 280**, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Campbell to open debate.

The question being, "Shall **H 280**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Henbest(Farley), Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Tilman, Trail, Young(Young). Total -- 60.

NAYS -- None.

Absent and excused -- Cuddy, Eskridge, Harwood, Jones, Mader, Raybould, Stevenson, Wheeler, Wood, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 280**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 382** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 382** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Henbest(Farley), Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Tilman, Trail, Young(Young). Total -- 60.

NAYS -- None.

Absent and excused -- Cuddy, Eskridge, Harwood, Jones, Mader, Raybould, Stevenson, Wheeler, Wood, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 382** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Collins to open debate.

The question being, "Shall **H 382** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Boe, Bolz, Bradford, Callister, Collins, Crow, Deal, Denney, Ellis, Field(13), Field(20), Gould, Hadley, Henbest(Farley), Hornbeck, Kellogg, Kunz, Langford, Marley, McKague, Meyer, Montgomery, Moyle, Pischner, Pomeroy, Ridinger, Roberts, Robison, Schaefer, Sellman, Shepherd, Smylie, Stone, Tilman, Trail, Young(Young). Total -- 41.

NAYS -- Bieter, Bruneel, Campbell, Chase, Clark, Ellsworth, Gagner, Hammond, Hansen, Higgins, Jaquet, Kendell, Lake, Loertscher, Mortensen, Moss, Pearce, Sali, Smith. Total -- 19.

Absent and excused -- Cuddy, Eskridge, Harwood, Jones, Mader, Raybould, Stevenson, Wheeler, Wood, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 382** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 380** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 380** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Henbest(Farley), Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Tilman, Trail, Young(Young). Total -- 60.

NAYS -- None.

Absent and excused – Cuddy, Eskridge, Harwood, Jones, Mader, Raybould, Stevenson, Wheeler, Wood, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 380** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bedke and Mr. Roberts to open debate.

The question being, "Shall **H 380** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bolz, Bruneel, Callister, Crow, Denney, Ellis, Ellsworth, Field(13), Gould, Hammond, Hornbeck, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Mortensen, Moyle, Pearce, Roberts, Sali, Schaefer, Smith, Smylie, Tilman. Total -- 30.

NAYS -- Bell, Bieter, Black, Boe, Bradford, Campbell, Chase, Clark, Collins, Deal, Field(20), Gagner, Hadley, Hansen, Henbest(Farley), Higgins, Jaquet, Kellogg, Marley, Meyer, Montgomery, Moss, Pischner, Pomeroy, Ridinger, Robison, Sellman, Shepherd, Stone, Trail, Young(Young). Total -- 31.

Absent and excused -- Cuddy, Eskridge, Harwood, Jones, Raybould, Stevenson, Wheeler, Wood, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 380** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1057**, as amended in the House, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1057**, as amended in the House, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Henbest(Farley), Higgins,

Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Tilman, Trail, Young(Young). Total -- 60.

NAYS -- None.

Absent and excused -- Cuddy, Eskridge, Harwood, Jones, Mader, Raybould, Stevenson, Wheeler, Wood, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1057**, as amended in the House, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Black to open debate.

The question being, "Shall **S 1057**, as amended in the House, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hansen, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Mader, Marley, Meyer, Montgomery, Moss, Moyle, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Young(Young). Total -- 56.

NAYS -- Barrett, Hammond, Lake, Langford, Loertscher, McKague, Mortensen, Pearce, Sali, Wood. Total -- 10.

Absent and excused – Ellis, Jones, Wheeler, Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1057**, as amended in the House, passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Tilman asked unanimous consent that **H 326**, as amended, as amended in the Senate, be returned to the Education Committee. There being no objection, it was so ordered.

Mrs. Bell asked unanimous consent that **S 1212**, as amended in the House, **S 1213**, as amended in the House, **S 1215**, as amended in the House, **S 1216**, as amended in the House, and **S 1270** be returned to the Appropriations Committee. There being no objection, it was so ordered.

Mr. Bruneel moved that the House recess until 1:15 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House at recess until 1:15 p.m.

RECESS

Afternoon Session

The House reconvened at 1:15 p.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused -- Campbell. Total -- 1.
Total -- 70.

Prior to recess, the House was at the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Hansen, having voted on the prevailing side, served notice that he may ask for reconsideration of the vote by which **H 380** failed the House.

H 380 was ordered held at the Desk.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 385** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 385** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total - 68.

NAYS -- None.

Absent and excused -- Campbell, Crow. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 385** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Crow to open debate.

The question being, "Shall **H 385** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Black, Bolz, Bradford, Bruneel, Callister, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hammond, Hansen, Harwood, Hornbeck, Kellogg, Kunz, Langford, Mader, McKague, Montgomery, Moss, Moyle,

Pischner, Pomeroy, Raybould, Ridinger, Roberts, Sali, Schaefer, Smylie, Stevenson, Stone, Tilman, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 43.

NAYS -- Barrett, Bedke, Bell, Bieter, Boe, Chase, Clark, Gagner, Hadley, Henbest(Farley), Higgins, Jaquet, Jones, Kendell, Lake, Loertscher, Marley, Meyer, Mortensen, Pearce, Robison, Sellman, Shepherd, Smith, Trail. Total -- 25.

Absent and excused -- Campbell, Cuddy. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 385** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 356**, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 356**, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Campbell, Crow. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 356**, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Crow to open debate.

The question being, "Shall **H 356**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Crow, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Robison, Sali, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Trail, Wheeler, Young(Young), Mr. Speaker. Total -- 61.

NAYS -- Barrett, McKague, Ridinger, Roberts, Schaefer, Tilman, Wood. Total -- 7.

Absent and excused -- Campbell, Cuddy. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 356**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 383** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 383** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Campbell, Crow. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 383** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wheeler to open debate.

The question being, "Shall **H 383** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Campbell, Crow. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 383** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 384** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 384** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Campbell, Crow. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 384** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **H 384** pass?"

Roll call resulted as follows:

AYES -- Barrett, Bieter, Cuddy, Denney, Gould, Henbest(Farley), Higgins, Hornbeck, Jaquet, Langford, Loertscher, McKague, Moss, Moyle, Pearce, Pischner, Sali, Stone, Wood, Young(Young), Mr. Speaker. Total -- 21.

NAYS -- Barraclough, Bedke, Bell, Black, Boe, Bolz, Bradford, Callister, Chase, Clark, Collins, Deal, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Hansen, Harwood, Jones, Kellogg, Kendell, Kunz, Lake, Marley, Meyer, Montgomery, Mortensen, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Tilman, Trail, Wheeler. Total -- 45.

Absent and excused -- Bruneel, Campbell, Crow, Mader. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 384** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 386** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 386** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Campbell, Crow. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 386** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Gould and Mr. Cuddy to open debate.

The question being, "Shall **H 386** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Black, Bolz, Bradford, Callister, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 56.

NAYS -- Bieter, Boe, Chase, Henbest(Farley), Marley, Robison. Total -- 6.

Absent and excused -- Bell, Bruneel, Campbell, Clark, Crow, Lake, Mader, Montgomery. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **H 386** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 387** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 387** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Campbell, Crow. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 387** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hansen to open debate.

The question being, "Shall **H 387** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bieter, Black, Boe, Bolz, Bradford, Callister, Chase, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 60.

NAYS -- Stevenson. Total -- 1.

Absent and excused -- Bell, Bruneel, Campbell, Clark, Crow, Gould, Lake, Mader, Montgomery. Total -- 9.

Total -- 70.

Whereupon the Speaker declared **H 387** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 87** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 87** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Campbell, Crow. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 87** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **H 87** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Black, Bolz, Bradford, Bruneel, Callister, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 55.

NAYS -- Bieter, Boe, Chase, Henbest(Farley), Marley, Robison. Total -- 6.

Absent and excused -- Bell, Campbell, Clark, Crow, Hansen, Higgins, Lake, Mader, Montgomery. Total -- 9.

Total -- 70.

Whereupon the Speaker declared **H 87** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 88** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 88** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali,

Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Campbell, Crow. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 88** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **H 88** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Boe, Bolz, Bradford, Bruneel, Callister, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Roberts, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 57.

NAYS -- Bieter, Chase, Henbest(Farley), Marley, Ridinger, Robison. Total -- 6.

Absent and excused -- Campbell, Clark, Crow, Hansen, Lake, Mader, Montgomery. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 88** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 377**, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 377**, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Campbell, Crow. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 377**, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **H 377**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Marley, McKague, Meyer, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Campbell, Crow, Field(20), Higgins, Mader, Montgomery, Mortensen, Sellman. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **H 377**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 373 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Bell to open debate.

The question being, "Shall **H 373** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bell, Bieter, Black, Boe, Bolz, Bruneel, Chase, Clark, Collins, Cuddy, Deal, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Hadley, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Mader, Marley, Meyer, Mortensen, Moss, Moyle, Pischner, Pomeroy, Raybould, Robison, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Trail, Young(Young). Total -- 49.

NAYS -- Barrett, Bedke, Bradford, Callister, Denney, Gould, Hammond, Langford, Loertscher, McKague, Pearce, Ridinger, Roberts, Sali, Tilman, Wheeler, Wood, Mr. Speaker. Total -- 18.

Absent and excused -- Campbell, Crow, Montgomery. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 373** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

SJM 106 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cuddy to open debate.

The question being, "Shall **SJM 106** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Chase, Clark, Collins, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Campbell, Crow, Montgomery. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **SJM 106** adopted and ordered the memorial returned to the Senate.

S 1255 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **S 1255** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Chase, Cuddy, Deal, Denney, Ellsworth, Eskridge, Field(13), Gould, Hammond, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kunz, Langford, Mader, Marley, McKague, Meyer, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Robison, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Mr. Speaker. Total -- 45.

NAYS -- Barrett, Callister, Clark, Collins, Ellis, Field(20), Gagner, Hadley, Hansen, Harwood, Henbest(Farley), Kendell, Lake, Loertscher, Ridinger, Roberts, Sali, Schaefer, Smith, Wheeler, Wood, Young(Young). Total -- 22.

Absent and excused -- Campbell, Crow, Montgomery. Total -- 3.

Paired Vote:

AYE -- Kellogg NAY -- Clark

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **S 1255** passed the House. Title was approved and the bill was ordered returned to the Senate.

Consideration of General Orders

Mr. Bruneel moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Denney in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

March 29, 2001

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **S 1199** and report it back without recommendation, amended as follows:

HOUSE AMENDMENT TO S 1199

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 13, following "highway" insert: "other than a state or federal highway"; in line 14, delete "allowed" and insert: "authorized"; and also in line 14, following "so" insert: "in writing".

HOUSE AMENDMENT TO S 1199

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 15, following "way" insert: ", and provided further, that any such authorization shall not be valid for more than one (1) year from the date of issuance".

CORRECTION TO TITLE

On page 1, in line 5 following "WAY" insert: "AND TO PROVIDE A LIMITATION OF TIME FOR AN AUTHORIZATION".

We have also had under consideration **H 362**, report progress and beg leave to sit again.

DENNEY, Chairman

Mr. Denney moved that the report be adopted. Seconded by Mr. Bruneel.

Whereupon the Speaker declared the report adopted.

S 1199, as amended in the House, was filed for first reading.

H 362 was retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

Miscellaneous and Unfinished Business

Notice having been served and having voted on the prevailing side, Mr. Hansen moved that the House now reconsider the vote by which **H 380** failed the House. Seconded by Mr. Bedke.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Bolz, Bradford, Bruneel, Callister, Chase, Collins, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hammond,

Hansen, Harwood, Higgins, Hornbeck, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Mortensen, Moss, Moyle, Pearce, Pischner, Raybould, Roberts, Sali, Schaefer, Smith, Smylie, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 46.

NAYS -- Black, Boe, Cuddy, Gagner, Hadley, Henbest(Farley), Jaquet, Jones, Kellogg, Marley, Meyer, Pomeroy, Ridinger, Robison, Sellman, Shepherd, Stevenson, Stone, Trail. Total -- 19.

Absent and excused -- Campbell, Clark, Crow, Montgomery, Tilman. Total -- 5.

Total -- 70.

Whereupon the Speaker declared the motion to reconsider carried.

The question being, "Shall **H 380** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bolz, Bradford, Bruneel, Callister, Collins, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gould, Hammond, Hansen, Harwood, Hornbeck, Kendell, Kunz, Lake, Langford, Loertscher, Mader, McKague, Mortensen, Moss, Moyle, Pearce, Raybould, Roberts, Sali, Schaefer, Smylie, Tilman, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 40.

NAYS -- Bell, Bieter, Black, Boe, Chase, Cuddy, Deal, Gagner, Hadley, Henbest(Farley), Higgins, Jaquet, Jones, Kellogg, Marley, Meyer, Pischner, Pomeroy, Ridinger, Robison, Sellman, Shepherd, Smith, Stevenson, Stone, Trail. Total -- 26.

Absent and excused -- Campbell, Clark, Crow, Montgomery. Total -- 4.

Paired Vote:

AYE -- Tilman NAY -- Bell

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 380** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

March 29, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed House amendments to **S 1199**.

GOULD, Chairman

March 29, 2001

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **SCR 116** and **SCR 117** and recommend that they do pass.

WHEELER, Chairman

SCR 116 and **SCR 117** were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1199, as amended in the House, by Judiciary and Rules Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House adjourn until 9 a.m., Friday, March 30, 2001. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 6:41 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

EIGHTY-SECOND LEGISLATIVE DAY
FRIDAY, MARCH 30, 2001

House of Representatives

The House convened at 9 a.m., the Speaker in the Chair.

Roll call showed 63 members present.

Absent and excused -- Callister, Campbell, Crow, Ellis, Ellsworth, Pearce, Smith. Total -- 7.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

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

Approval of Journal

March 30, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighty-first Legislative Day and recommend that same be adopted as corrected.

GOULD, Chairman

Ms. Gould moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

March 28, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 351

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

March 29, 2001

Mr. Speaker:

I transmit herewith enrolled **S 1022, S 1023, S 1043**, as amended, **S 1053, S 1075, S 1105**, as amended, **S 1106, S 1114**, as amended, **S 1120, S 1140**, as amended, **S 1178, S 1193**, as amended, **S 1210, S 1253, S 1257, S 1259, SCR 118, SJM 107, SJM 108**, and **SJM 109** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1022, S 1023, S 1043**, as amended, **S 1053, S 1075, S 1105**, as amended, **S 1106, S 1114**, as amended, **S 1120, S 1140**, as amended, **S 1178, S 1193**, as amended, **S 1210, S 1253, S 1257, S 1259, SCR 118, SJM 107, SJM 108**, and **SJM 109** and, when so signed, ordered them returned to the Senate.

March 29, 2001

Mr. Speaker:

I return herewith enrolled **H 317**, as amended in the Senate, **H 35**, as amended, as amended in the Senate, **H 47**, as amended in the Senate, **HCR 35, H 364, H 369, H 359, HCR 31, H 378, H 347**, as amended, **H 337, H 110, H 80, H 299**, and **H 312**, as amended, which have been signed by the President.

WOOD, Secretary

Enrolled **H 317**, as amended in the Senate, **H 35**, as amended, as amended in the Senate, **H 47**, as amended in the Senate, **H 364, H 369, H 359, H 378, H 347**, as amended, **H 337, H 110, H 80, H 299**, and **H 312**, as amended, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled **HCR 35** and **HCR 31** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 29, 2001

Mr. Speaker:

I transmit herewith **S 1271, S 1272, S 1273, S 1274**, and **S 1275** which have passed the Senate.

WOOD, Secretary

S 1271, S 1272, S 1273, S 1274, and **S 1275** were filed for first reading.

March 29, 2001

Mr. Speaker:

I return herewith **HJM 5** which has passed the Senate.

WOOD, Secretary

HJM 5 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 29, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 280**, as amended in the Senate, **H 356**, as amended in the Senate, **H 377**, as amended in the Senate, and **HJM 5**.

GOULD, Chairman

The Speaker announced he was about to sign enrolled **H 280**, as amended in the Senate, **H 356**, as amended in the Senate, **H 377**, as amended in the Senate, and **HJM 5**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 30, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 211**, as amended, **H 269, H 327, H 192**, as amended, **H 315**, as amended, **H 330, H 341, H 342, H 176**, as amended in the Senate, **H 144**, as amended in the Senate, **H 237**, as amended in the Senate, **H 206**, as amended in the Senate, **H 343, H 344, H 301, H 334, H 231, H 335, H 336, H 367, H 366, H 371, H 372, H 348, H 242**, as amended, **H 375, H 282**, as amended, **H 376, H 210, H 238**, as amended, **H 305**, as amended, and **H 374** to the Governor at 10:50 a.m., as of this date, March 29, 2001.

GOULD, Chairman

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1271, S 1272, S 1273, S 1274, and **S 1275**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 381, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

S 1260, SCR 116, and **SCR 117**, by State Affairs Committee, were read the second time by title and filed for third reading.

S 1263, S 1264, S 1265, S 1266, S 1267, S 1268, and **S 1269**, by Finance Committee, were read the second time by title and filed for third reading.

S 1199, as amended in the House, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 381** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 381** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Chase, Clark, Collins, Cuddy, Deal, Denney, Eskridge, Field(13), Gagner, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pischner, Pomeroy, Raybould, Ridinger, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 59.

NAYS -- None.

Absent and excused -- Callister, Campbell, Crow, Ellis, Ellsworth, Field(20), Gould, Kendell, Pearce, Roberts, Smith. Total -- 11.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 381** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cuddy to open debate.

The question being, "Shall **H 381** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Boe, Bolz, Bradford, Bruneel, Chase, Collins, Cuddy, Deal, Denney, Eskridge, Field(13), Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pischner, Pomeroy, Raybould, Ridinger, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 54.

NAYS -- Bieter, Clark, Gagner, Lake, Moss, Robison. Total -- 6.

Absent and excused -- Callister, Campbell, Crow, Ellis, Ellsworth, Field(20), Gould, Pearce, Roberts, Smith. Total -- 10.

Total -- 70.

Whereupon the Speaker declared **H 381** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1199**, as amended in the House, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1199**, as amended in the House, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Chase, Clark, Collins, Cuddy, Deal, Denney, Eskridge, Field(13), Gagner, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pischner, Pomeroy, Raybould, Ridinger, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 59.

NAYS -- None.

Absent and excused -- Callister, Campbell, Crow, Ellis, Ellsworth, Field(20), Gould, Kendell, Pearce, Roberts, Smith. Total -- 11.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1199**, as amended in the House, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bieter to open debate.

The question being, "Shall **S 1199**, as amended in the House, pass?"

Roll call resulted as follows:

AYES -- Bieter, Black, Boe, Bolz, Chase, Clark, Cuddy, Eskridge, Field(13), Field(20), Gagner, Hadley, Harwood, Henbest(Farley), Hornbeck, Jaquet, Jones, Kellogg, Kunz, Lake, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moyle, Pearce, Pischner, Pomeroy, Ridinger, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stone, Trail, Wheeler, Young(Young), Mr. Speaker. Total -- 42.

NAYS -- Barraclough, Barrett, Bedke, Bell, Bradford, Bruneel, Collins, Deal, Denney, Hammond, Hansen, Higgins, Kendell, Langford, Loertscher, Moss, Raybould, Stevenson, Tilman, Wood. Total -- 20.

Absent and excused -- Callister, Campbell, Crow, Ellis, Ellsworth, Gould, Roberts, Smith. Total -- 8.

Paired Vote:

AYE -- Pearce NAY -- Moss

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **S 1199**, as amended in the House, passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1266** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1266** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Chase, Clark, Collins, Cuddy, Deal, Denney, Eskridge, Field(13), Gagner, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pischner, Pomeroy, Raybould, Ridinger, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 59.

NAYS -- None.

Absent and excused -- Callister, Campbell, Crow, Ellis, Ellsworth, Field(20), Gould, Kendell, Pearce, Roberts, Smith. Total -- 11.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1266** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Pischner to open debate.

The question being, "Shall **S 1266** pass?"

Roll call resulted as follows:

AYES -- Bedke, Black, Boe, Bolz, Bradford, Bruneel, Chase, Clark, Collins, Deal, Denney, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Mortensen, Moss, Pischner, Pomeroy, Raybould, Ridinger, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 54.

NAYS -- Barraclough, Barrett, Bell, Cuddy. Total -- 4.

Absent and excused -- Bieter, Callister, Campbell, Crow, Ellis, Ellsworth, Montgomery, Moyle, Pearce, Roberts, Smith, Stone. Total -- 12.

Total -- 70.

Whereupon the Speaker declared **S 1266** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1275** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1275** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Chase, Clark, Collins, Cuddy, Deal, Denney, Eskridge, Field(13), Gagner, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pischner, Pomeroy, Raybould, Ridinger, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 59.

NAYS -- None.

Absent and excused -- Callister, Campbell, Crow, Ellis, Ellsworth, Field(20), Gould, Kendell, Pearce, Roberts, Smith. Total -- 11.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1275** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Pischner to open debate.

The question being, "Shall **S 1275** pass?"

Roll call resulted as follows:

AYES -- Barrett, Bedke, Bell, Black, Bolz, Bradford, Bruneel, Clark, Collins, Deal, Ellsworth, Field(13), Field(20), Gagner, Hadley, Hansen, Higgins, Hornbeck, Jones, Kellogg, Lake, Loertscher, Mader, Meyer, Montgomery, Mortensen, Moss, Pischner, Pomeroy, Sali, Sellman, Smylie, Stevenson, Tilman, Wood, Young(Young), Mr. Speaker. Total -- 37.

NAYS -- Barraclough, Bieter, Boe, Chase, Cuddy, Denney, Eskridge, Hammond, Harwood, Henbest(Farley), Jaquet, Kendell, Langford, Marley, McKague, Moyle, Pearce, Raybould, Ridinger, Robison, Schaefer, Shepherd, Trail, Wheeler. Total -- 24.

Absent and excused -- Callister, Campbell, Crow, Ellis, Gould, Kunz, Roberts, Smith, Stone. Total -- 9.

Paired Vote:

AYE -- Ellsworth NAY -- Pearce

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **S 1275** passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

S 1261 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Robison to open debate.

The question being, "Shall **S 1261** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Boe, Bruneel, Chase, Collins, Cuddy, Deal, Denney, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 53.

NAYS -- Bolz, Clark, Hornbeck, Lake, McKague, Moyle, Raybould. Total -- 7.

Absent and excused -- Black, Bradford, Callister, Campbell, Crow, Ellis, Ellsworth, Pearce, Pischner, Smith. Total -- 10.

Total -- 70.

Whereupon the Speaker declared **S 1261** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1262 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **S 1262** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Clark, Collins, Cuddy, Deal, Field(13), Field(20), Gould, Hadley, Hansen, Harwood, Higgins, Jaquet, Jones, Kellogg, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Pomeroy, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stone, Tilman, Trail, Young(Young), Mr. Speaker. Total -- 45.

NAYS -- Denney, Ellis, Ellsworth, Eskridge, Hammond, Hornbeck, Kendell, McKague, Moss, Moyle, Pearce, Raybould, Stevenson, Wheeler, Wood. Total -- 15.

Absent and excused -- Bradford, Callister, Campbell, Chase, Crow, Gagner, Henbest(Farley), Mortensen, Pischner, Smith. Total -- 10.

Paired Votes:

AYE -- Hadley NAY -- Pearce

AYE -- Jaquet NAY -- Ellsworth

AYE -- Bolz NAY -- Ellis

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **S 1262** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 169, as amended, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 169**, as amended, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Clark, Collins, Cuddy, Deal, Denney, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Moss, Moyle, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 59.

NAYS -- None.

Absent and excused -- Bradford, Callister, Campbell, Chase, Crow, Ellis, Ellsworth, Mortensen, Pearce, Pischner, Smith. Total -- 11.

Total -- 70.

Whereupon the Speaker declared **H 169**, as amended, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

H 121, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **H 121**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Bolz, Bruneel, Clark, Collins, Cuddy, Deal, Denney, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman,

Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Boe, Bradford, Callister, Campbell, Chase, Crow, Ellis, Ellsworth, Mader, Pearce, Pischner, Smith. Total -- 12.

Total -- 70.

Whereupon the Speaker declared **H 121**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

H 262, as amended, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Jones to open debate.

The question being, "Shall **H 262**, as amended, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Boe, Bolz, Bruneel, Clark, Collins, Cuddy, Deal, Field(13), Field(20), Gagner, Gould, Hadley, Hansen, Henbest(Farley), Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Marley, Montgomery, Mortensen, Moss, Pomeroy, Ridinger, Robison, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Young(Young), Mr. Speaker. Total -- 42.

NAYS -- Barrett, Denney, Eskridge, Hammond, Harwood, Higgins, Hornbeck, Loertscher, Mader, McKague, Meyer, Moyle, Raybould, Roberts, Sali, Wheeler, Wood. Total -- 17.

Absent and excused -- Black, Bradford, Callister, Campbell, Chase, Crow, Ellis, Ellsworth, Pearce, Pischner, Smith. Total -- 11.

Total -- 70.

Whereupon the Speaker declared **H 262**, as amended, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

March 30, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 317**, as amended in the Senate, **H 35**, as amended, as amended in the Senate, **H 47**, as amended in the Senate, **H 364, H 369, H 359, H 378, H 347**, as amended, **H 337, H 110, H 80, H 299**, and **H 312**, as amended, to the Governor at 9:25 a.m., as of this date, March 30, 2001.

GOULD, Chairman

March 30, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 35** and **HCR 31** to the Secretary of State at 9:30 a.m., as of this date, March 30, 2001.

GOULD, Chairman

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1260** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1260** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Chase, Deal, Denney, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 55.

NAYS -- None.

Absent and excused -- Bradford, Callister, Campbell, Clark, Collins, Crow, Cuddy, Ellis, Ellsworth, Field(20), Meyer, Pearce, Pischner, Smith, Tilman. Total -- 15.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1260** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Jones to open debate.

The question being, "Shall **S 1260** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bieter, Boe, Bolz, Bruneel, Chase, Clark, Collins, Cuddy, Deal, Denney, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer,

Sellman, Shepherd, Smylie, Stevenson, Stone, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 57.

NAYS -- None.

Absent and excused -- Bell, Black, Bradford, Callister, Campbell, Crow, Ellis, Ellsworth, Gagner, Pearce, Pischner, Smith, Tilman. Total -- 13.

Total -- 70.

Whereupon the Speaker declared **S 1260** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1263** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1263** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Chase, Deal, Denney, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 55.

NAYS -- None.

Absent and excused -- Bradford, Callister, Campbell, Clark, Collins, Crow, Cuddy, Ellis, Ellsworth, Field(20), Meyer, Pearce, Pischner, Smith, Tilman. Total -- 15.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1263** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(20) to open debate.

The question being, "Shall **S 1263** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Chase, Clark, Collins, Cuddy, Deal, Denney, Eskridge, Field(13), Field(20), Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pomeroy, Ridinger, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Trail, Wood, Young(Young), Mr. Speaker. Total -- 55.

NAYS -- None.

Absent and excused -- Bradford, Callister, Campbell, Crow, Ellis, Ellsworth, Gagner, Mader, Pearce, Pischner, Raybould, Roberts, Smith, Tilman, Wheeler. Total -- 15.

Total -- 70.

Whereupon the Speaker declared **S 1263** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1264** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1264** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Chase, Deal, Denney, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 55.

NAYS -- None.

Absent and excused -- Bradford, Callister, Campbell, Clark, Collins, Crow, Cuddy, Ellis, Ellsworth, Field(20), Meyer, Pearce, Pischner, Smith, Tilman. Total -- 15.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1264** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(20) to open debate.

At this time, Mr. Denney took the Chair.

The question being, "Shall **S 1264** pass?"

Roll call resulted as follows:

AYES -- Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Chase, Clark, Collins, Cuddy, Deal, Denney, Field(13), Field(20), Gagner, Gould, Hadley, Hansen, Henbest(Farley), Hornbeck, Jaquet, Jones, Kellogg, Kunz, Lake, Langford, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Raybould, Ridinger, Robison, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wood, Young(Young). Total -- 46.

NAYS -- Barraclough, Barrett, Eskridge, Hammond, Harwood, Higgins, Kendell, Loertscher, McKague, Sali. Total -- 10.

Absent and excused -- Bradford, Callister, Campbell, Crow, Ellis, Ellsworth, Mader, Pearce, Pischner, Pomeroy, Roberts, Smith, Wheeler, Mr. Speaker. Total -- 14.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1264** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1265** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1265** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Chase, Deal, Denney, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 55.

NAYS -- None.

Absent and excused -- Bradford, Callister, Campbell, Clark, Collins, Crow, Cuddy, Ellis, Ellsworth, Field(20), Meyer, Pearce, Pischner, Smith, Tilman. Total -- 15.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1265** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Lake to open debate.

The question being, "Shall **S 1265** pass?"

Roll call resulted as follows:

AYES -- Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Chase, Clark, Collins, Cuddy, Denney, Eskridge, Field(13), Field(20), Gagner, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pomeroy, Raybould, Ridinger, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wood, Young(Young). Total -- 54.

NAYS -- Barraclough. Total -- 1.

Absent and excused -- Bradford, Callister, Campbell, Crow, Deal, Ellis, Ellsworth, Gould, Mader, Pearce, Pischner, Roberts, Smith, Wheeler, Mr. Speaker. Total -- 15.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1265** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1267** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1267** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Chase, Deal, Denney, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 55.

NAYS -- None.

Absent and excused -- Bradford, Callister, Campbell, Clark, Collins, Crow, Cuddy, Ellis, Ellsworth, Field(20), Meyer, Pearce, Pischner, Smith, Tilman. Total -- 15.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1267** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Clark to open debate.

The question being, "Shall **S 1267** pass?"

Roll call resulted as follows:

AYES -- Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Chase, Clark, Collins, Cuddy, Deal, Denney, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pomeroy, Raybould, Ridinger, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young). Total -- 56.

NAYS -- Barraclough. Total -- 1.

Absent and excused -- Bradford, Callister, Campbell, Crow, Ellis, Ellsworth, Jones, Mader, Pearce, Pischner, Roberts, Smith, Mr. Speaker. Total -- 13.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1267** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1268** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1268** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Chase, Deal, Denney, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 55.

NAYS -- None.

Absent and excused -- Bradford, Callister, Campbell, Clark, Collins, Crow, Cuddy, Ellis, Ellsworth, Field(20), Meyer, Pearce, Pischner, Smith, Tilman. Total -- 15.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1268** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Hadley to open debate.

The question being, "Shall **S 1268** pass?"

Roll call resulted as follows:

AYES -- Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Chase, Clark, Collins, Cuddy, Deal, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Henbest(Farley), Jaquet, Jones, Kellogg, Kunz, Marley, Meyer, Montgomery, Moss, Pomeroy, Robison, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Young(Young). Total -- 38.

NAYS -- Barraclough, Barrett, Bedke, Denney, Harwood, Higgins, Hornbeck, Kendell, Langford, Loertscher, McKague, Mortensen, Moyle, Raybould, Ridinger, Sali, Schaefer, Wheeler, Wood. Total -- 19.

Absent and excused -- Callister, Campbell, Crow, Ellis, Ellsworth, Lake, Mader, Pearce, Pischner, Roberts, Sellman, Smith, Mr. Speaker. Total -- 13.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1268** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1269** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1269** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Chase, Deal, Denney, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 55.

NAYS -- None.

Absent and excused -- Bradford, Callister, Campbell, Clark, Collins, Crow, Cuddy, Ellis, Ellsworth, Field(20), Meyer, Pearce, Pischner, Smith, Tilman. Total -- 15.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1269** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Gagner to open debate.

The question being, "Shall **S 1269** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Chase, Clark, Collins, Cuddy, Deal, Denney, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pomeroy, Raybould, Ridinger, Robison, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young). Total -- 54.

NAYS -- Eskridge, Harwood, McKague, Sali, Schaefer. Total -- 5.

Absent and excused -- Callister, Campbell, Crow, Ellis, Ellsworth, Pearce, Pischner, Roberts, Sellman, Smith, Mr. Speaker. Total -- 11.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1269** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **SCR 116** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **SCR 116** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Chase, Deal, Denney, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 55.

NAYS -- None.

Absent and excused -- Bradford, Callister, Campbell, Clark, Collins, Crow, Cuddy, Ellis, Ellsworth, Field(20), Meyer, Pearce, Pischner, Smith, Tilman. Total -- 15.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **SCR 116** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Barraclough to open debate.

At this time, the Speaker took the Chair.

Mr. Bruneel asked unanimous consent that **SCR 116** be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **SCR 117** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **SCR 117** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Chase, Deal, Denney, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 55.

NAYS -- None.

Absent and excused -- Bradford, Callister, Campbell, Clark, Collins, Crow, Cuddy, Ellis, Ellsworth, Field(20), Meyer, Pearce, Pischner, Smith, Tilman. Total -- 15.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **SCR 117** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(20) to open debate.

The question being, "Shall **SCR 117** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Chase, Clark, Collins, Cuddy, Deal, Denney, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 58.

NAYS -- Moyle, Sali, Schaefer. Total -- 3.

Absent and excused -- Black, Callister, Campbell, Crow, Ellis, Ellsworth, Pearce, Pischner, Smith. Total -- 9.

Total -- 70.

Whereupon the Speaker declared **SCR 117** adopted and ordered the resolution returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1271** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1271** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Chase, Deal, Denney, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 55.

NAYS -- None.

Absent and excused -- Bradford, Callister, Campbell, Clark, Collins, Crow, Cuddy, Ellis, Ellsworth, Field(20), Meyer, Pearce, Pischner, Smith, Tilman. Total -- 15.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1271** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **S 1271** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Boe, Bolz, Bradford, Bruneel, Clark, Collins, Deal, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Hansen, Higgins, Hornbeck, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pischner, Pomeroy, Raybould, Roberts, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Young(Young), Mr. Speaker. Total -- 50.

NAYS -- Bieter, Chase, Cuddy, Denney, Harwood, Henbest(Farley), Jaquet, Jones, McKague, Pearce, Ridinger, Robison, Wheeler, Wood. Total -- 14.

Absent and excused -- Black, Callister, Campbell, Crow, Ellis, Smith. Total -- 6.

Paired Vote:

AYE -- Ellsworth NAY -- Pearce

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **S 1271** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1272** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1272** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Chase, Deal, Denney, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 55.

NAYS -- None.

Absent and excused -- Bradford, Callister, Campbell, Clark, Collins, Crow, Cuddy, Ellis, Ellsworth, Field(20), Meyer, Pearce, Pischner, Smith, Tilman. Total -- 15.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1272** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Pomeroy to open debate.

The question being, "Shall **S 1272** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bieter, Boe, Bolz, Bradford, Bruneel, Chase, Clark, Collins, Cuddy, Deal, Ellsworth, Field(13), Field(20), Gagner, Hadley, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kunz, Lake, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Pischner, Pomeroy, Robison, Sali, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Wheeler, Young(Young), Mr. Speaker. Total -- 49.

NAYS -- Barrett, Denney, Eskridge, Hammond, Kendell, Langford, McKague, Moyle, Pearce, Raybould, Ridinger, Roberts, Schaefer, Wood. Total -- 14.

Absent and excused -- Black, Callister, Campbell, Crow, Ellis, Gould, Smith. Total -- 7.

Paired Vote:

AYE -- Ellsworth NAY -- Pearce

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **S 1272** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1273** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1273** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Chase, Deal, Denney, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 55.

NAYS -- None.

Absent and excused -- Bradford, Callister, Campbell, Clark, Collins, Crow, Cuddy, Ellis, Ellsworth, Field(20), Meyer, Pearce, Pischner, Smith, Tilman. Total -- 15.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1273** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hadley to open debate.

The question being, "Shall **S 1273** pass?"

Roll call resulted as follows:

AYES -- Bedke, Bell, Bieter, Boe, Bradford, Bruneel, Chase, Collins, Cuddy, Deal, Ellsworth, Field(13), Field(20), Gagner, Hadley, Hansen, Harwood, Henbest(Farley), Hornbeck, Jaquet, Kellogg, Kunz, Loertscher, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Pischner, Pomeroy, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Tilman, Trail, Young(Young), Mr. Speaker. Total -- 43.

NAYS -- Barraclough, Barrett, Bolz, Clark, Denney, Eskridge, Hammond, Higgins, Jones, Kendell, Lake, Langford, McKague, Moyle, Pearce, Raybould, Ridinger, Roberts, Wheeler, Wood. Total -- 20.

Absent and excused -- Black, Callister, Campbell, Crow, Ellis, Gould, Smith. Total -- 7.

Paired Vote:

AYE -- Ellsworth NAY -- Pearce

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **S 1273** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **S 1274** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1274** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bruneel, Chase, Deal, Denney, Eskridge, Field(13), Gagner, Gould, Hadley, Hammond, Hansen, Harwood, Henbest(Farley), Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Montgomery, Mortensen, Moss, Moyle, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smylie, Stevenson, Stone, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 55.

NAYS -- None.

Absent and excused -- Bradford, Callister, Campbell, Clark, Collins, Crow, Cuddy, Ellis, Ellsworth, Field(20), Meyer, Pearce, Pischner, Smith, Tilman. Total -- 15.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1274** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **S 1274** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Bruneel, Collins, Deal, Ellsworth, Field(13), Field(20), Gagner, Gould, Hadley, Hansen, Harwood, Higgins, Hornbeck, Kellogg, Kunz, Loertscher, Mader, Meyer, Mortensen, Moss, Pischner, Pomeroy, Sali, Schaefer, Smylie, Stevenson, Stone, Tilman, Trail, Young(Young), Mr. Speaker. Total -- 34.

NAYS -- Barrett, Bieter, Boe, Bolz, Bradford, Chase, Clark, Cuddy, Denney, Eskridge, Hammond, Henbest(Farley), Jaquet, Jones, Kendell, Lake, Langford, Marley, McKague, Montgomery, Moyle, Pearce, Raybould, Ridinger, Roberts, Robison, Shepherd, Wheeler, Wood. Total -- 29.

Absent and excused -- Black, Callister, Campbell, Crow, Ellis, Sellman, Smith. Total -- 7.

Paired Vote:

AYE -- Ellsworth NAY -- Pearce

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **S 1274** passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

March 30, 2001

Mr. Speaker:

I transmit herewith enrolled **S 1237, S 1255**, and **SJM 106** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1237, S 1255**, and **SJM 106** and, when so signed, ordered them returned to the Senate.

March 30, 2001

Mr. Speaker:

I return herewith enrolled **H 280**, as amended in the Senate, **H 356**, as amended in the Senate, **H 377**, as amended in the Senate, and **HJM 5** which have been signed by the President.

WOOD, Secretary

Enrolled **H 280**, as amended in the Senate, **H 356**, as amended in the Senate, and **H 377**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled **HJM 5** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Report of Standing Committees

March 30, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 169**, as amended, as amended in the Senate, **H 121**, as amended in the Senate, and **H 262**, as amended, as amended in the Senate.

GOULD, Chairman

The Speaker announced he was about to sign enrolled **H 169**, as amended, as amended in the Senate, **H 121**, as amended in the Senate, and **H 262**, as amended, as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

Mr. Bruneel moved that the House recess until 1:15 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

RECESS

Afternoon Session

The House reconvened at 1:15 p.m., the Speaker in the Chair.

Roll call showed 59 members present.

Absent and excused -- Callister, Campbell, Chase, Crow, Ellis, Ellsworth, Hansen, Higgins, Pearce, Sellman, Smith. Total -- 11.

Total -- 70.

Prior to recess, the House was at the Fifth Order of Business.

Report of Standing Committees

At this time, Mr. Denney took the Chair.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

SCR 116, having previously been read the third time at length, was placed before the House for final consideration.

The question being, "Shall **SCR 116** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bell, Bieter, Boe, Bolz, Bradford, Collins, Cuddy, Deal, Denney, Eskridge, Field(13), Field(20), Gould, Hadley, Harwood, Henbest(Farley), Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Langford, Mader, Marley, Meyer, Montgomery, Mortensen, Moss, Moyle, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Schaefer, Shepherd, Smylie, Stevenson, Tilman, Trail, Wheeler, Wood, Young(Young), Mr. Speaker. Total -- 48.

NAYS -- Bedke, Bruneel, Clark, Gagner, Hammond, Lake, Loertscher, McKague, Sali. Total -- 9.

Absent and excused -- Black, Callister, Campbell, Chase, Crow, Ellis, Ellsworth, Hansen, Higgins, Pearce, Sellman, Smith, Stone. Total -- 13.

Total -- 70.

Whereupon the Speaker Pro Tem declared **SCR 116** adopted and ordered the resolution returned to the Senate.

Mr. Tilman, having voted on the prevailing side, served notice that he may ask for reconsideration of the vote by which **SCR 116** passed the House.

SCR 116 was ordered held at the Desk.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

March 30, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 280**, as amended in the Senate, **H 356**, as amended in the Senate, and **H 377**, as amended in the Senate, to the Governor at 1:33 p.m., as of this date, March 30, 2001.

GOULD, Chairman

March 30, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HJM 5** to the Secretary of State at 1:33 p.m., as of this date, March 30, 2001.

GOULD, Chairman

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

March 30, 2001

Mr. Speaker:

I transmit herewith enrolled **S 1057**, as amended in the House, and **S 1199**, as amended in the House, for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1057**, as amended in the House, and **S 1199**, as amended in the House, and, when so signed, ordered them returned to the Senate.

March 30, 2001

Mr. Speaker:

I transmit herewith enrolled **S 1260, S 1261, S 1262, S 1263, S 1264, S 1265, S 1266, S 1267, S 1268, S 1269, S 1271, S 1272, S 1273, S 1274, S 1275**, and **SCR 117** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1260, S 1261, S 1262, S 1263, S 1264, S 1265, S 1266, S 1267, S 1268, S 1269, S 1271, S 1272, S 1273, S 1274, S 1275**, and **SCR 117** and, when so signed, ordered them returned to the Senate.

March 30, 2001

Mr. Speaker:

I return herewith enrolled **H 169**, as amended, as amended in the Senate, **H 121**, as amended in the Senate, and **H 262**, as amended, as amended in the Senate, which have been signed by the President.

WOOD, Secretary

Enrolled **H 169**, as amended, as amended in the Senate, **H 121**, as amended in the Senate, and **H 262**, as amended, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 30, 2001

Mr. Speaker:

I return herewith **H 87**, as amended in the Senate, which has passed the Senate.

WOOD, Secretary

H 87, as amended in the Senate, was ordered held at the Desk.

Ms. Gould asked unanimous consent that the House concur in the Senate amendments to **H 87**. There being no objection, it was so ordered.

H 87, as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

Report of Standing Committees

March 30, 2001

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 87**, as amended in the Senate.

GOULD, Chairman

H 87, as amended in the Senate, was filed for first reading of engrossed bills.

There being no objection, the House advanced to the Ninth Order of Business.

First Reading of Engrossed Bills

H 87, as amended in the Senate, by Revenue and Taxation Committee, was introduced, read the first time by title and filed for second reading.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Bruneel moved that all rules of the House interfering with the immediate consideration of **H 87**, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 87**, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Clark, Collins, Cuddy, Deal, Denney, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Harwood, Henbest(Farley), Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Shepherd, Smylie, Stevenson, Tilman, Trail, Wood, Young(Young), Mr. Speaker. Total -- 55.

NAYS -- None.

Absent and excused -- Callister, Campbell, Chase, Crow, Ellis, Ellsworth, Hammond, Hansen, Higgins, Mader, Pearce, Sellman, Smith, Stone, Wheeler. Total -- 15.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 87**, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Gould to open debate.

The question being, "Shall **H 87**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bedke, Bell, Black, Boe, Bolz, Bradford, Bruneel, Clark, Collins, Cuddy, Deal, Denney, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Harwood, Henbest(Farley), Hornbeck, Jaquet, Jones, Kellogg, Kendell, Kunz, Lake, Langford, Loertscher, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Sali, Schaefer, Shepherd, Smylie, Stevenson, Tilman, Trail, Wood, Young(Young), Mr. Speaker. Total -- 53.

NAYS -- Bieter, Robison. Total -- 2.

Absent and excused -- Callister, Campbell, Chase, Crow, Ellis, Ellsworth, Hammond, Hansen, Higgins, Mader, Pearce, Sellman, Smith, Stone, Wheeler. Total -- 15.

Total -- 70.

Whereupon the Speaker declared **H 87**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

There being no objection, the House advanced to the Thirteenth Order of Business.

Miscellaneous and Unfinished Business

Mr. Tilman asked unanimous consent that **H 362** be returned to the Education Committee. There being no objection, it was so ordered.

SCR 116 previously held at the Desk, was ordered returned to the Senate.

Mr. Bruneel asked unanimous consent that committees be appointed by the Speaker to notify the Governor and the Senate that the House is ready to adjourn Sine Die. There being no objection, it was so ordered.

The Speaker appointed Representatives Moss, Field(13), and Cuddy to notify the Governor and Representatives Meyer, Black, and Bieter to notify the Senate.

The committees were excused.

The committee appointed to notify the Governor reported that it had delivered the message to the Governor. The committee was thanked and discharged by the Speaker.

The committee appointed to notify the Senate reported that it had delivered the message to the Senate. The committee was thanked and discharged by the Speaker.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House of Representatives of the First Regular Session of the Fifty-sixth Legislature of the State of Idaho adjourn Sine Die. Seconded by Mr. Marley.

Whereupon the Speaker declared the motion carried and the House of Representatives of the First Regular Session of the Fifty-sixth Legislature of the State of Idaho adjourned Sine Die at 3:51 p.m., March 30, 2001.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

Enrolled **H 169**, as amended, as amended in the Senate, **H 121**, as amended in the Senate, and **H 262**, as amended, as amended in the Senate, were delivered to the Governor at 4:20 p.m., as of this date, March 30, 2001.

SCR 116 was signed by the Speaker and returned to the Senate.

H 87, as amended in the Senate, was enrolled, signed by the Speaker, signed by the President, and delivered to the Governor at 9:45 a.m., as of this date, April 3, 2001.

H 373 and **H 382** were returned from the Senate, enrolled, signed by the Speaker, signed by the President, and delivered to the Governor at 10:50 a.m., as of this date, April 3, 2001.

H 383 was returned from the Senate, enrolled, signed by the Speaker, signed by the President, and delivered to the Governor at 10:55 a.m., as of this date, April 5, 2001.

OFFICE OF THE GOVERNOR
Boise

March 31, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:
I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 121, as amended in the Senate, **H 176**, as amended in the Senate, **H 206**, as amended in the Senate, **H 309, H 334, H 335, H 337, H 340, H 341, H 356**, as amended in the Senate, and **H 374**

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

March 31, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:
I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 309

This legislation reinforces our State's commitment to protecting, as much as possible under the law, the lives of unborn children.

The bill eliminates from existing law a requirement that the Department of Health and Welfare pay for abortions where two consulting physicians agree that an abortion is necessary for the "health" of the mother. House Bill **309** leaves in place existing law authorizing the Department to pay for abortions necessary to protect the life of the mother or where the pregnancy is a result of rape or incest.

The United States Supreme Court decided in 1980 that a limitation on the use of federal funds to pay for abortions, through the "Hyde Amendment," did not violate the United States Constitution. As a United States Senator, I consistently supported the federal limitations on publicly-funded abortions under the Hyde Amendment. House Bill **309** would enact similar restrictions on state-funded abortions in Idaho while leaving in place abortions necessary under certain critical circumstances.

The main objections to House Bill **309** are grounded in a more expansive reading of the Idaho Constitution than under federal law. It has been argued that Idaho provides a broader right to taxpayer funded abortions and that the previous federal judicial review of the Hyde Amendment is not relevant under our state law. I have consulted with the Attorney General, and he has opined that while there may be instances where the Idaho Constitution may be more protective of certain rights that its federal counterpart, House Bill **309** will pass muster under our state constitution. That opinion is attached for your reference.

On these bases, I have signed House Bill **309** into law.

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

OFFICE OF THE ATTORNEY GENERAL
Boise

March 30, 2001

The Honorable Dirk Kempthorne
Governor

Dear Governor Kempthorne:
You have asked for an analysis of the prohibition of state medical funding (Medicaid) of an abortion for reasons of health, as found in House Bill **309**, and whether it would be constitutional under both the United States Constitution and under the Constitution of the State of

Idaho. As discussed below, consistent with the United States Supreme Court holding the case of Harris v. McRae, 448 U. S. 297, 100 S. Ct. 2671 (1980), such a restriction would clearly pass federal constitutional muster. Also, while an argument can be made to the contrary, it is our opinion that a prohibition of state funding is also constitutional under the Constitution of the State of Idaho.

ANALYSIS

Initially, it is important to note that there is no abrogation of any right protected by the United States Constitution in the enactment of this bill. In the case of Harris v. McRae, 448 U.S. 297, 100 S. Ct. 2671, the United States Supreme Court held that a limitation on the use of federal funding for the payment of abortion services was not a violation of the United States Constitution. The similarity of the language under fire in the Harris case to that of this bill would indicate that there would be no basis, under the United States Constitution, for challenge.

The proposed statute apparently grows directly out of a decision by District Judge Duff McKee entered on February 1, 1994, in the case of Jane Doe v. Jerry L. Harris, Ada County Case No. 96977. In that case Judge McKee had under review an administrative regulation prohibiting the use of Medicaid funds in the payment of abortions which arose out of medical need except in cases of a risk to the life of the mother. The statute in place at the time included the language that House Bill **309** seeks to amend and specifically acknowledged the use of funds for payment of abortions arising from medical need. Judge McKee's first analysis was that the regulation was inappropriately more restrictive than the enabling statute and was therefore invalid. Judge McKee, however, went further to provide his opinion on the regulation under Idaho's Constitution. In his analysis, he acknowledged that there was no issue of constitutionality under the United States Constitution, however, he reached the conclusion that Idaho's Constitution should be read more broadly that its federal counterpart and that such a restriction would contravene this broader reading.

Judge McKee's opinion on the merits of the case was not appealed by the State. Judge McKee, however, did issue an opinion on the award of fees in the case that was appealed. In that appeal the Idaho Supreme Court found that the basis for Judge McKee's opinion below was the interaction of the statute and regulation and made no reference to his constitutional analysis. It is, therefore, unlikely that this dicta would be considered of presidential value, though it is certain that it will be evaluated in any future analysis.

The question, then, is one of Idaho law. The current bill would resolve at least part of the basis for Judge McKee's 1994 opinion. In that decision, Judge McKee found that the regulation under attack was more narrowly drawn than the enabling legislation. The current bill would restrict at the statutory level the use of these funds and would allow for the Department regulations to adopt such a more limited payment scheme.

IDAHO CONSTITUTIONAL ANALYSIS

In its analysis of similar language in the Harris case, the United States Supreme Court was faced with the same arguments that would be leveled in an attack on the House Bill **309** language under Idaho's Constitution. As outlined in Opinion No. 80-30, issued by this office in 1980, the Harris Court held:

1. The funding restrictions on the Hyde Amendment (the federal prohibition of us of federal funding for abortions) do not impinge on the "liberty" protected by the due process clause of the 5th Amendment.

2. Nor does the Hyde Amendment violate the establishment clause of the 1st Amendment.

3. Appellants lacked standing to raise a challenge to the Hyde Amendment under the free exercise clause of the 1st Amendment.

4. The Hyde Amendment does not violate the equal protection component of the due process clause of the 5th Amendment.

5. Title XIX (the federal funding involved) does not require a participating State to pay for those medically necessary abortions for which federal reimbursement is unavailable under the Hyde Amendment.

The Harris Court held that a State had both a legitimate interest in the health of the mother and in protecting potential human life and that:

[R]egardless of whether the freedom of a woman to choose to terminate her pregnancy for health reasons lies at the core or the periphery of the due process liberty recognized in Wade, it simply does not follow that a woman's freedom of choice carries with it a constitutional entitlement to the financial resources to avail herself of the full range of protected *choices*. The reason why was explained in Maher: although government may not place obstacles in the path of a woman's exercise of her freedom of choice, it need not remove those not of its own creation. Indigency falls in the latter category. The financial constraints that restrict an indigent woman's ability to enjoy the full range of constitutionally protected freedom of choice are the product not of governmental restrictions on access to abortions, but rather of her indigency. Although Congress has opted to subsidize medically necessary services generally, but not certain medically necessary abortions, the fact remains that the Hyde Amendment leaves an indigent woman with at least the same range of choice in deciding whether to obtain a medically necessary abortion as she would have had if Congress had chosen to subsidize no health care costs at all. We are thus not persuaded that the Hyde Amendment impinges on the constitutionally protected freedom of choice recognized in Wade. (448 U.S. 297, 316, 100 S. Ct. 2671, 2688).

While there is some risk of an evaluation similar to that opined by Judge McKee in his 1994 opinion, it is likely that Idaho's Constitutional provisions would apply to the language of House Bill **309** in a manner similar to that outlined in the above reasoning of the United States Supreme Court in Harris.

OTHER STATE ANALYSIS

A number of other states have enacted similar provisions. The challenges to these statutes have consistently acknowledged the lack of any federal constitutional right. In every case the analysis has centered on the respective state constitution. Of nine such provisions challenged in their respective state courts, four were determined to be constitutional. Of the five additional cases reviewed two were decided based on an additional provision in their constitutions. Both New Mexico and Texas had passed state Equal Right Amendments upon which the courts relied in reaching the determination of unconstitutionality under their state constitutions. Accordingly, only three of the nine states reviewed found broader interpretation of their constitutional language than the federal analysis of similar federal constitutional provisions.

CONCLUSION

Though Idaho is not without examples of readings of our State Constitution as more protective that its federal counterpart, it is unlikely that such an expansive reading will be applied to the constitutional provisions which would be the basis of a challenge to House Bill **309**. It is, accordingly, our opinion that the amendments presented in House Bill **309** will be found to pass constitutional muster under Idaho's Constitution.

If you have any questions regarding this letter, please call.

Sincerely,
/s/ CLINTON E. MINER
Deputy Attorney General
Civil Litigation Division

OFFICE OF THE GOVERNOR
Boise

April 2, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 342 and **H 344**

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

April 2, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 35, as amended, as amended in the Senate, **H 192**, as amended, **H 210, H 237**, as amended in the Senate, **H 238**, as amended, **H 305**, as amended, **H 317**, as amended in the Senate, **H 336, H 366**, and **H 372**

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

April 2, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 327

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

April 3, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 330

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

April 3, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 110

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

April 4, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 144, as amended in the Senate, **H 232**, as amended, **H 242**, as amended, **H 246, H 343**, and **H 376**

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

April 4, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 53, H 87, as amended in the Senate, **H 169**, as amended, as amended in the Senate, **H 299, H 315**, as amended, **H 371**, and **H 375**

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

April 4, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 47, as amended in the Senate

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

April 9, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 269, H 301, H 339, H 348, H 359, H 364, H 367, H 369, and **H 378**

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

April 10, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 80, H 256, as amended, **H 280**, as amended in the Senate, **H 358, H 373**, and **H 382**

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

April 11, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 211, as amended, **H 252, H 262**, as amended, as amended in the Senate, **H 312**, as amended, and **H 377**, as amended in the Senate

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

April 11, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I am returning herewith, without my approval, disapproved and vetoed:

H 282, as amended

within the time limited by law, the same having arrived in the Office of the Governor at the hour 10:50 a. m. on March 29, 2001.

While this legislation increases the ongoing expenditure limitation percentage and reflects all of the adjustments that have occurred over nearly two decades, my concern is that language in the original statute relating to "one time" general fund expenditures has been removed with no clarification in the amendment of how "one time" adjustments are to be handled.

As part of that clarification, the Legislature should also address the timing of the release of the Economic Estimates Commission's estimate of the State's total personal income for the following year.

The expenditure limitation law and the timing of the release of personal income estimates have the potential to unrealistically restrict both the Legislative and Executive branches ability to make appropriate budget decisions.

I look forward to working with the Legislature to ensure that appropriate changes are made to the expenditure limitation law that will continue to allow the formulation of good public policy.

Accordingly, I have vetoed House Bill **282**, as amended.

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

April 11, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I am returning herewith, without my approval, disapproved and vetoed:

H 231

within the time limited by law, the same having arrived in the Office of the Governor at the hour 10:50 a. m. on March 29, 2001.

House Bill **231** would have amended Idaho Code section 67-2320 to clarify that state agencies must use a Quality Based Selection (QBS) process for professional service contracts with engineering, architectural, landscape architecture, construction management and professional land surveying service providers.

The state of Idaho, its agencies and citizens should have the highest quality of professional services through a process eliminating red tape. However, this high degree of service represented by the QBS process must be balanced with being good stewards of the taxpayer's dollars by at least being informed of costs in the bidding process.

I am advised that two state departments expressed concerns about an interpretation of House Bill **231** which could restrict the ability of state agencies to base hiring decisions on *any* fee estimate for the services to be rendered.

My administration looks forward to working with the sponsors of this legislation next session to craft a bill which furthers the purpose of the QBS process while accommodating the need for fiscal responsibility which Idaho's citizens demand.

Accordingly, I have vetoed House Bill **231**.

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

April 11, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 347, as amended

House Bill **347**, as amended, amends Idaho Code section 61-610 to provide that the Idaho Public Utilities Commission has the right to inspect the financial records of a public utility's holding company, parent, affiliate, or subsidiary, under certain conditions.

Currently, the Commission has the right to inspect the accounts, books, papers and documents of any public utility it regulates, and it has the authority to conduct audits of those entities. House Bill **347**, as amended, clarifies that the Commission will have the authority to require certain and limited financial information of non-regulated entities if, first, the entity engages directly in a transaction with the regulated utility; second, if the transaction results in expenses being attributed to the public utility; and, finally, inspection of the records is necessary to determine if the expenses are properly incurred and should be included in the utility's rates.

House Bill **347**, as amended, will provide the Commission with the appropriate tools to ensure that the rates accurately reflect appropriate costs charged to the ratepayers. In light of the current energy crisis in the Pacific Northwest, there is significant pressure on the regulated utilities to remain financially viable given the uncertain energy market.

While I am opposed to the imposition of price caps on utilities as an artificial method to hold rates in check, there is a strong public policy in obliging regulated utilities seeking uncapped rates set by the Idaho Public Utilities Commission to include only those appropriate expenses passed through to the ratepayer, but no more. House Bill **347**, as amended, clarifies that the Commission is entitled to this important information necessary to set accurate rates.

I am satisfied that amendments taken to House Bill **347**, as amended, will provide the necessary restrictions to Commission review of the financial records of affiliated entities. The legislation explicitly provides that the Commission is entitled to only those records necessary to document the utility's expenses to be included in the rates to be set. This criteria places the burden on the Commission to clearly identify such documents and avoids an intrusive fishing expedition through the financial records of an unregulated entity which, but for an identifiable transaction, might only be remotely related to the regulated utility.

On these bases, I have signed House Bill **347**, as amended, into law.

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

April 17, 2001

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 383

House Bill **383** would continue the authority granted by the State of Idaho to the United States Bureau of Reclamation to release up to 427,000 acre feet of water to augment salmon flows under Idaho Code section 42-1763B. As with House Bill **794** from last session, this bill extends the authorization for the Bureau of Reclamation to release water for one year only. However, the current legislation specifically finds that for the year 2001, it is unlikely that the full 427,000 acre feet of water will be available due to this season's severe drought conditions.

House Bill **383** also makes specific findings that the Legislature has authorized this legislation in order to facilitate ongoing negotiations in the Snake River Basin Adjudication (SRBA). This is a process that has been in mediation for approximately two years with our state's water users, the federal government, and the State of Idaho as the key stakeholders.

I am signing this bill into law with a deep concern over the pace at which Idaho's exposure under the federal Endangered Species Act is being resolved. This legislation represents the latest offering of good faith by the State of Idaho that, even in this very difficult water year, the discussions that have been ongoing with the stakeholders in the SRBA mediation are worthy of pursuit. Even though I am advised by Legislative Leadership and members of the water user community that they are supportive of the talks with the federal government and the Nez Perce Tribe continuing, this process cannot continue indefinitely, and, perhaps not even beyond the coming weeks.

This bill becomes law with the clear understanding that time is of the essence. Our state's water users must be protected from unreasonable expectations by the federal government that water so vital to our irrigators will be available for salmon flow augmentation purposes.

At the same time, I expect that serious negotiations between Idaho, the water users, and the federal government will proceed with all due speed and diligence. Should discussions not progress within a reasonable time, I will confer with Legislative Leadership and the stakeholders in order to assess the viability of this legislative approach.

A solution balancing Idaho water with the requirements of the Endangered Species Act and which avoids contentious litigation with the federal government and the environmental community must be explored. But I will not support a resolution if it can only be achieved at a cost of unlimited precious time and water. House Bill **383** assures that, at least at the present moment, the State of Idaho can continue to negotiate its own destiny without being prematurely diverted into court.

On these bases, I have signed House Bill **383** into law.

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

CERTIFICATE

WE, BRUCE NEWCOMB, Speaker of the House of Representatives, and PAMM JUKER, Chief Clerk, do hereby certify and attest as follows:

That we have carefully compiled in the House Journal of the First Regular Session of the Fifty-sixth Legislature all of the proceedings of the Eighty-second Legislative Day, and that the said Journal contains a full, true, and correct record of all of the proceedings of said House of Representatives for said day and final action upon all legislation.

IN WITNESS WHEREOF, we have hereunto set our hands, this 18th day of April, 2001.

BRUCE NEWCOMB, Speaker

Attest:
PAMM JUKER, Chief Clerk

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ALPHABETICAL SUBJECT MATTER INDEX

This index gives key words with regard to subject matter of legislation introduced in the House. Non-legislative subject matter is included and referred to by page number only.

Senate Bills are referred to only by number as read, voted upon, or amended in the House. No reference is made in this alphabetical index to Senate Bills; however, separate indexes in this volume list in numerical order all Senate Bills, Memorials, and Resolutions received by the House and show action taken by the House thereon.

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House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1	Mr. Speaker Requested by: Department of Health and Welfare	7	MEDICAL ASSISTANCE - COST-SHARING - Amends existing law to authorize the Department of Health and Welfare to implement copayment and other reasonable cost-sharing methods for medical assistance programs	-	15	House Health and Welfare
2	Mr. Speaker Requested by: Department of Health and Welfare	7	MEDICAID - TRANSPORTATION - Amends existing law relating to claims for reimbursement for transportation of medicaid clients to clarify conditions which constitute a violation of the limitation; and to extend the sunset clause	145	285	LAW
3	Mr. Speaker Requested by: Board of Pharmacy	8	CONTROLLED SUBSTANCES - Amends existing law to provide for imposition of an administrative fine and costs incurred by the Board of Pharmacy with respect to actions to deny, suspend, revoke or refuse to renew a controlled substance registration	-	15	House Health and Welfare
4	Mr. Speaker Requested by: Board of Nursing	8	NURSING BOARD - Amends and adds to existing law to authorize the Board of Nursing to enter into multistate agreements or compacts; and to clarify the authority of the Board of Nursing to submit significant investigative information to the coordinated licensure information system	151	317	LAW
5 AA	Mr. Speaker Requested by: Bureau of Occupational Licenses	8	NURSING HOME ADMINISTRATORS - Amends existing law to define "temporary permit" and "administrator designee"; to provide that nursing homes may operate under the supervision of a qualified administrator designee for up to four continuous weeks; to provide that a consulting agreement entered into between an administrator designee and an Idaho licensed administrator shall be submitted to the board; to increase the maximum fee which may be charged for an application, license, renewal, permit or registration; to remove the board's authority to issue temporary licenses on an emergency basis; to increase the maximum fee which may be charged for reinstatement of a license; and to provide for issuance of temporary permits ..... (House Amendments - p. 158)	182	317	LAW
6	Mr. Speaker Requested by: Bureau of Occupational Licenses	8	PODIATRISTS - Amends existing law to provide for the suspension, denial, refusal or revocation of a license due to a person's inability to practice podiatry due to a physical or mental disability	-	15	House Health and Welfare

House Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
7 AA	Mr. Speaker Requested by: Bureau of Occupational Licenses	8	SOCIAL WORK LICENSE - Amends existing law to increase the maximum fee for social work licenses; and to provide that Board of Social Work Examiners may take disciplinary action other than nonrenewal, suspension or revocation of a license for unprofessional conduct ..... (House Amendments - p. 169)	194	317	LAW
8	Mr. Speaker Requested by: Idaho Commission on Aging	8	AGING COMMISSION - INVESTIGATIONS - Amends existing law to provide that when notification is required to be made to law enforcement regarding the results of certain investigations by the Commission on Aging, the commission shall also disclose the names of the persons associated with the commission's written report of its investigation	146	317	LAW
9 AA	Mr. Speaker Requested by: Bureau of Occupational Licenses	8	CHIROPRACTIC INTERNS - Amends existing law to provide for the registration of chiropractic interns who are under the supervision of licensed chiropractic physicians; to broaden the disciplinary authority of the Board of Chiropractic Physicians in regard to licenses and permits; and to provide for registration and issuance of temporary permits (House Amendments - p. 158)	182	317	LAW
10	Mr. Speaker Requested by: Department of Health and Welfare	9	VETERANS HOMES/STATE HOSPITAL SOUTH - Amends existing law to provide that reimbursement of costs for the nursing facilities at Idaho State Veterans Homes and State Hospital South shall be based upon medicare reasonable cost provisions	145	299	LAW
11 AA	Mr. Speaker Requested by: Bureau of Occupational Licenses	9	PSYCHOLOGISTS EXAMINERS - Adds to and amends existing law to broaden the discipline options of the Board of Psychologist Examiners; to provide for qualifications for the endorsement of licenses; and to provide for senior psychologist licensure ..... (House Amendments - p. 158)	183	317	LAW
12	Mr. Speaker Requested by: Bureau of Occupational Licenses	9	RESIDENTIAL CARE FACILITY ADMINISTRATORS - Amends existing law to delete a reference to interstate reciprocal endorsement of residential care facility administrator licenses	58	176	LAW
13 AA	Mr. Speaker Requested by: Bureau of Occupational Licenses	9	HEARING AID DEALERS AND FITTERS - Amends existing law to broaden the disciplinary authority of the Hearing Aid Dealers and Fitters Board; and to provide for an honorarium for members of the board ..... (House Amendments - p. 124)	153	317	LAW

House Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
14 AA	Mr. Speaker Requested by: Bureau of Occupational Licenses	9	COUNSELORS - LICENSURE - Amends existing law relating to professional counselors to provide that the provisions of the law shall not apply to interns in counseling acting under the direct supervision of a licensed professional counselor in private practice; to require that an applicant for licensure as a professional counselor or a pastoral counselor or an applicant for a conditional license must be of good moral character; to provide for endorsement of licenses; to broaden the disciplinary authority of the Idaho State Counselor Licensing Board and to provide for a fee for endorsement ..... (House Amendments - p. 158)	187	317	LAW
15 AA	Mr. Speaker Requested by: Bureau of Occupational Licenses	9	PODIATRISTS - Amends existing law to increase the maximum amount the Board of Podiatry may charge for licenses; to provide that the board may impose discipline other than suspension, denial, refusal to renew or revocation of license; to provide that applicants licensed in another state may qualify for a license by endorsement under certain conditions; and to delete references to written, oral and practical examinations ..... (House Amendments - p. 65)	76	188	LAW
16	Mr. Speaker Requested by: Idaho State Police	9	COURTS - FEES - Amends existing law to provide for an increase in the penalty assessment funds charged by the courts for Peace Officers Standards and Training purposes	-	15	House Judiciary, Rules, and Administration
17	Mr. Speaker Requested by: Department of Corrections	9	CORRECTIONS - STAFF TRAINING - Amends existing law relating to the State Board of Correction to delete a reference to guards; and to provide the State Board of Correction with the authority to specify the training of certain persons	41	148	LAW
18 AA	Mr. Speaker Requested by: Department of Corrections	9	CORRECTION DEPARTMENT - RECORDS - Amends existing law relating to public writings; to revise the definition of "law enforcement agency" to include the Idaho Department of Correction; to provide an exemption from disclosure for certain records of the Idaho Department of Correction; to revise the records disclosure exemption to include shift summaries, briefings or logs; and to restrict the exemption for certain documents, the release of which could jeopardize the safety of certain prisoners or persons confined ..... (House Amendments - p. 168)	193	330	LAW

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19	Mr. Speaker Requested by: Department of Parks and Recreation	10	VESSELS - OPERATION UNDER INFLUENCE Amends existing law to provide authority to make an arrest when a person is charged with operating a vessel under the influence of alcohol, intoxicating beverages or drugs; and to provide authority to make an arrest when a person operating a vessel fails to stop or give information after an accident causing damage to a vessel or other property	-	15	House Judiciary, Rules, and Administration
20	Mr. Speaker Requested by: Department of Juvenile Corrections	10	JUVENILE CORRECTIONS - Amends existing law to provide that the petition fee assessed against juveniles adjudicated in juvenile court shall be named the "Detention/Probation Training Academy Fee"; and to change the name of the "Juvenile Corrections Account" to the "Juvenile Corrections Fund."	41	148	LAW
21	Mr. Speaker Requested by: Department of Juvenile Corrections	10	JUVENILE CORRECTIONS FACILITIES - Amends existing law to clarify the source of money received in the Juvenile Corrections Victim Restitution Fund; and to provide for distribution and reporting requirements for state and other public and private contract facilities	41	148	LAW
22	Mr. Speaker Requested by: Department of Finance	10	INVESTMENT ADVISORS - Amends existing law relating to the Idaho Securities Act to provide that the director of the Department of Finance may deny, suspend or revoke the registration of broker-dealers or investment advisors based upon the actions of control persons; and to provide that orders of the National Association of Securities Dealers or the National Association of Securities Dealers Regulation, Inc., which deny, suspend or revoke registrations may constitute a basis for denial, suspension or revocation of registration by the director of the Department of Finance	228	317	LAW
23	Mr. Speaker Requested by: Department of Finance	10	SECURITIES - Amends existing law to delete the requirement that fingerprints accompany applications for registration as a securities broker-dealer, salesman or investment advisor; to delete the requirement that a written examination be given at least twice each year; to delete the examination requirement; to delete the exemption from the Securities Act for securities issued or guaranteed by a railroad, other common carrier, public utility or holding company which is subject to the jurisdiction of the Interstate Commerce Commission; and to provide that the registration fee shall not exceed five hundred dollars	228	317	LAW

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
24 AA	Mr. Speaker Requested by: Board of Professional Engineers and Professional Land Surveyors	10	ENGINEERS AND LAND SURVEYORS BOARD - Amends existing law to require registration of persons practicing or offering to practice professional engineering or professional land surveying for a project physically located in Idaho; to revise definitions; to provide references to business entities; to provide that certain documents shall be marked as "preliminary," "draft" or "not for construction"; to delete requirements relating to temporary permits issued to engineering registrants of other states; to delete references to biennial renewals; to allow parties to bring certain charges based upon violations of law or rules; to delete reference to employees of persons practicing under temporary permits; and to preclude a business entity from filing organizational papers with the secretary of state unless a certificate of authorization has been issued or the board has waived the requirement ..... (House Amendments - p. 124)	157	343	LAW
25	Mr. Speaker Requested by: Department of Insurance	11	INSURERS - Amends existing law to revise insurer examination expenses; to provide that the director may use a portion of the annual continuation fee to fund the Arson, Fire and Fraud Account; to provide that property and casualty rating organization and worker's compensation rating organizations licenses shall be effective for one year; to provide that corporations shall file approved articles of incorporation with the Secretary of State; to delete reference to refunds of unearned filing fees and application fees; to revise hospital trust, managed care organization, self-funded plan, Petroleum Clean Water Trust Fund and State Insurance Fund examination expenses ...	205	317	LAW
26	Mr. Speaker Requested by: Department of Finance	11	BUSINESS AND INDUSTRIAL DEVELOPMENT CORPORATIONS - Amends existing law to provide that the director of the Department of Finance may require an audit report by a business and industrial development corporation; and to provide that a business and industrial development corporation may, with the approval of the director, maintain an office outside Idaho	165	317	LAW
27	Mr. Speaker Requested by: Bureau of Occupational Licenses	11	REAL ESTATE APPRAISER BOARD - Amends existing law to provide that the Idaho Real Estate Appraiser Board may adopt rules relating to the registration and limitations of real estate appraiser trainees	114	317	LAW

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
28 AA	Mr. Speaker Requested by: Bureau of Occupational Licenses	11	BARBERS - BARBER-STYLISTS - Amends existing law to provide for licensure of barbers and barber-stylists; to provide for qualifications and requirements for licensure; to provide license fees; and to provide for barber school teacher licenses ……. (House Amendments - p. 169)	195	317	LAW
29 AA	Mr. Speaker Requested by: Bureau of Occupational Licenses	12	ELECTROLOGY - COSMETOLOGY - Amends existing law to add electrology as a licensed discipline; to revise definitions; to add definitions of "nail technology instructor" and "esthetics instructor"; to provide requirements for licensure; to provide licensure requirements for schools and establishments; to provide requirements for the practice of apprentices; to provide for school curriculums; to strike reference to an oral test; to provide for endorsement licensure; to require display of licenses; to provide for hearings on refusal to renew or suspension or revocation of permits; to increase certain fees; to provide for prohibited acts; to provide for qualifications for permit to demonstrate or teach; and to delete temporary practice permits …… (House Amendments - p. 170)	195	317	LAW
30	Mr. Speaker Requested by: Bureau of Occupational Licenses	12	CREMATORIUMS - Amends existing law relating to the operation of crematoriums to increase application and renewal fees ……	114	317	LAW
31	Mr. Speaker Requested by: Idaho Commission on Aging	12	AGING COMMISSION - Amends existing law to provide correct terminology by referring to the executive officer of the Commission on Aging as an administrator rather than a director ……	114	317	LAW
32	Mr. Speaker Requested by: Bureau of Occupational Licenses	12	ARCHITECTS - Amends existing law relating to architects to provide for the use of an electronically applied seal; to provide that the date and architect's seal and signature are required only on the title page of certain documents; to provide that electronically produced documents distributed for informational uses may be issued with only the architect's seal if certain conditions are met; and to provide for the use of the term "architectural intern." …….	114	317	LAW

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
33 AA	Mr. Speaker Requested by: Bureau of Occupational Licenses	12	MORTICIANS - Amends existing law relating to morticians, funeral directors and embalmers to strike a reference to oral examination; to increase maximum fees; to strike a reference to the time in which licenses will be issued; to provide for annual renewal, cancellation and reinstatement of licenses; and to broaden disciplinary authority of the Board of Morticians ..... (House Amendments - p. 170)	195	317	LAW
34	Mr. Speaker Requested by: Department of Finance	13	FINANCIAL HOLDING COMPANIES - Amends existing law to define "financial holding companies"; to require a financial holding company to apply to the Department of Finance for approval to commence activity or acquire a company; and to provide that the director of the Department of Finance may assess costs of examination against bank holding companies	165	317	LAW
35 AA AAS	Mr. Speaker Requested by: Department of Insurance	13	INSURANCE PRODUCER AND CONSULTANT LICENSES - Repeals, amends and adds to existing law to provide for licensure for insurance producers and consultants; to provide a public records exemption for records furnished to the Department of Insurance regarding termination of appointment, employment, contract or other insurance business relationship between an insurer and a producer; to provide for producer licenses and nonresident producer licenses; to provide for service of process for nonresident producers and consultants; to provide for administrative penalties, suspensions, revocations and refusals of licenses; to provide for commissions and appointments; to provide for reciprocity; to provide for reporting of actions; to provide that insurers must accept business through licensed producers; to provide for countersignature of policies; to provide for power of attorney; to provide for reporting and accounting for premiums; to provide requirements for consultant licensing and to provide exemptions; to provide for qualifications for resident and nonresident consultants licenses; to provide for classes of insurance for consultants; to provide for errors and omissions insurance; to provide that the director of the department may promulgate rules; to provide for procedures following suspension, revocation or refusal to continue a license; to provide for reinstatement and return of licenses; and to provide that service corporations may file appointment of agents or representatives ..... (House Amendments - p. 199) (Senate Amendments - See Senate Journal)	336	370	LAW

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
36	Mr. Speaker Requested by: Division of Financial Management	13	STATE EMPLOYEES - TRAVEL - Amends existing law to provide for an in-state and out of state meal allowance for state employees and officials that is no higher than allowed under the Internal Revenue Code	66	148	LAW
37	Mr. Speaker Requested by: Outfitters and Guides Licensing Board	13	OUTFITTERS AND GUIDES - Amends existing law to provide that the supervisor of enforcement and education of the Outfitters and Guides Licensing Board qualifies as a police officer member of the Public Employee Retirement System for retirement purposes	89	89	House Failed
38	Mr. Speaker Requested by: Public Employee Retirement System of Idaho	14	PUBLIC EMPLOYEE RETIREMENT SYSTEM Amends existing law to permit any member of the Public Employee Retirement System to initiate voluntary contributions into the supplemental plan immediately upon employment	89	317	LAW
39	Mr. Speaker Requested by: Public Employee Retirement System of Idaho	14	PUBLIC EMPLOYEE RETIREMENT SYSTEM Amends existing law to clarify the information the Public Employee Retirement Board may provide to a spouse or former spouse of a member	89	317	LAW
40	Mr. Speaker Requested by: Public Employee Retirement System of Idaho	14	PUBLIC EMPLOYEE RETIREMENT SYSTEM Amends existing law to authorize the Public Employee Retirement Board to defer and waive the payment of excess costs by contract when a nonparticipating political subdivision is admitted and remains in the Public Employee Retirement System for at least ten years	89	89	Senate Commerce and Human Resources
41	Mr. Speaker Requested by: Public Employee Retirement System of Idaho	14	PUBLIC EMPLOYEE RETIREMENT SYSTEM Amends existing law to provide that erroneous employee contributions may be refunded upon a distributable event; to authorize the Public Employee Retirement Board to determine by rule the appropriate benefit level subject to commutation; and to clarify the scope of in-service disability retirement for general members	100	317	LAW
42	Mr. Speaker Requested by: Department of Fish and Game	14	BEAR/ELK/DEER TAGS - SENIOR RESIDENTS - Amends existing law to remove an age restriction for certain fees for bear, deer or elk tags for persons who hold a senior resident combination license	58	317	LAW
43	Mr. Speaker Requested by: Department of Fish and Game	14	FISHING PERMITS - Amends existing law to provide for the purchase of an Idaho nursing home facility resident fishing permit; and to provide a fee for the permit	58	343	LAW

House Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
44	Mr. Speaker Requested by: Department of Fish and Game	14	BIG GAME HARVEST REPORTS - Amends existing law to delete a requirement that each nonresident licensee, permittee or tagholder file a big game harvest report with the director of the Department of Fish and Game	-	15	House Resources and Conservation
45	Mr. Speaker Requested by: Outfitters and Guides Licensing Board	14	OUTFITTERS AND GUIDES LICENSES - Amends existing law relating to the Outfitters and Guides Licensing Board to revise the definition of "license year"; to provide an exception for a person who only furnishes a pack or saddle horse, or other equipment, to a hunter or fisherman; to delete the requirement that each nonresident licensee, permittee or tagholder report to the Department of Fish and Game the number of each species of big game taken; and to change the dates for imposition of a penalty for incomplete applications	-	15	House Resources and Conservation
46	Mr. Speaker Requested by: Idaho Commission on Aging	14	ADULT PROTECTION SERVICES PROTECTION FUND - Adds to existing law to create the Adult Protection Services Emergency Fund to be administered by the administrator of the Commission on Aging	-	15	House Appropriations
47 AAS	Hornbeck	14	DRIVER'S LICENSE FEES - Amends existing law to increase fees on eight-year driver's licenses to double that of the existing fee for four-year driver's licenses for deposit in the Emergency Medical Services Account ..... (Senate Amendments - See Senate Journal)	336	371	LAW
48	Mr. Speaker Requested by: Idaho State Police	15	MOTOR CARRIERS - COMPLIANCE REVIEW Amends existing law to provide for civil penalties for violations of motor carrier compliance reviews; to provide for the recovery of civil penalties by the state of Idaho; and to provide for the determination of civil penalty amounts	-	15	House Transportation and Defense
49	Mr. Speaker Requested by: Division of Military	15	EMERGENCY MANAGEMENT ASSISTANCE COMPACT - Adds to existing law to provide that the governor may enter into a compact on behalf of the state for emergency management assistance; and to provide for the Emergency Management Assistance Compact	113	317	LAW
50	Mr. Speaker Requested by: Division of Military	15	ADJUTANT GENERAL - Amends existing law to revise the eligibility requirements for the adjutant general	112	317	LAW
51	Mr. Speaker Requested by: Division of Military	15	NATIONAL GUARD - Amends existing law to provide that the maximum age of enlisted personnel and commissioned officers of the Idaho National Guard shall be sixty years of age	-	15	House Transportation and Defense

House Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
52	Mr. Speaker Requested by: Division of Military	15	ADJUTANT GENERAL - Amends existing law to provide that one of the duties of the adjutant general shall be to coordinate the planning and execution of state activities pertaining to the inauguration of the governor and other elected state executive officers	113	343	LAW
53	Mr. Speaker Requested by: Division of Military	15	NATIONAL GUARD - COLLEGE - Amends existing law to provide authority to the adjutant general to provide incentive payments for registration fees and tuition for Idaho National Guard members attending private institutions of higher education in Idaho	174	371	LAW
54	Bell	15	APPROPRIATIONS - Appropriating $75,000 to the Legislative Account to retain a consultant to assist the committee appointed to study the restructuring of the electric utility industry	51	317	LAW
55	Deal	15	PROPERTY TAX - AGRICULTURAL LAND - Amends existing law to further define "land actively devoted to agriculture" to include land producing nursery stock	46	148	LAW
56	Robison, Trail, And Bieter	35	AGRICULTURAL LABOR - Amends existing law to include agricultural labor within the minimum wage law	-	36	House Agricultural Affairs
57	Resources And Conservation	35	SAFE BOATING LAW - Amends existing law to reduce certain misdemeanor penalties to infractions for persons violating provisions of state's safe boating law	-	36	House Resources and Conservation
58	Health And Welfare	38	HARD-TO-PLACE CHILDREN - GUARDIANSHIP - Amends existing law to authorize subsidized guardianship of hard-to-place children who are in the state's custody and for whom reunification or adoption is not possible or appropriate	192	317	LAW
59	Revenue And Taxation	38	INCOME TAX - Amends, repeals and adds to existing law to make the temporary 0.1% income tax rate reduction for individuals, passed in 2000, permanent; to provide for rebates of 10.6% of the 1999 income tax paid by individuals, subject to a $25.00 minimum and $25,000 maximum; to increase the grocery tax credit for individuals over 65 years of age from $30.00 to $60.00; to permanently reduce the corporate income tax rate by 0.2%; to change the child care deduction to a credit equal to one-half the federal credit; and permanently increases credit for caring for a dependent over 65 years of age or caring for a person who is developmentally disabled from $100 to $500	-	39	House Revenue and Taxation

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
60 AA	Health And Welfare	39	CHILD CARE LICENSING - GROUP HOMES - Amends and repeals existing law to delete references to group homes; to edit the references to children's residential care facilities; and to provide for continued care for certain individuals between the ages of eighteen and twenty-one years when conditions warrant ..... (House Amendments - p. 200)	222	317	LAW
61	Judiciary, Rules And Administration	40	CORRECTION FACILITIES - Adds to existing law to provide penalties for persons in custody to propel bodily fluid or waste at certain persons	66	223	LAW
62	Judiciary, Rules And Administration	40	PRISONERS - RECORDS - Amends existing law to limit access upon the open records law, in specified conditions, to records for current or former prisoners	66	285	LAW
63	Judiciary, Rules And Administration	40	VESSELS - DRIVING UNDER INFLUENCE - Amends existing law to provide penalties for causing endangerment or injury to a child while transporting them in a vessel while under the influence of drugs or alcohol	88	285	LAW
64	Judiciary, Rules And Administration	40	COUNTY JAILS - MEDICAL SERVICE - Amends existing law to increase the fee, from $1.00 to $5.00, that a county jail may charge to nonindigent inmates for seeing a medical provider	66	285	LAW
65 AA	Judiciary, Rules And Administration	40	ASSAULT/BATTERY - Amends existing law to provide punishment for assault or battery committed against certain current or former officers of the court and against law enforcement officers ..... (House Amendments - p. 124)	153	330	LAW
66	Appropriations	41	APPROPRIATIONS - Appropriating an additional $279,600 to the Office of the Governor for the Military Division for fiscal year 2001	47	90	LAW
67	Revenue And Taxation	41	STATE AERONAUTICS FUND - Amends existing law to provide that interest earned on investment of idle moneys in the State Aeronautics Fund shall be paid to the fund	67	317	LAW
68	Appropriations	42	APPROPRIATIONS - Appropriating an additional $163,900 to the Department of Agriculture for fiscal year 2001.	50	148	LAW
69	Appropriations	42	APPROPRIATIONS - Appropriating an additional $14,500,000 to the Department of Lands for Forest and Range Fire Protection Program for fiscal year 2001	51	148	LAW

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70	Agricultural Affairs	42	PESTICIDE DEALERS - Amends existing law to require that an applicant for a pesticide dealer's license who sells restricted-use pesticides must obtain a professional applicator license in addition to meeting other existing requirements	152	343	LAW
71 AAS	Agricultural Affairs	42	AGRICULTURAL LABOR - MINIMUM WAGE Amends existing law to define "agriculture"; to provide for the application of the minimum wage law to agricultural labor; and to provide exemptions from the minimum wage law ..... (Senate Amendments - See Senate Journal)	252	310	LAW
72	Agricultural Affairs	43	WEIGHMASTERS - Amends existing law to delete the prohibition against issuing weighmaster licenses to applicants who have been convicted of any felony within five years or who have paid any fine or completed any sentence of confinement for any felony within five years	144	317	LAW
73	Agricultural Affairs	43	AGRICULTURE DEPARTMENT - SERVICES - Amends existing law to provide that the Department of Agriculture may develop and implement services relating to hazard controls, good manufacturing practices, food safety manuals for packhouse operations, sanitation standards and operating procedures for producers and packers ...	144	317	LAW
74	Agricultural Affairs	43	SOIL AND PLANT AMENDMENT ACT - Repeals and adds to existing law to enact the Soil and Plant Amendment Act of 2001; to provide for administration by the Idaho Department of Agriculture; to require registration, labeling and inspection of soil and plant amendments; to provide prohibited acts; to provide for the payment of certain fees; and to provide for the assessment of penalties	152	343	LAW
75	Agricultural Affairs	43	COMMERCIAL FERTILIZER - Amends and adds to existing law relating to commercial fertilizers to provide definitions; to provide references to certain publications; to add subject areas for adoption of rules; to provide that certain fees are nonrefundable; to provide that a distributor does not have to register a fertilizer already registered if the label is unchanged; to clarify that a penalty applies per product; to provide that stop sale orders may be issued and enforced against distributors; to increase civil penalties to a maximum of $10,000; and to provide for statements of uniform interpretation and policy	152	317	LAW
76	Agricultural Affairs	43	HORTICULTURE - QUARANTINES - Amends existing law to increase to $10,000 the maximum civil penalty for violations of statutes and rules governing quarantines	149	317	LAW

House Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
77	Chase And Robison	45	SALES TAX - FOOD - Amends existing law to repeal the grocery tax credit for state income tax purposes; to reduce the rate of sales and use tax on certain food sold for human consumption to three percent; and to increase the percentage of funds distributed from the sales tax revenues to the Revenue Sharing Account	-	47	House Revenue and Taxation
78	Chase	45	SALES TAX - Amends existing law to repeal the grocery tax credit for income tax purposes; to provide an exemption from sales and use tax for certain food sold for human consumption; and to provide for an increase in the percentage of appropriated funds distributed to the Revenue Sharing Account	-	47	House Revenue and Taxation
79	Revenue And Taxation	45	RESORT COUNTY - LOCAL OPTION SALES TAX - Amends existing law relating to resort county local option sales or use tax to clarify which are to be distributed through the county property tax relief fund; and to require discontinuation of the approved tax if the purpose or purposes are met	-	47	House Revenue and Taxation
80	Revenue And Taxation	45	INCOME TAX - Amends existing law relating to income tax to increase the dollar amount limitation on certain education-related charitable contributions by individuals and corporations	191	371	LAW
81	Appropriations	47	APPROPRIATIONS - Appropriating an additional $471,900 to the Idaho Transportation Department for fiscal year 2001; and authorizing two additional full-time equivalent positions for fiscal year 2001	57	148	LAW
82	Appropriations	47	APPROPRIATIONS - SELF-GOVERNING AGENCIES - Appropriating an additional $7,000 to the Board of Professional Engineers and Land Surveyors and an additional $5,000 to the Bureau of Occupational Licenses for fiscal year 2001	57	148	LAW
83	Appropriations	47	APPROPRIATIONS - Appropriating an additional $122,600 to the Department of Insurance for fiscal year 2001	58	148	LAW
84	Appropriations	47	APPROPRIATIONS - Appropriating an additional $47,500 to the Secretary of State for the Commission on the Arts for fiscal year 2001	58	148	LAW

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
85	Robison And Shepherd	47	SALES TAX - Amends existing law to delete the grocery tax credit on income tax returns for certain residents; to provide an exemption from sales and use tax for certain food sold for human consumption; to provide an increase in the percentage of appropriated funds distributed to the Revenue Sharing Account from the Sales Tax Account; and to provide, beginning July 1, 2002, a three percent sales and use tax on food and an increase in the percentage of appropriated funds distributed to the Revenue Sharing Account from sales tax moneys	-	48	House Revenue and Taxation
86	Resources And Conservation	48	WATER RESOURCES DEPARTMENT - Adds to existing law to provide legislative intent; and to provide that court review of an action by the Department of Water Resources which is subject to judicial review under the Administrative Procedure Act shall not be heard in any water rights adjudication proceeding commenced under the state adjudication statute	-	49	House Resources and Conservation
87 AAS	Revenue And Taxation	48	INCOME TAX - Amends existing law to increase the percentage of the net capital gain, for taxable year 2001, from the sale or exchange of qualified property which shall be a deduction in determining taxable income ..... (Senate Amendments - See Senate Journal)	367	371	LAW
88	Revenue And Taxation	48	INCOME TAX - Amends existing law to increase from sixty percent to one hundred percent the net capital gain from the sale or exchange of qualified property which shall be a deduction in determining taxable income	351	352	Senate Local Government and Taxation
89	Agricultural Affairs	49	FARM LABOR CONTRACTORS - Adds to existing law to provide for licensure and bonding of farm labor contractors by the Department of Labor	-	52	House Agricultural Affairs
90	Agricultural Affairs	50	VETERINARIANS - Amends existing law to revise and add definitions; to revise exceptions to the requirement of a license or valid temporary permit to practice veterinary medicine; to revise the qualifications of the members of the Board of Veterinary Medicine; to revise the process for removal of board members; to revise qualifications for licensure without the clinical competency test; to revise qualifications for issuance of a temporary permit; to provide reference to certified veterinary technicians and certified euthanasia technicians and agencies; and to provide the board with further disciplinary options and to revise grounds for discipline	205	317	LAW

House Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
91	Agricultural Affairs	50	WHEAT COMMISSION - Amends existing law to authorize the Idaho Wheat Commission to establish the rate of tax imposed on wheat, not to exceed the existing rate of two cents per bushel	-	52	House Agricultural Affairs
92	Local Government	50	SUBDIVISIONS - Amends existing law relating to local land use planning and subdivisions to provide a restriction on any definition adopted by a city or county in lieu of the definition of "subdivision" as provided by state law; to clarify the term "subdivision development"; and to provide a remedy for any provision of a local ordinance which is contrary to state law	-	52	House Local Government
93	Appropriations	50	APPROPRIATIONS - Appropriating an additional $1,456,200 to the Department of Juvenile Corrections for fiscal year 2001	65	148	LAW
94	Appropriations	50	APPROPRIATIONS - Appropriating an additional $113,900 to the Attorney General and authorizing one additional full-time equivalent position for fiscal year 2001	65	148	LAW
95	Appropriations	50	APPROPRIATIONS - Amending the appropriation for the Idaho State Police to appropriate an additional $19,800 to the Idaho State Police for fiscal year 2001	66	148	LAW
96	State Affairs	53	TELEPHONES - Amends existing law to modify the procedure for establishing the maximum rate to be charged for basic local exchange service by telephone corporations and for nonrecurring charges for related services by incumbent telephone corporations; and to authorize realignment of prices between residential and small business telephone services	-	55	House State Affairs
97	Commerce And Human Resources	53	PROFESSIONAL EMPLOYERS - Amends existing law to clarify that benefit and welfare plans maintained by professional employers are not subject to regulation under Title 41, Idaho Code ..	-	55	House Commerce and Human Resources
98 AA	Commerce And Human Resources	53	INDUSTRIAL COMMISSION - RECORDS - Amends existing law to provide when the Industrial Commission records may be available to certain government agencies; to provide procedures; and to provide for a fee ..... (House Amendments - p. 167)	-	190	House Commerce and Human Resources
99	Resources And Conservation	53	MOOSE - HUNTING - Amends existing law to provide for the establishment of a special hunt for moose; to prescribe a time period for the hunt; and to require that participants hold a valid hunting license and tag	-	55	House Resources and Conservation

House Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
100	Judiciary, Rules And Administration	54	SESSION LAWS - Amends existing law to provide that Session Laws shall be distributed in accordance with the list maintained by the Secretary of State; and to provide that books distributed to officers in this state, except legislative officers, are the property of the state and must be delivered to successors in office ……	67	285	LAW
101	Judiciary, Rules And Administration	54	LIQUOR LAW - VIOLATIONS - Amends existing law to require that hearings pursuant to a liquor law violation shall be held in the county where the alleged violation occurred ……	113	317	LAW
102	Trail	56	RELIGIOUS FREEDOM - Amends existing law to provide that the provisions of Chapter 4, Title 73, Idaho Code, relating to the free exercise of religion, do not eliminate or establish a defense to a civil action or criminal prosecution under federal or state civil rights law. ……	-	59	House Judiciary, Rules, and Administration
103	Health And Welfare	56	CONTROLLED SUBSTANCES - Amends existing law to add the drug carisoprodol to schedule IV controlled substances ……	-	59	House Health and Welfare
104	Sali	56	SALES TAX - Amends and repeals existing law to increase the grocery tax credit on income tax returns for certain residents; to delete the grocery tax credit, effective January 1, 2002; to provide an exemption from sales and use tax for certain food sold for human consumption; and increases the percentage of appropriated funds distributed to the Revenue Sharing Account from sales tax moneys ……..……	-	68	House Revenue and Taxation
105	Sali	56	SALES TAX - Amends and repeals existing law to increase the grocery tax credit on income tax returns for certain residents; to delete the grocery tax credit, effective January 1, 2002; to provide an exemption from sales and use tax for certain food sold for human consumption; and to provide for an increase in the percentage of appropriated funds distributed to the Revenue Sharing Account from sales tax moneys ……..……	-	68	House Revenue and Taxation
106	Chase	56	SALES TAX - Amends existing law to repeal the grocery tax credit for income tax purposes; to provide an exemption from sales and use tax for certain food sold for human consumption; and to provide for an increase in the percentage of appropriated funds distributed to the Revenue Sharing Account ……..……	-	68	House Revenue and Taxation
107	Bieter	56	HOSPITALS - CHARITY CARE - Amends existing law to require information regarding charity care and net profits in reports from certain hospitals exempt from property taxation ……	-	68	House Revenue and Taxation

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
108 AA	Bieter	56	FIREFIGHTERS - Amends existing law to provide that a person may stand on a highway to solicit charitable contributions if authorized to do so by the local authority having jurisdiction over the highway ..... (House Amendments - p. 168)	193	193	Failed House
109	Revenue And Taxation	57	CIGARETTE TAX - Repeals and adds to existing law to provide for payments of refunds of cigarette taxes	101	285	LAW
110	Revenue And Taxation	57	INCOME TAX - Amends existing law to provide a technical clarification relating to the amount of capital gain; to clarify the required holding period; and to clarify treatment of property obtained by a beneficiary of an estate or trust	101	370	LAW
111	Revenue And Taxation	57	INCOME TAX - Amends existing law to eliminate the requirement to make estimated payments of less than fifty dollars; and to clarify the penalty for underpayment of estimated taxes.	101	285	LAW
112	Revenue And Taxation	57	INCOME TAX - Amends existing law to provide a nonrefundable credit against taxes for electronically filed tax returns filed beginning on and after January 1, 2002	101	285	LAW
113	Revenue And Taxation	57	SALES TAX - Amends existing law to update and clarify the time and manner for obtaining refunds for overpayments of sales and use taxes; and to provide procedures	-	59	House Revenue and Taxation
114	Resources And Conservation	60	WATER RESOURCES DEPARTMENT - Adds to existing law to provide legislative intent; and to provide that court review of an action by the Department of Water Resources which is subject to judicial review under the Administrative Procedure Act shall not be heard in any water rights adjudication proceeding commenced under the state adjudication statute	75	217	LAW
115	Ways And Means	60	RAILROADS - Adds to existing law to provide for the applicability of the Standard Walkways for Railroads Act within the Public Utilities Commission; to define terms; to provide for surface of walkways; to provide for Walkway Standard No. 1 between yards and switches; to provide for Walkway Standards No. 2 for yards, car spotting areas and regular crew change points; to provide for Walkway Standards No. 3 for switches; to provide for Walkway Standard No. 4 for derails; to provide for access walkways; to provide for walkways on structures and in tunnels; to provide for handrails; to provide for walkways on curves; and to provide for walkways for trackside warning devices	-	62	House Transportation and Defense

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
116	Trail	60	PERSONAL INFORMATION - Adds to existing law to require notification upon request regarding the release of nonpublic personal health or financial information; to provide a sharing of compensation; to provide definitions; and to provide application	-	62	House Transportation and Defense
117	Trail	60	FREE EXERCISE OF RELIGION - Repeals existing law relating to the free exercise of religion	-	63	House Judiciary, Rules, and Administration
118	Trail	60	STATE GUARANTEED SCHOOL SUPPORT - Adds to existing law to provide for state guaranteed school support; and to provide for a procedure in calculating tax levies for supplemental, plant facilities and bond funds for school districts	-	68	House Revenue and Taxation
119	Revenue And Taxation	61	SALES TAX - Amends existing law to clarify the time and method of certain distributions of sales tax receipts	111	285	LAW
120	Revenue And Taxation	61	INCOME TAX - Amends existing law to govern the time within which income tax refund claims must be filed	111	285	LAW
121 AAS	Revenue And Taxation	61	INCOME TAX - Amends existing law relating to the administration of the Idaho Income Tax Act to make technical corrections for internal consistency, correct cross references and citations, and coordinate credits within the Income Tax Act ..... (Senate Amendments - See Senate Journal)	358	368	LAW
122	Revenue And Taxation	61	USE TAX - Amends existing law relating to the use tax to provide an exemption from imposition of the use tax on certain personally owned vehicles	113	285	LAW
123	Trail	61	CHILD CARE FACILITIES - Amends and repeals existing law to provide correct terminology; to provide that basic day care licenses shall be based on facility size; to provide that the Department of Health and Welfare shall issue day care licenses for a specific number of children based on certain factor sand may issue a day care license to care for fewer children than the facility's maximum capacity; to provide that day care facilities may combine children of different age groups under certain conditions; to provide that only adults in direct supervision of the children shall count as staff for purposes of computing a child-staff ratio; and to delete language relating to punishment for operating a group day care facility without a certificate	-	63	House Health and Welfare

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
124	Transportation And Defense	63	AIRCRAFT - REGISTRATION - Amends existing law to provide that aircraft shall only be registered prior to or during the current annual registration year; and to provide that there shall be no registration of aircraft for any registration period which is prior to the current registration year	126	330	LAW
125	Appropriations	63	APPROPRIATIONS - Appropriating an additional $20,132,000 to the Superintendent of Public Instruction/Department of Education and authorizing two additional full-time equivalent positions for fiscal year 2001	75	176	LAW
126	Appropriations	63	APPROPRIATIONS - Amending the appropriation for the State Tax Commission to appropriate an additional $146,400 to the State Tax Commission for fiscal year 2001	76	148	LAW
127	State Affairs	64	TELECOMMUNICATIONS - Adds to existing law to authorize the Public Utilities Commission to establish, by rule, minimum telecommunication service quality standards	-	149	House State Affairs
128	State Affairs	64	STATE GOVERNMENT - OFFICES - Amends existing law to provide that state government offices shall be in Ada County, rather than the statutory requirement of either at the state capitol or the City of Boise	172	330	LAW
129	Business	68	PUBLIC WORKS CONTRACTOR LICENSING BUREAU - Amends existing law to provide that the Division of Building Safety shall include the Public Works Contractor Licensing Bureau	210	317	LAW
130	Business	68	BUILDING SERVICES - BOARDS - Amends existing law to change the payment for members of the Idaho Building Code Advisory Board, the Manufactured Home Advisory Board, the Idaho Electrical Board and the Idaho Plumbing Board from compensation to an honorarium and to increase the amount from $35.00 per day to $50.00 per day	210	317	LAW
131	Business	69	MANUFACTURED HOMES - Repeals and amends existing law to provide reference to the manufactured home installation standard; to delete the requirement that a copy of the manufacturer's specifications and a copy of the state set up requirements be in the home; to delete the requirement that a homeowner or park owner ensure that certain ground provides a proper base and drainage for a mobile or manufactured home; to delete requirements for instructions and installation of stabilizing systems; and to delete requirements for permanent foundations	211	317	LAW

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
132	Business	69	EQUIPMENT LEASED/RENTED - LIENS - Amends existing law to further define the term "furnishing material"; to clarify that persons who rent, lease or otherwise supply equipment, materials or fixtures for the improvement of a lot have a lien; to provide that the renting, leasing or otherwise supplying of equipment, materials or fixtures shall authorize a lien upon land; to provide when liens shall be on equal footing with other lien claims; to provide application to rented or leased equipment, materials or fixtures; to revise procedures for a person claiming a lien; to provide that the term "materialmen" includes persons furnishing, renting or leasing equipment, materials or fixtures; and to provide for application to equipment, materials or fixtures rented or leased in a personal action to recover a debt	165	317	LAW
133	Business	69	CORPORATIONS - SHAREHOLDERS - Amends existing law to revise the means by which a shareholder may vote his shares by proxy	110	292	LAW
134	Judiciary, Rules And Administration	69	COMMUNITY GUARDIAN BOARD - Amends existing law to clarify that members of a board of community guardian shall be appointed by the board of county commissioners that created the board of community guardian; to extend terms of members of a board of community guardian; and to allow a member of a board of community guardian to serve until a successor is appointed ...	150	317	LAW
135	Judiciary, Rules And Administration	69	LASER POINTERS - Adds to existing law to provide for certain unlawful uses of laser pointers; to provide for punishment; and to define "laser pointer."	-	71	House Judiciary, Rules, and Administration
136	Judiciary, Rules And Administration	69	JUDICIAL DISTRICTS - LAW CLERKS - Amends existing law to provide for the appointment of law clerks in each judicial district; and to provide for the payment of salaries of the law clerks by the state	-	71	House Judiciary, Rules, and Administration
137	Revenue And Taxation	69	SALES TAX - MUSEUMS - Amends existing law to provide a sales tax exemption for purchases by museums; and to define "museums."	-	71	Not Printed
138	Revenue And Taxation	69	MUSEUMS - Amends existing law to provide a sales tax exemption for admissions to and purchases by museums; and to define "museums."	207	208	Senate Local Government and Taxation

House Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
139	State Affairs	71	PUBLIC EMPLOYMENT - Amends existing law to provide that veterans preference points shall be used by disabled veterans for initial and future appointments; to provide a definition of "disabled veteran"; and to delete the definition of "disabled war veteran."	-	73	House State Affairs
140	State Affairs	72	VETERANS HOMES - Amends existing law to revise the powers and duties of the administrator of the Division of Veterans Services; to revise the definition of "veteran" and to provide a definition of "wartime veteran"; to provide that male and female veterans discharged under honorable conditions shall be eligible for admission to the state's veterans homes; and to delete eligibility for admission to the state's veterans homes for members of the state national guard disabled while in the line of duty who did not refuse military duty on account of conscientious objection	150	330	LAW
141	State Affairs	72	STATE VETERANS CEMETERY - Amends and repeals existing law to revise the powers and duties of the administrator of the Division of Veterans Services; to provide rulemaking authority for the administrator regarding establishment of standards and criteria for interment at the state veterans cemetery; and to provide for the deposit of certain benefits into the veterans cemetery maintenance fund	150	330	LAW
142	State Affairs	72	ELECTRIC SUPPLIER STABILIZATION ACT - Amends, repeals and adds to existing law to modify the Electric Supplier Stabilization Act to bring it into conformity with principles articulated by the Ninth Circuit Court of Appeals in the 2000 decision of Snake River Valley Electric Association v. PacifiCorp and State of Idaho; to provide that any member of a cooperative association that provides electric service may apply to the district court of the county where the member's service entrance is located for a determination that the cooperative association's charges for electric service to that member are fair, just, reasonable and are not discriminatory or preferential; to provide circumstances when the court will remand the matter to the cooperative association; to provide that any consumer of a municipal electric system may apply to the district court of the county where the consumer's service entrance is located for a determination that the municipality's charges for electric service to that consumer are fair, just and reasonable and not discriminatory or preferential; and to provide circumstances when the court will remand the matter to the municipality	137	204	LAW

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
143	Revenue And Taxation	72	AIRCRAFT - Amends existing law to exempt from sales and use taxes the sale, lease, purchase or use of repair and replacement materials and parts for remodeling, repair or maintenance of aircraft; and to provide that such exemption does not include certain tools and equipment	150	317	LAW
144 AAS	State Affairs	74	TELEMARKETERS - Adds to existing law to require that written or verbal consent be obtained by a telemarketer who has previously obtained an account number before a charge can be made to the account ..... (Senate Amendments - See Senate Journal)	323	371	LAW
145	State Affairs	74	MUNICIPAL ELECTIONS - Amends, repeals and adds to existing law to bring the election laws governing municipal elections into greater conformity with the laws governing the state and county elections, particularly regarding declaration of candidacy and petition of candidacy, declaration of intent for write-in candidates and authority to hold no election when only one candidate has filed	-	77	House State Affairs
146	State Affairs	74	ELECTIONS - REGISTRATION - Amends and repeals existing law to clarify that election day registration is allowed at an absentee polling place; and to revise county procedures governing election records	149	317	LAW
147	Transportation And Defense	74	MILITARY - Amends existing law relating to the state militia to provide that certain members may demand trial by court-martial in lieu of nonjudicial punishment; to delete a reference to notice of declared emergency; to broaden authority of commanding officers to arrest certain members of the Idaho military; to provide a procedure following arrest; to delete reference to a probable cause finding that a member received adequate notice of a declared emergency; to provide for issuance and service of warrants; to provide for arrest and incarceration; to provide for rules of procedure; and to provide that enforcement of the Idaho Code of Military Justice shall conform as nearly as practicable to specified rules and case precedent	113	317	LAW
148	Revenue And Taxation	74	INCOME TAX - ELECTRONIC FUNDS TRANSFER - Amends existing law to provide that no individual shall be required to make payment by electronic funds transfer regardless of the amount paid or payable when taxes, fees or amounts are payable pursuant to the Idaho Income Tax Act	182	317	LAW

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149	Revenue And Taxation	75	INCOME TAX - CREDIT - Amends existing law to provide an income tax credit for charitable contributions made to Gem Youth Services or its foundation	208	317	LAW
150	Revenue And Taxation	75	PROPERTY TAX - RELIEF - Amends existing law to revise definitions; to revise exceptions to the claimant's personal right to file claims; to revise procedures for filing claims; to provide reference to persons or entities acting on a claimant's behalf; to delete reference to household income; to delete the requirement of the signature by a claimant on each approved claims form; to provide reference to claimant's spouse; to provide reference to persons or entities acting on behalf of applicants and other persons; and to provide for power of attorney	151	299	LAW
151 AA	Judiciary, Rules And Administration	81	PUBLIC RECORDS - Amends existing law to provide that specified sections of Idaho Code relating to the disclosure of public records shall not make available contents of prosecution case files where such material has previously been provided to the defendant, nor shall such specified sections be available to supplement, augment, substitute or supplant discovery procedures in federal or state criminal, civil or administrative proceedings ..... (House Amendments - p. 199)	221	317	LAW
152	Judiciary, Rules And Administration	81	RECORDS - PROSECUTING ATTORNEY - Amends existing law to exempt the files of prosecuting attorneys from public disclosure	-	84	House Judiciary, Rules, and Administration
153	Business	81	WATER CONDITIONING EQUIPMENT - Amends existing law to remove the exception for water conditioning equipment from the definition of plumbing system; and to delete the definition for "water conditioning equipment."	-	84	House Business
154	Business	81	MANUFACTURED HOMES - Amends existing law to provide that a manufactured home shall have a garage or carport constructed of like materials if zoning ordinances would require a newly constructed, nonmanufactured home to have a garage or carport	174	317	LAW
155	Business	81	REAL ESTATE - Amends existing law to revise the agency disclosure brochure required for representation confirmation	174	343	LAW

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156 AA	Business	81	INSURANCE - WHOLESALE PRODUCERS - Adds to and amends existing law to provide that when an insurance producer acts as a wholesale producer, the producer may charge a fee or may be compensated by a combination of fees and commissions; to provide duties of the wholesale producer; to provide for disclosure of certain information; to define terms; to provide application to personal lines insurance policies or surety insurance policies; and to provide that wholesaler producer fees charged shall not be considered a premium unless the fee relates to a surplus line policy ..... (House Amendments - p. 231)	255	317	LAW
157	Revenue And Taxation	82	INCOME TAX - GROCERY CREDIT - Amends existing law to increase the grocery tax credit for resident individuals	-	84	House Revenue and Taxation
158	Revenue And Taxation	82	INCOME TAX - Amends, repeals and adds to existing law to reduce the individual income tax rates for individuals; to provide for rebates of 10.6% of the 1999 income tax paid by individuals, subject to a $25.00 minimum and $25,000 maximum; to increase the grocery tax credit for individuals; to reduce the corporate income tax rate and franchise tax; to provide for an increase in deduction for capital gains; to provide for a new employee income tax credit; to provide income tax credits for research expenditures and creation of new jobs; to change the child care deduction to a credit equal to one-half the federal credit; and to permanently increase credit for caring for a dependent over 65 years of age or caring for a person who is developmentally disabled from $100 to $500	-	84	House Revenue and Taxation
159	Revenue And Taxation	82	SALES TAX - FOOD - Amends existing law to delete the grocery tax credit for state income tax purposes; to provide an exemption from sales and use tax on certain food sold for human consumption; and to provide for an increase in the percentage of appropriated funds distributed to the Revenue Sharing Account	-	84	House Revenue and Taxation
160	Revenue And Taxation	83	INCOME TAX - Amends existing law to update the reference to the Internal Revenue Code	112	285	LAW
161	Business	84	INSURANCE GUARANTY ASSOCIATION - Amends existing law to delete the requirement that the insurance guaranty association maintain three separate accounts; to provide for one account; and to delete the requirement to allocate claims and assessments by the Idaho Insurance Guaranty Association among three accounts	234	317	LAW

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162	Local Government	85	CITY ORDINANCES - Amends existing law to provide that at least one copy of the supplemental code shall be filed for public use and examination prior to adoption by the city council; and to provide that one copy of the supplemental code shall be retained by the city and filed in the office of the city clerk	192	317	LAW
163	Local Government	85	SURVEY MARKERS - DEFACING - Amends existing law to increase the maximum penalty to $5,000 for persons willfully defacing, injuring or removing any signal, monument, building or other object set as a permanent boundary survey marker by a registered, professional land surveyor	-	90	House Local Government
164	Environmental Affairs	85	DEPARTMENT OF ENVIRONMENTAL QUALITY - Amends existing law to provide that the Department of Environmental Quality and the Board of Environmental Quality shall have the authority to regulate matters relating to environmental protection; and to provide technical cleanup for Senate Bill No. 1426 of the 2000 Legislature	145	317	LAW
165	Health And Welfare	87	CONTROLLED SUBSTANCES - Amends existing law to provide notification of investigations concerning licenses for controlled substances to their respective boards of professional licensure; and to authorize action of the board of professional licensure; and to allow the Board of Pharmacy to recover certain costs of prosecution	206	330	LAW
166	Health And Welfare	87	BEEF - DONATION - Amends existing law to provide immunity from civil and criminal liability for donors of beef to charitable organizations; and to provide an exception to the requirement for inspection of slaughtered animals for charitable organizations providing free food service	-	90	House Health and Welfare
167	Transportation And Defense	87	MOTOR FUELS TAX - Amends existing law regarding motor fuel taxes to allow certain special fuel users who primarily bear the cost of maintaining certain roads to exclude those roads as highways for all vehicles under their control; to clarify that certain motor vehicles not licensed for highway use are entitled to a refund; and to authorize the State Tax Commission to reduce or eliminate certain reporting requirements from fuel importers and pipeline terminal operators	146	317	LAW
168	Agricultural Affairs	87	PESTICIDE APPLICATORS - Amends existing law relating to licensure for pesticide and chemigation applicators to provide for an exemption from licensing requirements for certain persons providing limited pesticide applications to lawns or ornamental trees and shrubs	152	152	Failed House

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169 AA AAS	Agricultural Affairs	87	AGRICULTURAL CROPS - DESTRUCTION - Adds to existing law to provide liability for the willful and knowing damage or destruction of any agricultural or horticultural crop product; and to provide for damages ..... (House Amendments - p. 169) (Senate Amendments - See Senate Journal)	358	371	LAW
170	Agricultural Affairs	87	WHEAT COMMISSION - Amends existing law to authorize the Idaho Wheat Commission to establish the rate of tax imposed on wheat, not to exceed the existing rate of two cents per bushel	145	317	LAW
171	Agricultural Affairs	88	PEST MANAGEMENT COMMISSION - Adds to existing law to provide for a Commission on Pesticide Management; to provide for use of appropriations; to provide for deposit and disbursement of funds; to provide for the audit of funds; to provide for annual and biennial reports; to provide for duties of the commission; and to provide for legislative evaluation	-	90	House Agricultural Affairs
172	Revenue And Taxation	88	GENERAL FUND - SURPLUS - Adds to existing law to provide distribution of an unexpended and unencumbered balance in the General Fund; and to provide a tax credit to individual income tax payers based upon a General Fund surplus	-	90	House Revenue and Taxation
173	Revenue And Taxation	88	INCOME TAX - Amends existing law to include intangible personal property held at least twelve months under the definition of qualifying property for capital gains treatment under Idaho income tax law	-	90	House Revenue and Taxation
174	Revenue And Taxation	88	MINE LICENSE TAX - Amends existing law to reduce the mine license tax from two percent to one percent of the net value of royalties or of the ores mined and extracted	187	343	LAW
175	State Affairs	92	POLLS - PERSUASIVE - Amends existing law to clarify the definition of a persuasive poll; and to provide for penalties and prosecution	201	317	LAW
176 AAS	Resources And Conservation	92	OUTFITTERS AND GUIDES - Amends existing law relating to outfitters and guides to revise the definition of "license year"; to provide an exception for licensure for certain persons furnishing livestock and equipment to a hunter or fisherman; to delete the requirement that each nonresident licensee, permittee or tagholder report to the Department of Fish and Game the number of each species of big game taken and other information; and changes the dates for imposition of a penalty for incomplete applications ..... (Senate Amendments - See Senate Journal)	322	368	LAW

House Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
177	Resources And Conservation	92	FISH AND GAME LICENSES - Amends existing law to provide for a reduced fee for fish and game licenses to those persons deemed disabled by the Railroad Retirement Board	157	317	LAW
178	Appropriations	92	APPROPRIATIONS - Appropriating an additional $446,000 to the State Board of Education for the Idaho Historical Society for fiscal year 2001; and authorizing an additional five full-time equivalent positions for the Idaho Historical Society	126	285	LAW
179	Resources And Conservation	92	GALLOWAY DAM AND RESERVOIR - Adds to existing law to provide that the Idaho Department of Water Resources shall conduct a feasibility study of the Galloway Dam and Reservoir; and to appropriate $200,000 to the Department of Water Resources to conduct the feasibility study	200	201	Senate Finance
180 AA	Resources And Conservation	92	SAFE BOATING LAW - VIOLATIONS - Amends existing law to reduce certain misdemeanor penalties to infractions for persons violating provisions of the state's safe boating law; and to provide for misdemeanor penalties for certain violations of the state's safe boating law ... (House Amendments - p. 214)	241	317	LAW
181	Judiciary, Rules And Administration	92	VIOLENT SEXUAL PREDATOR - Amends existing law to designate the courts where certain offenders may apply to challenge designations as violent sexual predators	158	330	LAW
182	Judiciary, Rules And Administration	92	SEARCH WARRANTS - Amends existing law to extend the time within which a search warrant must be executed and returned to the issuing magistrate	164	330	LAW
183	Judiciary, Rules And Administration	93	POST-CONVICTION PROCEDURE - Amends existing law to clarify the appointment of attorneys at public expense in uniform post-conviction procedure act proceedings	165	317	LAW
184	Judiciary, Rules And Administration	93	POSTJUDGMENT - Amends existing law to provide for postjudgment attorney's fees and costs incurred in collecting on judgments entered in certain small claims cases	227	317	LAW
185 AA	Judiciary, Rules And Administration	93	CHILD PROTECTIVE ACT- Amends and adds to existing law to provide a periodic review of cases in child protection proceedings; to provide for jurisdiction; to provide that, in certain cases, the order will require reasonable efforts to reunify the family or finalize placement of the child; and to require the Department of Health and Welfare to file a permanency plan and recommendations with the court within a specified time ..... (House Amendments - p. 169)	195	317	LAW

House Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
186	Business	94	INSURANCE PRODUCERS/CONSULTANTS - Amends and adds to existing law to provide that certain licensed insurance producers and insurance consultants shall make available for inspection certain records	222	317	LAW
187	Revenue And Taxation	94	TAXATION - PERSONAL PROPERTY - Amends and adds to existing law to provide, during tax year 2001 only, that machinery or equipment used in agriculture shall be exempt from personal property taxation; to provide procedures for reimbursement to local governments for certain property exempt from taxation; to provide for a review of exemptions; and to provide for remittance of sales tax moneys to reimburse local units of government for certain tangible personal property exempt from taxation ..	-	96	House Revenue and Taxation
188	State Affairs	94	PUBLIC UTILITIES COMMISSION - EMPLOYEES - Amends existing law to provide that the pipeline safety specialist, employed by the Public Utilities Commission, shall be a nonclassified employee	175	317	LAW
189 AA	State Affairs	94	SCHOOL DISTRICT ELECTIONS - Amends existing law to require that school district elections shall be conducted on the uniform date for elections conducted within Idaho with special provisions for certain levy elections ..... (House Amendments - p. 169)	193	194	Senate State Affairs
190	State Affairs	94	SCHOOL DISTRICT TRUSTEE ZONES - Amends existing law to adopt standards for school district trustee zone boundaries	194	194	Senate State Affairs
191 AA	State Affairs	97	SCHOOL DISTRICT TRUSTEE ZONES - Amends existing law to require that school district trustee zones be redefined following the decennial census ..... (House Amendments - p. 169)	194	317	LAW
192 AA	Environmental Affairs	97	RADIOACTIVE WASTE - DISPOSAL - Amends existing law to provide a five dollar per gate ton, or fraction thereof, disposal fee for wastes containing radiologically contaminated waste materials from certain sites administered by the U.S. Army Corps of Engineers; to revise the definition of "restricted hazardous waste"; and to provide for rules ..... (House Amendments - p. 232)	262	370	LAW
193	Local Government	97	FIRE PROTECTION DISTRICTS - Amends existing law to provide for the election of commissioners from expanded boards of fire protection districts	180	317	LAW

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
194	Local Government	97	PLANNING AND ZONING COMMISSIONS - Amends existing law relating to planning and zoning commissions to clarify the geographical area within which certain members must reside …	-	190	House Local Government
195	Local Government	97	PORT DISTRICTS - Amends existing law to eliminate the interest rate limitation on port district revenue refunding bonds ……	182	317	LAW
196	Local Government	97	PORT DISTRICTS - Amends existing law to provide that leases of port district real property shall be secured by a bond, rental insurance or other financial guaranty as deemed sufficient by the port commission ……...	192	317	LAW
197	Local Government	98	EMINENT DOMAIN - Amends existing law relating to eminent domain to require business owners claiming business damages to submit a written business damage claim to the condemning authority within ninety days after the condemning authority's initial offer letter; to require that the business damage claim be prepared by an individual familiar with the operations of the business owner's business; to provide that the business owner shall provide the condemning authority with certain business records; and to provide that the condemning authority's good faith in failing to offer compensation shall not be contested at a possession hearing if the business owner has not given notice of its intent to claim business damages within a certain time period …..	-	103	House Local Government
198	Health And Welfare	98	HEALTH AND WELFARE - Amends, repeals and adds to existing law relating to the Department of Health and Welfare to provide for investigations, inspections, right of entry, enforcement, penalties and injunctions; to provide for commencement of civil actions or criminal actions; to provide that the Department of Health and Welfare shall regulate x-ray producing machines; and to redesignate sections of the Idaho Code relating to emergency medical services, services to victims of cystic fibrosis, do not resuscitate orders, and poison control centers ……	206	317	LAW
199	Transportation And Defense	99	RAILROAD CROSSINGS - Amends existing law to provide penalties for commercial motor vehicle operators and employers of such operators if convicted of a violation of a law pertaining to railroad-highway grade crossings ……	-	103	House Transportation and Defense

House Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
200	Revenue And Taxation	99	INCOME TAX - Amends, repeals and adds to existing law to reduce the individual income tax rates for taxable year 2001 and 2002 and thereafter; to provide for rebates of 10.6% of the 1999 income tax paid by individuals, subject to a $25.00 minimum and $25,000 maximum; to increase the grocery tax credit; to increase the capital gains deduction; to permanently reduce the corporate income tax rate by 0.2%; to provide five new or expanded income tax credits for research and development expenditures, creation of new jobs, providing new venture capital, installing broadband communications equipment, investing in counties with high unemployment or low personal income; to change the child care deduction to a credit equal to one-half the federal credit; and to permanently increase credit for caring for a dependent over 65 years of age or caring for a person who is developmentally disabled from $100 to $500	-	103	House Revenue and Taxation
201	Revenue And Taxation	100	INSURANCE - PREMIUM TAX - Amends existing law relating to insurance premium tax to remove the term "domestic" from the exemption relating to insurers doing exclusively worker's compensation business and from the exemption relating to insurers which exclusively insure governmental entities	191	317	LAW
202	Revenue And Taxation	100	PROPERTY TAX - HOMEOWNER'S EXEMPTION - Amends existing law to provide that an owner of property is entitled to an exemption if residential improvements are owner-occupied after January 1 but before April 15; and to provide that a property tax reduction shall be allowed if an owner of property occupies residential improvements after January 1 but before April 15, if no other property tax reductions have been claimed for the property	191	317	LAW
203	Revenue And Taxation	100	AUDITORIUM DISTRICTS - Amends, adds to and repeals existing law to define terms; to revise petition contents for organization of an auditorium district; to revise when elections may be held; to provide additional powers for the board of an auditorium district; to provide the maximum tax rate for any auditorium district established after July 1, 2001	-	103	House Revenue and Taxation
204	Revenue And Taxation	100	PROPERTY TAX - Amends existing law relating to property tax relief to provide a deduction for certain expenses related to funerals in the determination of income	-	103	House Revenue and Taxation

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
205	Business	103	UCC - SECURED TRANSACTIONS - Amends, repeals and adds to existing law relating to secured transactions to provide for security agreements; to provide for perfection and priority of security interests; to provide for rights of third parties; to provide for filing of financial statements; to provide for default; to provide for transition; and to provide for application of the Uniform Commercial Code to certain liens	172	343	LAW
206 AAS	State Affairs	109	ELECTIONS - PROCEDURES - Amends and repeals existing law to govern the method of voting for a write-in candidate on an optical scan voting machine; and to provide additional criteria for approval of voting machines ..... (Senate Amendments - See Senate Journal)	326	368	LAW
207 AA	State Affairs	109	ABSENTEE BALLOTS - Amends existing law to specify a time when an application for an absentee ballot must have been received; and to provide for the counting of absentee ballots received on election day ..... (House Amendments - p. 214)	241	241	Senate State Affairs
208	State Affairs	109	CANDIDATES - BALLOT LISTING - Amends and adds to existing law to provide that the Secretary of State shall complete a random ordering of letters of the alphabet to govern the order of candidates listed on the ballot	-	115	House State Affairs
209	Local Government	109	WATER AND SEWER SERVICES - Amends existing law to authorize the boards of county commissioners to provide necessary water and sewer services; and to clarify authority of the board when an emergency exists	205	330	LAW
210	Agricultural Affairs	109	PEA AND LENTIL COMMISSION - Amends existing law to authorize the Idaho Pea and Lentil Commission to establish the rate of tax to be imposed of not less than one percent; but not to exceed two percent, of the net receipts of specified agricultural commodities at the first point of sale .	192	370	LAW
211 AA	Agricultural Affairs	109	CONFINED ANIMAL FEEDING OPERATIONS Adds to existing to provide for odor management plans for confined animal feeding operations (CAFOs); to provide a process and content for a county request; to provide responsibilities for the Department of Agriculture, Department of Environmental Quality and the Department of Water Resources; to authorize rulemaking and agreements with other agencies; to provide for the report of the siting advisory team; and to provide for county action ..... (House Amendments - p. 248)	263	371	LAW

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
212	Health And Welfare	109	SOCIAL WORK LICENSES - Repeals and amends existing law to provide an exemption from the Social Work Licensing Act for certain hospital employees	206	317	LAW
213 AA	Health And Welfare	110	RITALIN - Adds to existing law to require pharmacies that dispense Ritalin shall disclose to the person taking possession of the dispensed prescription, of the known side effects of the prescriptive and nonprescriptive use of the drug and other consequences; to direct the Board of Pharmacy to promulgate rules to ensure that the disclosed information is provided by the dispensing pharmacy to each person who takes possession of a prescription for Ritalin and that specified information is consistent with the most current medical findings ..... (House Amendments - p. 200)	222	222	Senate Health and Welfare
214	Transportation And Defense	110	MOTOR VEHICLES - COMMERCIAL - Amends existing law to provide that motor vehicles weighing in excess of sixty thousand pounds may pay the annual registration in quarterly payments	152	330	LAW
215	Transportation And Defense	110	DRIVER'S LICENSES - Amends existing law to provide that where a driver's license has been revoked, suspended, canceled or disqualified in any other jurisdiction, and the driver has completed the period of revocation, suspension, cancellation or disqualification as specified by the jurisdiction, that person may be granted a class D driver's license in this state if five years have elapsed from the time of eligibility for reinstatement in the other jurisdiction, even though the driver has not fulfilled the requirements for reinstatement in the other jurisdiction	153	317	LAW
216	Transportation And Defense	110	TRANSPORTATION AGREEMENT - Amends existing law to provide revisions to the Multistate Highway Transportation Agreement in accordance with changes mutually agreed upon by the participating jurisdictions	172	172	Senate Transportation
217	Appropriations	118	STATE ACCOUNTS - Amends existing law to provide that error corrections resulting from a fiscal year's activities in state accounts, as to appropriations, may be recorded by the State Controller without legislative authorization in the following fiscal year, provided the corrections do not exceed $500,000 and are recorded within six months of the end of the fiscal year; and to provide that corrections exceeding $500,000 or discovered more than six months after the end of the fiscal year shall be approved by the Legislature	151	285	LAW

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
218	Appropriations	119	ATTORNEY GENERAL - Amends, repeals and adds to existing law to provide correct terminology; to delete reference to interaccount receipts; to provide that funds may be expended pursuant to legislative appropriation; to provide for an amount in the Consumer Protection Fund that shall be transferred to the General Fund; to provide that the Attorney General shall provide legal representations to certain state entities; to provide that written opinions of the Attorney General shall be given upon the request of certain state agencies; to provide that the Division of Financial Management shall prepare an estimate of costs for services provided; and to provide that the Division of Financial Management and the Legislative Services Office shall allow state agencies to modify their budget requests in response to such cost estimates	151	285	LAW
219	Education	119	TEACHERS - INCENTIVE PAYMENTS - Amends existing law to provide incentive payments for first, second and third year teachers beginning their career in Idaho	-	206	House Education
220	Resources And Conservation	119	WATER RIGHTS - Amends existing law to provide additional exceptions or defenses to forfeiture of water rights; and to provide that an exclusion of land from an irrigation district does not subject the irrigation district's water right to forfeiture	-	127	House Resources and Conservation
221	Resources And Conservation	119	WATER - DIVERSION - Amends existing law to authorize an annual charge of up to fifty dollars per year for each diversion measured in water measurement districts if the charge is adopted by resolution approved by vote of the water users at a meeting	215	317	LAW
222	Resources And Conservation	119	BIGHORN SHEEP - Amends existing law to provide for the auction of bighorn sheep tags; to limit the portion of all proceeds that may be retained by an organization selected to auction a tag; to provide for deposit and use of proceeds from the auctions; to require hearings prior to transplants of bighorn sheep; to provide for lotteries for bighorn sheep tags; and to provide for the deposit and use of the proceeds from the lotteries	215	317	LAW
223	Resources And Conservation	120	GAME TAGS - LANDOWNERS - Amends existing law to provide that certain landowners or their designees shall be eligible for designated game tags, free of charge, in the event an emergency is declared to open a season to protect a landowner's private property	186	317	LAW

House Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
224	Resources And Conservation	120	WILDLIFE DEPREDATION - CROPS - Amends existing law to provide that specified deductibles associated with claims against wildlife depredation accounts shall be waived for certain claims for damage to standing or stored crops or claims involving livestock	187	317	LAW
225	Commerce And Human Resources	120	OCCUPATIONAL DISEASES - Amends existing law to further define occupational diseases relative to worker's compensation to include infectious hepatitis viruses and tuberculosis	226	330	LAW
226	Commerce And Human Resources	120	ARCHITECTURAL EXAMINERS BOARD - Amends existing law to increase the honorarium for members of the Board of Architectural Examiners	226	317	LAW
227	Commerce And Human Resources	120	SELF-FUNDED HEALTH PLANS - Amends existing law to clarify that a professional employer may establish a self-funded employer plan which is subject to ERISA and other applicable federal law, and which shall not be subject to Chapter 40, Title 41, Idaho Code; and to provide that the sale of professional employer arrangements, including the sponsorship and maintenance of benefit or welfare plans in conformance with law, shall not constitute the sale of insurance nor subject the professional employer to regulation as an insurer under Idaho law	216	216	Failed House
228 AA	Business	120	MANAGED CARE - Amends existing law to provide that no managed care organization shall require prior authorization for emergency services; to provide for emergency services provided to a member who is unable to reasonably reach a participating provider; to provide for medically necessary covered services that are not reasonably available through participating health care providers or are provided by a nonparticipating provider; and to provide for reimbursement for services provided by a nonparticipating provider .. (House Amendments - p. 259)	-	300	House Business
229	Business	120	SCHOOL DISTRICTS - POLITICAL SUBDIVISIONS - INSURANCE - Amends existing law to require the director of the Department of Administration to provide services in contracting for insurance for school districts and other political subdivisions	-	127	House Business
230	Business	120	DEBT COLLECTORS - Amends existing law to provide an exemption to the permit requirements for collection agencies for any person acting as a debt collector for another person, both of whom are related by common ownership or affiliated by corporation control	-	127	House Business

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
231	Business	120	PUBLIC PROJECTS - Amends existing law to clarify procedures for the selection of professionals providing design services for public projects	234	372	VETOED
232 AA	Business	121	EMERGENCY COMMUNICATIONS PRESERVATION - Adds to existing law to provide a short title; to provide a statement of purpose; to provide definitions; and to provide restrictions on local units of government in enacting rules and ordinances relating to antenna support structures and antennas ..... (House Amendments - p. 214)	241	371	LAW
233	Business	121	INSURERS - Amends existing law to specify the maximum aggregate amount of real estate which may be invested by a domestic reciprocal insurer comprised of and exclusively insuring members who are political subdivisions of the state	211	317	LAW
234	Business	121	VINTNER/WINERY - Amends existing law to provide for terms of compensation in the event a vintner, winery, importer or dealer terminates, cancels or refuses to renew a distribution agreement with a distributor	-	127	House Business
235	Business	121	INSURANCE - Amends existing law to require an insurance provider's notification to its insured of an intent to claim a right to subrogation	-	127	House Business
236	Business	121	WINE DISTRIBUTORS - Adds to existing law to require notice prior to the transfer of a distributor's business; to require consent of a vintner, winery, importer, or dealer to a transfer of a distributor's business under certain conditions; to prohibit certain conduct by vintners, wineries, importers or dealers; to provide for burdens of proof in legal actions or other dispute resolution proceedings; to provide that successors in interest to distributors shall be bound by the terms and conditions of an agreement in effect on the date of such succession; to provide that transferees shall be bound by the terms and conditions of an agreement in effect on the date of the transfer; and to provide a definition	-	127	House Business
237 AAS	Business	121	UNIFORM COMMERCIAL CODE - DAMAGES/BENEFITS - Amends existing law to exclude from application of the Uniform Commercial Code a claim or right to receive compensation for certain damages described under specified federal law, and a claim or right to receive benefits under a special needs trust under specified federal law ..... (Senate Amendments - See Senate Journal)	323	370	LAW

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
238 AA	Business	121	PUBLIC WORKS CONTRACTORS - LICENSING - Amends and repeals existing law to reorganize the powers and duties of the administrator of the Division of Building Safety and the Public Works Contractor's License Board regarding the licensing of public works contractors ..... (House Amendments - p. 248)	264	370	LAW
239	Judiciary, Rules And Administration	122	NAMES - TRANSFERRED WITHOUT AUTHORIZATION - Adds to existing law to provide that persons whose names are transferred by other persons for consideration without prior authorization shall receive ten percent of the value of the consideration; to provide for a private cause of action; and to provide application	-	127	House Judiciary, Rules, and Administration
240	Judiciary, Rules And Administration	122	CORRECTIONAL FACILITIES - Adds to existing law relating to correctional facilities to limit the amount of fees or commissions that certain correctional facilities may collect from nongovernmental entities providing telecommunication services; to provide requirements; to provide for franchise fee arrangements; and to limit the application of the section to certain contracts	-	127	House Judiciary, Rules, and Administration
241	Judiciary, Rules And Administration	122	COURT REPORTERS - Amends existing law to delete the annual salary schedule for court reporters; to provide for the salary of court reporters; to delete reference to the Supreme Court's discretionary authorization of salaries in excess of scheduled salaries for certain reporters; to provide that the Supreme Court shall establish and maintain a personnel plan for court reporters; to delete reference to the temporary effect of the salary schedule; and to provide for ratification of the salary schedule through the appropriation process of the Legislature	228	228	Failed House
242 AA	Judiciary, Rules And Administration	122	DNA TESTING - Amends existing law relating to post-conviction appeals to provide a petition for special procedures for fingerprint and DNA testing; to provide additional conditions for filing a petition for fingerprint and DNA testing; to provide that a trial court shall allow testing under certain conditions; to provide that a court shall order appropriate relief if testing demonstrates a person did not commit an offense; and to provide for payment of testing ..... (House Amendments - p. 261)	281	371	LAW

House Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
243 AA	Judiciary, Rules And Administration	122	SMALL LAWSUIT RESOLUTION - Adds to existing law to provide for the Small Lawsuit Resolution Act; to provide for application; to provide for initiation of the process; to provide for a fee; to provide for the selection of a civil evaluator; to provide for qualifications, appointment and compensation of evaluators; to authorize the Idaho Supreme Court to prescribe rules relating to evaluations; to provide evaluator authority and procedure for evaluators; to provide for discovery and hearing procedures; to provide for decisions and awards; to provide for appeals; to provide for trials de novo; to provide for attorney's fees and costs; to provide for offers of compromise; to provide for judgments; to provide for award of witness fees and costs; and to recognize the right to trial ..... (House Amendments - p. 214)	-	234	House Judiciary, Rules, and Administration
244	Judiciary, Rules And Administration	123	THEFT - Amends existing law relating to theft to strike superfluous language; and to provide a code reference to include theft during a "criminal episode" in the penalty statute	175	317	LAW
245	Judiciary, Rules And Administration	123	VESSELS - OPERATION UNDER INFLUENCE Amends existing law to provide authority to make an arrest when a person is charged with operating a vessel under the influence of alcohol, intoxicating beverages or drugs; to provide authority to make an arrest when a person operating a vessel fails to stop or give information after an accident causing damage to a vessel or other property; and to provide a definition	209	317	LAW
246	Judiciary, Rules And Administration	123	LAW ENFORCEMENT OFFICERS - Adds to existing law to provide for the payment of death benefits to family members of a law enforcement officer who is killed in the performance of duty; to provide for disbursement of the death benefit; to provide that the death benefit is not subject to state income taxes and shall not affect, nor be affected by, certain provisions of law relating to death benefits	228	371	LAW
247	Judiciary, Rules And Administration	123	SEXUAL ASSAULT VICTIMS - Amends existing law to provide that the costs of medical exams for alleged victims of sexual assault shall be paid from the Crime Victims Compensation Account	186	317	LAW
248	Judiciary, Rules And Administration	123	RAPE SUSPECTS - Amends existing law to provide the time for commencement of prosecution for sexual assault extends to one year after identification of a suspect through DNA testing ...	-	127	House Judiciary, Rules, and Administration

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249	Judiciary, Rules And Administration	123	SEXUAL ASSAULT EVIDENCE COURSE - POST - Amends existing law to require a POST course in investigation of allegations of sexual assault or battery	186	317	LAW
250	Judiciary, Rules And Administration	123	RECKLESS ENDANGERMENT - Adds to existing law to provide for the crime of reckless endangerment; to provide a standard for recklessly engaging in conduct; and to provide a penalty	-	127	House Judiciary, Rules, and Administration
251	State Affairs	123	ENERGY SAVING PERFORMANCE CONTRACTS - Amends and adds to existing law to provide for energy saving performance contracts; to provide that certain sections of the Idaho Code shall not apply to energy savings contracts; to define terms; to provide for requests for qualification; to provide for notice; to provide for public inspection; to provide for awards of performance contracts; to provide for installment payment agreements and lease-purchase agreements; to provide for terms of performance contracts; and to provide for monitoring and reports	202	330	LAW
252	Revenue And Taxation	123	INCOME TAX CREDIT - Amends existing law to provide an income tax credit for charitable contributions to certain rehabilitation facilities accredited by accreditation organizations recognized by the state of Idaho	219	371	LAW
253 AAS	Revenue And Taxation	124	INCOME TAX - DEDUCTIONS - Amends existing law to provide that, with respect to a taxpayer, an amount equal to the amount paid by the taxpayer during the taxable year for insurance, which constitutes medical care for the taxpayer and the spouse and dependents of the taxpayer, which is not otherwise deductible by the taxpayer for federal income tax purposes, shall be allowed as an Idaho income tax deduction ..... (Senate Amendments - See Senate Journal)	207	207	Senate Third Reading Calendar
254	Judiciary, Rules And Administration	129	SPORTS OFFICIALS - Adds to existing law to provide that it is a misdemeanor offense to have offensive contact with a sports official during a sporting event	-	139	House Judiciary, Rules, and Administration
255	Environmental Affairs	129	SWIMMING POOLS - Amends existing law to provide conditions under which a lifeguard or other adult may be required at public swimming pools	-	139	House Environmental Affairs
256 AA	Environmental Affairs	129	COEUR D'ALENE BASIN - Amends and adds to existing law to establish the "Basin Environmental Improvement Act." ..... (House Amendments - p. 248)	265	371	LAW

House Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
257	Environmental Affairs	129	DOMESTIC SEPTAGE DISPOSAL - Amends existing law to authorize counties to establish regional domestic septage disposal districts	181	317	LAW
258	Health And Welfare	129	NATUROPATHIC MEDICINE - Adds to existing law to provide a comprehensive regulation of the practice of naturopathic medicine, including creation of a board to examine and license naturopaths; to provide for testing and continuing education; and to provide for enforcement	-	139	House Health and Welfare
259	Agricultural Affairs	130	DAIRY ODOR MANAGEMENT - Adds to existing law to adopt the Odor Management Act; to specify authority and duties of the director of the Department of Agriculture concerning dairy odors; to provide for design and construction standards and approval; to require an odor management plan; to authorize the Department of Agriculture to respond to complaints; and to provide penalties for violation	-	139	House Agricultural Affairs
260	Agricultural Affairs	130	AGRICULTURAL WRITTEN CONTRACTS - Adds to existing law to provide for agricultural contracts; to provide requirements for certain contractual language; to provide for inspection and copying of certain contracts; to provide for confidentiality; to provide for exemptions; to authorize rulemaking; to provide for violations; and to provide for penalties	-	139	House Agricultural Affairs
261	Agricultural Affairs	130	SOIL CONSERVATION DISTRICTS - Amends existing law to revise legislative determinations and declaration of policy relating to the state soil conservation commission and soil conservation districts	-	139	House Agricultural Affairs
262 AA AAS	Agricultural Affairs	130	AGRICULTURAL ODOR MANAGEMENT ACT - Adds to existing law to provide a statement of legislative intent; to provide for the Agriculture Odor Management Act; to provide for authority and duties of the director of the Department of Agriculture; to provide for the design and construction of certain liquid waste systems; to provide for odor management plans; to provide exceptions; to provide for inspections and complaints; to provide for confidentiality of certain records; to provide for violations and penalties or other administrative action; to provide for notice and hearing; to provide for deposit of the moneys collected to the General Fund; and to provide consideration in the imposition of monetary penalties ..... (House Amendments - p. 259) (Senate Amendments - See Senate Journal)	359	371	LAW

House Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
263 AA	Agricultural Affairs	130	COALITION FOR AGRICULTURE, RURAL COMMUNITIES AND ENVIRONMENT - Adds to existing law to create the Idaho Coalition for Agriculture, Rural Communities and the Environment; to provide a statement of purpose; to define terms and provide goals; to provide for powers and duties of the coalition; to provide for a board of directors and organization of the board; to provide for use of funds for loan and grant projects; to provide for eligible activities and a process for proposal submission and approval; to provide for disposition of the funds; and to provide a sunset date ..... (House Amendments - p. 214)	-	250	House Agricultural Affairs
264	Transportation And Defense	130	MOTOR VEHICLE LICENSE PLATES - VETERANS - Amends existing law to provide that the initial and annual program fees for the special license plate programs for members of the armed forces reserve and veterans shall be deposited to the Veterans Cemetery Maintenance Fund	-	139	House Transportation and Defense
265	Transportation And Defense	131	MOTOR VEHICLE SALES - TITLES - Adds to existing law to provide for transfer or sale of certain motor vehicles without a certificate of title	-	139	House Transportation and Defense
266	Transportation And Defense	131	MOTOR CARRIERS - Amends existing law relating to compliance reviews of motor carriers to provide for civil penalties; to provide for the recovery of civil penalties by the state of Idaho; and to provide for the determination of civil penalty amounts by the Idaho State Police	-	139	House Transportation and Defense
267	Transportation And Defense	131	MOTOR VEHICLES - COMMERCIAL - Amends and adds to existing law to provide definitions; to revise the duties of the Idaho Transportation Department; to reinstate the use fee and to delete language relating to registration fees and the international registration plan; to provide for audit and recordkeeping requirements under the proportional registration of fleets of commercial vehicles; and to provide for administration by the Idaho Transportation Department; to revise audit guidelines; and to provide reference to use fees paid for ladened weight and mileage	-	139	House Transportation and Defense
268	Transportation And Defense	131	PUBLIC RIGHTS-OF-WAY - Amends and adds to existing law to revise procedures relating to abandonment of and restriction of access on roads and highways under the jurisdiction of county and highway districts	181	181	Senate Transportation

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269	Transportation And Defense	132	RAIL SERVICE PRESERVATION - Adds to and amends existing law to establish a Rail Service Preservation Program administered by the Idaho Transportation Board; to provide duties; to create a Rail Service Preservation Fund; to require the development of a state rail plan; and to require the Public Utilities Commission to continue to intervene as necessary in federal Surface Transportation Board abandonment proceedings on railroad branch and main lines to protect the interests of the state of Idaho	235	371	LAW
270	Transportation And Defense	132	MOTOR VEHICLES - TRIP PERMITS - Amends existing law relating to temporary registration of certain motor vehicles to increase the length of time a trip permit is valid; to increase fees for trip permits and a fuel permit; and to increase the length of time a trip permit is valid for certain vehicles operated in a fleet	200	317	LAW
271	Transportation And Defense	132	MOTOR VEHICLES - Amends existing law to revise the fee for certain motor vehicles weighing under 60,000 pounds; to revise the annual registration fee schedule for motor vehicles weighing in excess of sixty thousand pounds; and to provide that the annual registration fee for motor vehicles weighing in excess of sixty thousand pounds may be paid in quarterly installment payments	-	139	House Transportation and Defense
272	Agricultural Affairs	132	PRODUCTION CONTRACT FACILITIES - Adds to existing law relating to warehouses to provide for production contract facilities; to require licensure of certain facilities and to provide penalties for operating without a license; to provide for inspection and classification of warehouses; to provide for bonds or irrevocable letters of credit; to provide for examination of stored commodities and seed crops; to provide for suspension of licenses, reissuance of licenses and appeals; to provide an Indemnity Fund Program; to provide for creation of the Indemnity Fund and for uses of the fund; to provide for hearings and investigation of claims; to provide for inspection of failed facilities; to provide for a minimum balance in the Crop Specific Indemnity Fund and or payments from the fund; to provide for claims against certain warehousemen, dealers or facilities; and to provide for remedies and emergency funding	-	139	House Agricultural Affairs

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
273	Agricultural Affairs	133	BONDED WAREHOUSES - Amends existing law relating to bonded warehouses to revise terms; to provide penalties for operating a public warehouse production facility or as a dealer without a license; to provide for investigations of certain facilities; to provide a determination of suitability of certain storage facilities for seed crops; to require inspections; to provide an exception to the requirement of a weighmaster license; to provide for inspection and grading of diseased or insect-infested seed crops; to provide for issuance of receipts and scale weight tickets; to provide remedies in situations where a warehouseman does not have sufficient seed crops in his possession to cover outstanding receipts; to provide for audits; to provide for purchase of seed crops by contract; to provide for disbursements from the Production Commodity Indemnity Fund; and to provide a limitation on the payment of certain claims	-	288	House Agricultural Affairs
274	Agricultural Affairs	135	COMMODITY DEALERS - Amends and adds to existing law to provide for licenses for commodity dealers that purchase seed crops; to increase the penalty fee for licensees with expired licenses; to provide for irrevocable letters of credit in lieu of bonds; to provide for suspension or revocation of licenses; to require annual inspections; to provide for purchase of seed crops by credit sale contracts; to provide for title to seed crops; to provide for participation of producers covered by this chapter in the Bonded Warehouse Commodity Indemnity Fund program; and to provide for notice to licensed warehouses and dealers of the effective date of the program	-	288	House Agricultural Affairs
275 AAS	Revenue And Taxation	135	INCOME TAX - Amends, repeals and adds to existing law to reduce the individual income tax rates for taxable year 2001 and 2002 and thereafter; to provide for rebates of 10.6% of the 1999 income tax paid by individuals, subject to a $25.00 minimum and $25,000 maximum; to permanently reduce the corporate income tax rate by 0.3%; to change the child care deduction to a credit equal to one-half the federal credit; to permanently increase credit for caring for a dependent over 65 years of age or caring for a person who is developmentally disabled from $100 to $500; to provide for a capital gains deduction for qualifying taxpayers; to provide income tax credits for personal property taxes; to provide for treatment of a General Fund surplus; and to provide an income tax credit for up to two children under the age of sixty months who are being cared for in their home by their parent ..... (Senate Amendments - See Senate Journal)	156	318	Filed in Office of Chief Clerk

House Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
276	Education	142	SCHOOL UNIFORM POLICY - Amends existing law to provide that the board of trustees of each school district shall have the power and duty to develop a policy regarding school uniforms; to allow the boards to develop policy which does not require school uniforms to be worn or to limit application of a policy which does require school uniforms to be worn; and to require boards, whose policy requires uniforms to be worn, to assist, upon request, in seeking financial assistance in obtaining uniforms for any pupil whose parent or guardian is economically disadvantaged	-	148	House Education
277	Education	142	SCHOOLS - SEX EDUCATION - Amends existing law relating to courses of instruction in public schools to provide that, if a school district introduces a program on family life and sex education, the content of the instruction shall be determined solely at the local level; and to extend the meaning of self-discipline to include abstinence as the only safe method to combat unwanted pregnancy, HIV/AIDS and sexually transmitted diseases	251	251	Senate Education
278	Education	142	CHARTER SCHOOLS - Amends existing law to authorize advance payment of a portion of a charter school's estimated annual apportionment under specified conditions	226	317	LAW
279	Education	142	TEACHERS - STUDENT LOANS - Adds to existing law to provide a program for repayment by the Board of Education of certain student loans incurred by certified teachers; to provide eligibility requirements; to provide amounts of loans and limitations; to provide access to loan information; to provide for payments and cessation of payments; and to authorize rulemaking	234	234	Failed House
280 AAS	State Affairs	143	UNITED STATES - PURCHASE LAND - Amends existing law to provide that the United States shall coordinate its real property acquisitions with the board of county commissioners of the county in which the land is located ..... (Senate Amendments - See Senate Journal)	346	371	LAW
281 AA AA	State Affairs	143	CROP REVENUE PROTECTION INSURANCE Amends existing law to provide for the transaction of crop revenue protection insurance in the state of Idaho ..... (House Amendments - pps. 214 and 249)	272	272	Senate Commerce and Human Resources

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
282 AA	Revenue And Taxation	143	STATE GENERAL FUND - BUDGET - Amends existing law to provide that the Legislature shall not set a General Fund budget for the following fiscal year that exceeds 6.0555% of the estimated total personal income of the state for that fiscal year, as determined by the Economic Estimates Commission; to provide that the General Fund budget shall include the transfer of General Fund moneys to any other fund and ongoing General Fund appropriation; and to provide the necessary date changes ..... (House Amendments - p. 231)	256	372	VETOED
283	Revenue And Taxation	143	SCHOOL DISTRICTS - PROPERTY TAX REPLACEMENT - Amends existing law to place a cap of $60,912,300 on the distribution to school districts for property tax replacement; and to provide for transfers of money to the School Safety and Health Revolving Loan Fund from sales tax moneys	-	148	House Revenue and Taxation
284	Revenue And Taxation	143	SCHOOL DISTRICTS - Amends existing law to reduce the maximum maintenance and operation levies for school districts by one-tenth of one percent during tax year 2001 and thereafter; and to increase the property tax replacement by one-tenth of one percent	278	278	Senate Local Government and Taxation
285	Revenue And Taxation	143	SCHOOL DISTRICTS - MAINTENANCE AND OPERATION LEVIES - Amends existing law to reduce the maximum maintenance and operation levies for school districts by five-hundredths of one percent during tax year 2001 and thereafter; and to adjust the property tax replacement formulas accordingly	-	148	House Revenue and Taxation
286	Ways And Means	155	COMMERCIAL VEHICLES - Amends existing law to revise the annual registration fee schedule for motor vehicles weighing in excess of sixty thousand pounds; and to provide that the annual registration fee for motor vehicles weighing in excess of sixty thousand pounds may be paid in quarterly installment payments	-	162	House Transportation and Defense
287	Ways And Means	155	COMMERCIAL VEHICLES - REGISTRATION Amends existing law to provide a single fee for registration of vehicles weighing between eight thousand and sixty thousand pounds maximum gross vehicle weight	-	162	House Transportation and Defense
288	Ways And Means	155	COMMERCIAL VEHICLES - Amends existing law to revise the annual registration fee schedule for motor vehicles weighing in excess of sixty thousand pounds; and to provide that the annual registration fee for motor vehicles weighing in excess of sixty thousand pounds may be paid in quarterly installment payments	-	162	House Transportation and Defense

House Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
289	State Affairs	155	ABSENTEE BALLOTS - Amends existing law to provide certain requirements for application for an absentee ballot; and to prohibit distribution of absentee ballot requests with any return address other than that of the appropriate county clerk	-	162	House State Affairs
290	State Affairs	155	RAPE - PROSECUTION - Amends existing law to provide that there is no limitation of the time within which prosecutions for rape must be commenced; and to delete the provision requiring the return of certain evidence	186	317	LAW
291 AA	Education	159	ELECTRICIANS - RESIDENTIAL WIREMEN - Amends existing law relating to electricians to provide for licensing by the Division of Building Safety of individuals working as a residential wireman or apprentice residential wireman ..... (House Amendments - p. 231)	256	256	Senate Commerce and Human Resources
292	Education	160	SCHOOL DISTRICTS - Amends existing law to provide funding for school districts which educate students in juvenile detention facilities during the summer months	234	343	LAW
293	Education	160	SCHOOL AGE - Amends existing law to authorize a series of development and readiness instruments to assess exceptional talent and abilities that warrant admission to kindergarten or first grade at an early age	-	162	House Education
294	Education	160	CHARTER SCHOOLS - Amends existing law to provide that a new or conversion charter school shall specify an attendance area for admission preference	226	343	LAW
295	Revenue And Taxation	160	URBAN RENEWAL AGENCIES - Amends existing law to provide that a commissioner of an urban renewal agency may be removed from office for conflict of interest	-	162	House Revenue and Taxation
296	Revenue And Taxation	160	URBAN RENEWAL PLAN - Amends existing law to provide for a public hearing and an election to approve modification of an urban renewal plan	-	162	House Revenue and Taxation
297	Revenue And Taxation	160	URBAN RENEWAL AGENCIES - Amends existing law to require that urban renewal agencies provide additional financial disclosure; and to provide that failure to do so is cause for removal of commissioners from office	-	162	House Revenue and Taxation
298	Revenue And Taxation	160	YOUTH MENTORING PROGRAM CONTRIBUTIONS - Amends existing law to provide an income tax credit for contibutions to youth mentoring programs; and to define the term "youth mentoring programs."	215	215	Senate Local Government and Taxation

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
299	Revenue And Taxation	160	PROPERTY TAX - Amends existing law relating to property tax relief to provide a deduction for certain expenses related to funerals in the determination of income	244	371	LAW
300 AA	Revenue And Taxation	161	VENTURE CAPITAL - Adds to existing law to adopt a new chapter to govern incentives for targeted growth through allowance of venture capital risk tax credit; and to provide that the Department of Commerce is charged with the selection of an investor group with capacity to support raising and investing up to $30,000,000 .. (House Amendments - p. 200)	244	245	Senate Finance
301	Appropriations	162	APPROPRIATIONS - DEPARTMENT OF COMMERCE - Appropriates $29,283,100 to the Department of Commerce for fiscal year 2002; provides for a funds transfer to the Department of Commerce's Miscellaneous Revenue Fund; and limits the number of full-time equivalent positions to 54	290	371	LAW
302	Appropriations	163	APPROPRIATIONS - HUMAN RESOURCES DIVISION - Appropriates $2,904,200 to the Office of the Governor for the Human Resources Division for fiscal year 2002; and limits the number of authorized full-time equivalent positions to 37	185	317	LAW
303	Appropriations	163	APPROPRIATIONS - LIQUOR DISPENSARY - Appropriates $10,263,200 to the Office of the Governor for the State Liquor Dispensary for fiscal year 2002; and limits the authorized full-time equivalent positions to 145	185	317	LAW
304	Appropriations	163	APPROPRIATIONS - PUBLIC EMPLOYEE RETIREMENT SYSTEM - Appropriates $5,840,900 to the Office of the Governor for the Public Employee Retirement System for fiscal year 2002; provides legislative intent that moneys appropriated for the Portfolio Investment Program are for administrative costs of the program; and limits the number of authorized full-time equivalent positions to 62	185	317	LAW
305 AA	State Affairs	163	PUBLIC WORKS CONTRACTORS - Amends existing law to provide duties of the administrator of the Division of Building Safety relating to licensing of public works contractors; to provide duties of the administrator regarding examinations, qualifications and applications for a public works contractors license; and to provide the procedure for a request for a licensing class higher than that for which the applicant qualifies ..... (House Amendments - p. 248)	264	370	LAW

House Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
306	State Affairs	163	PUBLIC UTILITIES COMMISSION/INDUSTRIAL COMMISSION - Amends existing law to provide an increase in the salaries of members of the Public Utilities Commission and the Industrial Commission	220	343	LAW
307	State Affairs	163	PERMANENT ENDOWMENT FUNDS - Amends existing law to provide for separate accounting of earnings reserve funds and permanent endowment funds; to provide for certain allocation of gains and losses between the permanent endowment funds and earnings reserve funds; to provide a method of determination of gains and losses to permanent endowment funds; to provide for transfers to make up losses to the Public School Permanent Endowment Fund; to provide for certain legislative transfers or appropriations; to provide that losses to permanent endowment funds other than Public School Permanent Endowment Funds shall be made up from certain earnings reserve fund moneys; and to revise a definition of earnings	220	343	LAW
308	State Affairs	163	IRRIGATION DISTRICTS - Amends existing law to clarify the provisions governing the date for a city irrigation system to make an estimate of the expenses for the system for purposes of assessments	219	330	LAW
309	Health And Welfare	163	ABORTION - Amends and adds to existing law to provide that state statutes, rules and constitutional provisions shall be interpreted to prefer live childbirth over abortion; and to delete language providing that public funds may be used to pay for abortions if two consulting physicians recommend that abortion is necessary to save the health of the mother	220	368	LAW
310	Revenue And Taxation	163	PROPERTY TAX - Amends existing law to further define construction to be shown on the new construction roll to include any equipment or facility used in conjunction with generation of electricity; and to provide an exception	294	294	Senate Local Government and Taxation
311 AA	Revenue And Taxation	164	INCOME TAX CREDITS - Adds to existing law to provide an income tax credit for qualifying donations made to qualifying students in support of the education of a student who is educated outside the public school system ..... (House Amendments - p. 248)	265	266	Senate Education
312 AA	Revenue And Taxation	164	LONG-TERM CARE INSURANCE - Adds to existing law to provide a state income tax deduction for fifty percent of the premium cost for long-term care insurance ..... (House Amendments - p. 231)	256	371	LAW

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
313	Appropriations	171	APPROPRIATIONS - LIEUTENANT GOVERNOR - Appropriates $112,700 to the Office of the Lieutenant Governor for fiscal year 2002; provides legislative intent that $1,000 may be used to assist in defraying expenses relating to the discharge of the Lieutenant Governor's official duties; and limits the number of authorized full-time equivalent positions to 2	190	317	LAW
314	Ways And Means	171	SWINE AND POULTRY FACILITIES - Amends existing law to provide that certain swine and poultry facilities must meet the requirements of Section 39-7907, Idaho Code, and rules of the Department of Environmental Quality prior to issuance of a final permit by the director; and to provide for facility requirements	-	176	House Ways and Means
315 AA	Ways And Means	171	SCHOOL FACILITIES - Amends existing law to authorize grants within the scope of the School Safety and Health Revolving Loan Fund; to restrict the qualification for loans; to provide eligibility for grants and the method for determining the qualifying percentage; to extend the scope of the Uniform School Building Safety Act to charter schools and certain schools operated by the state of Idaho ..... (House Amendments - p. 200)	222	371	LAW
316	Education	178	TECHNOLOGY INSTRUCTION - Amends existing law to provide for continuing technological instruction in the public schools through the special application of the school foundation program	235	343	LAW
317 AAS	Education	178	CHARTER SCHOOLS - Amends existing law to revise legislative intent to provide for the utilization of virtual distance learning and on-line learning ..... (Senate Amendments - See Senate Journal)	335	370	LAW
318	Appropriations	178	APPROPRIATIONS - Repeals and amends existing law to appropriate an additional $3,046,200 to the Department of Correction for fiscal year 2001	201	317	LAW
319	Revenue And Taxation	178	SALES TAX - RETURNS - Amends and adds to existing law to provide legislative intent about sales tax numbers per county being available; to provide that sales and use tax returns contain information about the county within which the sale occurred and the dollar amount of the sales per county; and to provide that the State Tax Commission shall make statistics available about the amount of sales per county that are subject to the sales and use tax	-	184	House Revenue and Taxation

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
320	Revenue And Taxation	178	LOW-INCOME HOUSING - PROPERTY TAX - Adds to existing law to provide that the speculative value of low-income housing projects, for assessment purposes, shall be exempt from property taxation; and to provide for application for the exemption	257	257	Senate Local Government and Taxation
321 AA	State Affairs	179	DESTRUCTIVE DEVICES - Amends existing law to define "shrapnel"; to provide that the unlawful possession of an assembled bomb or destructive device by certain persons shall constitute a felony; and to provide that a person who possesses a bomb or destructive device designed to propel shrapnel is guilty of a felony ..... (House Amendments - p. 249)	272	343	LAW
322	State Affairs	179	VETERANS POINTS - Amends existing law to provide that veterans preference points shall be used by all disabled veterans and widows or widowers of disabled veterans; to define "initial appointment" and "disabled veteran"; and to delete a definition of a "disabled war veteran."	221	330	LAW
323	Education	179	SCHOOLS - STAFF ALLOWANCE - Amends existing law to increase the multiplier for calculation of the classified staff allowance as part of determining total staff allowance support for school districts through the education support program	-	184	House Education
324	Education	179	SCHOOL EMPLOYEES - NONCERTIFICATED Adds to existing law to provide that a school district and an education organization representing noncertificated employees of the school district may enter into a meet and confer agreement; to provide definitions; to provide for representation of each party in meeting and conferring; and to provide intent regarding the existing powers, duties and responsibilities of the Legislature, State Board of Education and local boards of trustees of school districts	250	250	Failed House
325	Education	179	SCHOOL EMPLOYEES - NONCERTIFICATED Adds to existing law to provide that a school district and an education organization representing noncertificated employees of the school district may enter into a negotiated agreement; to provide definitions; to provide for representatives of each party in the negotiations; to provide for appointment and compensation of mediators; to provide for appointment and duties of a fact-finder; and to provide intent regarding the existing powers, duties and responsibilities of the Legislature, State Board of Education and local boards of trustees of school districts.	-	184	House Education

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
326 AA AAS	Education	179	SCHOOL ATTENDANCE - Amends existing law to provide a procedure for the board of trustees of a school district when a child is determined to be in violation of school attendance requirements ..... (House Amendments - p. 231) (Senate Amendments - See Senate Journal)	256	348	House Education
327	Education	179	COUNTIES - SELF-FUNDED HEALTH CARE - Amends existing law to exempt counties of the state from registration requirements relating to self-funded health care plans	250	370	LAW
328	Education	179	TEACHERS - INCOME TAX CREDIT - Adds to existing law to provide an income tax credit for the purchase of books or school supplies by a certificated school teacher teaching in an accredited public or private school in Idaho; and to provide the maximum amount of the credit	-	184	House Revenue and Taxation
329	Education	180	TEACHERS - INCOME TAX CREDIT - Adds to existing law to provide an income tax credit for the purchase of classroom supplies for use in public school classes taught by a taxpayer who is a certified public school teacher	-	184	House Revenue and Taxation
330	Appropriations	184	APPROPRIATIONS - COLLEGES AND UNIVERSITIES - Appropriates $314,936,100 to the State Board of Education and the Board of Regents of the University of Idaho for Boise State University, Idaho State University, the University of Idaho, Lewis-Clark State College, and the Office of the State Board of Education for fiscal year 2002; provides legislative intent that $75,000 of the amount appropriated be used by the Office of the State Board of Education for system-wide needs; provides legislative intent that $1,600,000 be used for matching awards, research centers and infrastructure; provides legislative intent that $1,750,000 be used for competitive technology grants, the Idaho electronic campus and for participation in the Western Governor's Association Virtual University; provides intent that $500,000 be used for teacher preparation activities; provides intent that $1,300,000 be used for the Governor's College and University Excellence Initiative; requires a tracking and reporting system for faculty, nonfaculty and classified staff turnover; and provides legislative intent regarding moneys received from outside sources; and reappropriates unexpended and unencumbered fund balance	289	370	LAW
331	State Affairs	189	PRESCRIPTIONS - Amends, adds to and repeals existing law to provide authority of the Board of Pharmacy to approve forms for prescriptions; to specify certain conditions governing the forms; and to provide for filing of prescriptions	250	317	LAW

House Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
332	Revenue And Taxation	189	HIGHWAY MAINTENANCE SUBDISTRICTS - Adds to existing law to provide for the formation of a highway maintenance subdistrict for the construction, improvement, maintenance, snow removal or repair of public highways or highways on a county road system which are within the subdistrict or which provide access to it; to provide for a petition; to provide for a hearing on the petition; to provide for an order creating a subdistrict and a highway maintenance fund; to provide for the appointment and duties of a highway maintenance board; to authorize a levy; and to provide for uses of a highway maintenance fund	239	239	Failed House
333	Revenue And Taxation	190	INCOME TAX CREDIT - Adds to existing law to provide for income tax credits for the payment of certain personal property and real property taxes during taxable year 2001; to provide definitions for "agricultural machinery and equipment" and "mining"; to provide the maximum amount of the credit; and to provide procedures	-	196	House Revenue and Taxation
334	Appropriations	190	APPROPRIATIONS - DEPARTMENT OF FINANCE - Appropriates $3,363,900 to the Department of Finance for fiscal year 2002; and limits the number of full-time equivalent positions to 43	290	368	LAW
335	Appropriations	190	APPROPRIATIONS - DIVISION OF FINANCIAL MANAGEMENT - Appropriates $3,089,200 to the Office of the Governor for the Division of Financial Management for fiscal year 2002; and limits the number of full-time equivalent positions to 26	293	368	LAW
336	Appropriations	190	APPROPRIATIONS - HUMAN RIGHTS COMMISSION - Appropriates $804,100 to the Office of the Governor for the Human Rights Commission for fiscal year 2002; and limits the number of full-time equivalent positions to 11	298	370	LAW
337	Appropriations	190	APPROPRIATIONS - SPECIES CONSERVATION OFFICE - Appropriates $2,718,500 to the Office of the Governor for the Office of Species Conservation for fiscal year 2002; and authorizes 5 full-time equivalent positions	294	368	LAW

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
338	Ways And Means	197	ADMINISTRATIVE RULES - Adds to existing law to provide that administrative rules that expire on July 1, 2001, will continue to be effective until July 1, 2002; to provide that administrative rules approved or extended by the adoption of a concurrent resolution shall be effective until July 1, 2002, 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	219	330	LAW
339	Ways And Means	197	SWINE AND POULTRY FACILITIES - Amends existing law to provide that certain swine facilities must meet the requirements of Section 39-7907, Idaho Code, and rules of the Department of Environmental Quality prior to issuance of a final permit by the director; and to provide for facility requirements	219	371	LAW
340	State Affairs	197	ABORTION - Amends, repeals and adds to existing law to revise penalties relating to unlawful abortions; to provide that if a minor would have been privileged to withhold information or evidence that was required as proof under Section 18-609A, Idaho Code, then her answers given, evidence produced and information directly or indirectly derived from her answers may not be used against her in a criminal case except that she may be prosecuted or subjected to penalty or forfeiture for any perjury, false swearing or contempt committed in answering, failing to answer or producing or failing to produce evidence as required by the court; and to provide defenses to prosecution	241	368	LAW
341	Appropriations	197	APPROPRIATIONS - PUBLIC UTILITIES COMMISSION - Appropriates $4,420,500 to the Public Utilities Commission for fiscal year 2002; and limits the number of full-time equivalent positions to 49	289	368	LAW
342	Appropriations	198	APPROPRIATIONS - Appropriates $234,800 to the Department of Administration for the Idaho State Capitol Commission for fiscal year 2002	289	370	LAW
343	Appropriations	198	APPROPRIATIONS - STATE CONTROLLER - Appropriates $13,142,700 to the State Controller for fiscal year 2002; provides that $1,000 may be used to assist in defraying expenses relating to or resulting from the discharge of the State Controller's official duties; reappropriates any unexpended and unencumbered fund balances for nonrecurring expenditures; and limits the authorized full-time equivalent positions to 101.85	289	371	LAW

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
344	Appropriations	198	APPROPRIATIONS - Appropriating an additional $32,000,000 to the Capitol Commission for the period July 1, 2000, through June 30, 2005; and to provide for a report to the Joint Finance-Appropriations Committee regarding the progress of the capitol restoration	290	370	LAW
345	Judiciary, Rules And Administration	198	FINES - FORFEITURES - Amends existing law to provide that of certain fines and forfeitures apportioned to the State Treasurer, a designated portion shall be deposited to the state's General Fund and a designated portion shall be deposited to the Peace Officers Standards and Training Fund ..	228	317	LAW
346	State Affairs	198	PRESIDENTIAL ELECTORS - Amends existing law to clarify that the presidential electors shall cast their ballots for the persons who received the highest number of votes for president and vice president of the United States, respectively, in the most recently conducted general election in the state of Idaho	240	241	Senate State Affairs
347 AA	State Affairs	198	PUBLIC UTILITIES COMMISSION - RECORDS - Amends existing law to clarify the authority of the Public Utilities Commission to examine certain records of a public utility's holding company, parent, affiliate or subsidiary .. (House Amendments - p. 249)	272	372	LAW
348	State Affairs	198	ENDOWMENT LANDS - Adds to existing law to provide for an exchange of certain endowment lands, managed by the State Board of Land Commissioners, which are adjacent to the Idaho State University/University of Idaho Center for Higher Education in Idaho Falls, Idaho, with lands of equivalent market value owned by the State Board of Education; and to provide intent of the Legislature to facilitate the land exchange by including moneys in the State Board of Education's General Fund appropriation for fiscal year 2002 to purchase real property of equivalent market value for the land exchange	240	371	LAW
349	State Affairs	198	COMMERCIAL VEHICLES - Amends existing law to revise the annual registration fee schedule for motor vehicles weighing in excess of sixty thousand pounds; and to provide that the annual registration fee for motor vehicles weighing in excess of sixty thousand pounds may be paid in quarterly installment payments	-	203	House Transportation and Defense

House Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
350	Education	224	FORCIBLE SEXUAL PENETRATION - FOREIGN OBJECT - Amends existing law to provide that it shall be a felony to cause the forcible sexual penetration by use of a foreign object where the victim is incapable through unsoundness of mind of giving legal consent or where the victim is prevented from resistance by an intoxicating, narcotic or anesthetic substance ..	275	275	Senate Judiciary and Rules
351	State Affairs	224	COUNTY HOUSING AUTHORITIES - Amends existing law to revise definitions; to provide that a county housing authority may continue to own and operate housing projects for which it has become financially obligated within a city that creates a housing authority; to provide for a mortgage of the authority's real or personal property to secure the payment of bonds; and to provide that a county housing authority may continue to own and operate housing projects, for which it has become financially obligated, within a city or area annexed by a city after the city creates a housing authority or the area is annexed by a city which has a housing authority	262	355	LAW
352	State Affairs	224	HOUSING AUTHORITY - COMMISSIONERS - Amends existing law to increase the number of commissioners that a governing body of a county or mayor of a city may appoint to the board of housing authority commissioners; to specify the term lengths of commissioners; to provide that the number of commissioners may be altered upon resolution; to provide that the service of a housing assistance recipient appointed as a commissioner pursuant to federal law shall be contingent upon his continued receipt of housing assistance; and to provide that a majority of the appointed commissioners shall constitute a quorum	263	343	LAW
353	Revenue And Taxation	236	AUDITORIUM/COMMUNITY CENTER DISTRICTS - Amends, adds to and repeals existing law to define terms; to clarify petition contents for organization of an auditorium district; to provide requirements if the petition for formation of a district proposes a property tax; to revise when elections may be held and to require adequate polling places; to provide that for an auditorium district established after July 1, 2001, the property tax shall not exceed the maximum rate authorized in the petition; to provide that for an auditorium district established after July 1, 2001, the sales tax rate shall not exceed the maximum rate authorized in the petition; to provide that no auditorium district established after July 1, 2001, shall levy or impose a type of tax not authorized in the petition; and to provide contribution limits to a candidate for director of an auditorium district	251	343	LAW

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
354	Ways And Means	236	COMMERCIAL VEHICLES - Amends existing law to revise the annual registration fee schedule for motor vehicles weighing in excess of sixty thousand pounds; and to provide that the annual registration fee for motor vehicles weighing in excess of sixty thousand pounds may be paid in quarterly installment payments	-	236	House Transportation and Defense
355	State Affairs	238	VISUALLY IMPAIRED - INFORMATION TECHNOLOGY - Adds to existing law to provide legislative findings; to provide standards for state purchases that assure that technology applications provide access for the visually impaired; to adopt procurement requirements; and to provide an exception	-	243	House Education
356 AAS	State Affairs	238	TAX COMMISSIONERS - Amends existing law to provide salary increases for the State Tax Commissioners ..... (Senate Amendments - See Senate Journal)	349	368	LAW
357	Revenue And Taxation	243	INCOME TAX - WITHHOLDING - Amends existing law to delete the requirement that certain employers must remit payment of state income tax withholding to the State Tax Commission five days after the end of the withholding period; and to delete the inflation adjustment of certain income limits for reporting purposes	278	278	Senate Local Government and Taxation
358	Ways And Means	247	MINIMUM STREAM FLOW - LEMHI RIVER - Adds to existing law to authorize the Water Resource Board to appropriate a minimum stream flow right in a designated reach of the Lemhi River; and to direct the Water Resource Board to appoint a local rental committee to facilitate operation of the water supply bank within the Lemhi River Basin	276	371	LAW
359	Ways And Means	247	STU DOPF MEMORIAL HIGHWAY - Adds to existing law to designate that portion of U.S. Highway 95 through the canyon between Midvale and Cambridge as the Stu Dopf Memorial Highway	280	371	LAW
360	Revenue And Taxation	247	PERSONAL PROPERTY TAX - Amends existing law to provide for state income tax credits for the payment of personal property taxes by certain taxpayers; to provide a schedule for phase in of the reimbursement; to provide a maximum amount of the credit; to provide procedures; to provide for treatment of the General Fund surplus; to provide for remittance of certain moneys to the State Refund Fund; to provide for remittance to the General Fund; and to provide moneys in the State Refund Fund may be used for repaying taxpayers for certain personal property taxes paid	-	253	House Revenue and Taxation

House Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
361	Revenue And Taxation	247	LOW-INCOME HOUSING - Amends existing law to provide a property tax exemption for certain low-income housing solely owned and operated by a fraternal, benevolent or charitable corporation or society	-	253	House Revenue and Taxation
362	Education	255	TEACHERS - CONTRACTS - Amends and repeals existing law to provide for issuance of preprofessional and professional contracts for certificated employees of public school districts; and to provide for issuance of professional contracts without impairing the obligations of a district negotiated agreement until expiration of the existing district negotiated agreements	-	367	House Education
363	State Affairs	258	TOBACCO PRODUCTS - SALE TO MINORS - Amends and repeals existing law relating to the sale or distribution of tobacco products to a minor; to further define terms, placing enforcement with the Idaho State Police; to provide that civil penalties shall be deposited to the General Fund; and to abolish the Prevention of Minors' Access to Tobacco Fund	-	267	House State Affairs
364	Ways And Means	268	COMMERCIAL VEHICLES - Amends existing law to revise the annual registration fee schedule for motor vehicles weighing in excess of sixty thousand pounds; and to provide that the annual registration fee for motor vehicles weighing in excess of sixty thousand pounds may be paid in quarterly installment payments	291	371	LAW
365	Ways And Means	268	STATE PROPERTY - HISTORIC DESIGNATION - Amends existing law to provide nothing in the historical preservation laws shall authorize or allow the designation, regulation, conditioning or restriction, by ordinance or other means, of any property or facility owned by the state of Idaho	273	343	LAW
366	Agricultural Affairs	268	COMMODITIES - BONDED WAREHOUSES - Amends existing law relating to the bonded warehouse law to revise definitions; to provide for issuance of certain receipts and scale tickets for commodities deposited in a licensed warehouse; to provide for examination of commodities and records; to provide for payments; to provide for application of the Commodity Indemnity Fund Program; to increase the minimum balance required in the Commodity Indemnity Fund; to provide procedures for claims; to provide for inspections and audits; and to provide correct terminology	282	370	LAW

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
367	Revenue And Taxation	274	SALES TAX - VESSELS/ALL-TERRAIN VEHICLES - Amends existing law to provide that vessels and attached motors, all-terrain vehicles, trailers and snowmobiles shall be exempted from sales tax in the same manner as motor vehicles and used mobile homes are currently exempted from sales tax	301	371	LAW
368	Revenue And Taxation	287	PLAYGROUND EQUIPMENT - SALES TAX - Amends existing law to provide that sales and purchases of playground equipment and the shock absorbing material associated with playground equipment shall be exempt from sales and use tax	-	293	House Revenue and Taxation
369	Revenue And Taxation	287	COMMERCIAL VEHICLES - TEMPORARY PERMITS - Amends existing law to provide for issuance of temporary permits to operate certain motor vehicles at a weight in excess of the registered maximum gross vehicle weight; and to provide a penalty for operation of a vehicle at a weight in excess of the weight allowed by the temporary permit	313	371	LAW
370	Revenue And Taxation	287	INCOME TAX - Amends, repeals and adds to existing law to reduce the individual income tax rates for taxable year 2001 and thereafter; to provide for rebates of 10.6% of the 1999 income tax paid by individuals, subject to a $25.00 minimum and $25,000 maximum; to increase the grocery tax credit for individuals; to increase the capital gains deduction; to permanently reduce the corporate income tax rate by 0.4%; to provide income tax credits for research and development expenditures and installing broadband communications equipment; to provide an exemption from personal property taxes for agricultural machinery and equipment; to provide an income tax deduction for health insurance costs; and to provide for remittance of moneys to counties and taxing districts to replace property taxes on certain personal property exempt from taxation	-	293	House Revenue and Taxation
371	Commerce And Human Resources	288	FIREFIGHTERS - RETIREMENT - Amends existing law to provide that certain paid firefighters employed on or after July 1, 1976, may elect to select either Option I or Option II prior to retirement; and to provide that firefighters who select Option II shall pay any additional employee contributions prior to retirement and the firefighter's employer shall pay the required employer contributions as determined by the Public Employee Retirement Board	304	371	LAW

House Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
372	Appropriations	300	LEGISLATIVE ACCOUNT - Amends existing law to increase the amount of moneys transferred to the Legislative Account from the General Fund by the state controller commencing June 1, 2001; and appropriating $345,000 to the Legislative Account ……..……	305	370	LAW
373	Appropriations	308	APPROPRIATIONS - PUBLIC WORKS PROJECTS - Provides for a transfer of $65,000,000 to the Permanent Building Fund, with conditions; appropriates $103,030,000 to the Division of Public Works for specified projects; provides legislative intent regarding expenditure of moneys by the Division of Public Works; exempts the appropriations from certain provisions of the Idaho Code; directs the State Treasurer to issue tax anticipation notes; and appropriates $300,000 for planning a new office building for the Department of Water Resources ……..	352	371	LAW
374	Appropriations	308	APPROPRIATIONS - COMMISSIONER SALARIES - Appropriates an additional $12,600 to the Public Utilities Commission for commissioner salaries; appropriates an additional $14,500 to the Tax Commission for commissioner salaries; and appropriates an additional $12,300 to the Industrial Commission for commissioner salaries ……..……	311	368	LAW
375	Appropriations	308	APPROPRIATIONS - Appropriates an additional $41,000 to the Idaho Transportation Department for fiscal year 2002 ……..	312	371	LAW
376	Appropriations	311	APPROPRIATIONS - EDUCATION DEPARTMENT - Appropriates $131,009,000 to the Superintendent of Public Instruction/State Department of Education for fiscal year 2002; limits the number of full-time equivalent positions to 114; provides legislative intent that $1,000 may be used to assist in defraying expenses relating to the discharge of the Superintendent of Public Instruction's official duties; reappropriates unexpended and unencumbered moneys; appropriates an additional $80,000 to the Superintendent of Public Instruction/State Department of Education for fiscal year 2001; reduces the appropriation to the Superintendent of Public Instruction/State Department of Education for fiscal year 2001 by $539,800; and authorizes one additional full-time equivalent position for fiscal year 2001 ……..….	312	371	LAW

House Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
377 AAS	Revenue And Taxation	327	INCOME TAX - Amends, repeals and adds to existing law to reduce the individual income tax rates for taxable year 2001 and each year thereafter; to increase the grocery tax credit for individuals; to reduce the corporate income tax rate; to provide income tax credits for research and development expenditures, creation of new jobs, installing broadband communications equipment and investing in counties with high unemployment or low personal income; and to provide an income tax deduction for certain health insurance costs ……..…… (Senate Amendments - See Senate Journal)	352	371	LAW
378	Revenue And Taxation	327	TAXATION - Amends and adds to existing law to provide income tax credits for personal property taxes; to provide for remittance of income tax moneys to replace property taxes on certain personal property exempt from taxation; and to provide a formula ……..…	328	371	LAW
379	Revenue And Taxation	327	INCOME TAX - CAPITAL GAINS - Adds to existing law to provide for a deduction of capital gains for qualifying taxpayers; to provide limitation; to define terms; and to provide procedures ……..……	329	329	Senate Local Government and Taxation
380	Ways And Means	332	TAX RELIEF FUND - Adds to existing law to provide for the creation of the Tax Relief Fund; to specify the purpose of the fund; and to provide for allocation of certain moneys to the fund …….	354	354	Senate Local Government and Taxation
381	Revenue And Taxation	332	REAL PROPERTY TAX - Adds to existing law to provide for a state income tax credit for the payment of real property taxes by certain taxpayers during tax year 2001; to provide a definition of "mining"; to provide the maximum amount of the credit; and to provide procedures ……..……	356	356	Senate First Reading
382	Revenue And Taxation	332	RECREATION DISTRICTS - Amends existing law to provide that petitions for formation of recreation districts shall state the maximum tax rate that would be imposed upon taxable property within the recreation district or planned unit development recreation district; to provide a tax levy for districts created prior to July 1, 2001; to provide a tax levy for districts created on or after July 1, 2001; to provide a maximum rates; and to provide a procedure if a district desires to impose a tax in excess of that contained in the petition ..	346	371	LAW

House Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
383	Ways And Means	344	RIVER FLOW - AUGMENTATION - Amends existing law to revise the findings and intent of the Legislature regarding rental of storage water to augment river flows to aid salmon migration; to authorize the U.S. Bureau of Reclamation to release water in 2001 under limited conditions; to provide necessary date changes; and to provide a sunset date ……	349	373	LAW
384	Ways And Means	345	DAYLIGHT SAVING TIME - Adds to existing law to provide that a specified portion of the state of Idaho shall be exempt from the daylight saving time provisions of federal law ……	350	350	Failed House
385	Revenue And Taxation	345	INCOME TAX REBATE - Adds to existing law to provide a rebate of income taxes paid by individuals for taxable year 1999 ……	348	349	Senate Local Government and Taxation
386	Revenue And Taxation	345	INCOME TAX - Adds to existing law to provide for a deduction of capital gains for qualifying taxpayers which are corporations involved in agriculture, timber or mining; to provide limitation; to define terms; and to provide procedures ……	350	350	Senate Local Government and Taxation
387	Revenue And Taxation	345	SALES TAX - FOOD - Amends, repeals and adds to existing law to increase the "grocery" income tax credit; to provide an exemption from sales and use tax for food sold for human consumption; and providing effective dates ……	350	351	Senate Local Government and Taxation

House Concurrent Resolutions No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1	Mortensen	5	CHARACTER EDUCATION - SCHOOLS - Stating findings of the Legislature and requesting that character education and moral development be taught in public schools	174	267	ADOPTED
2	Bell	6	ELECTRIC UTILITY RESTRUCTURING - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to study restructuring of the electric utility industry	44	71	ADOPTED
3	Bruneel And Jaquet	6	GOVERNOR - STATE OF THE STATE - Provides for a joint session of the House of Representatives and the Senate to hear the Governor's State of the State Message	7	35	ADOPTED
4	Bruneel And Jaquet	6	GOVERNOR - BUDGET ADDRESS - Provides for a joint session of the House of Representatives and the Senate to hear the Governor's Budget Address.	27	35	ADOPTED
5	Smith	33	PROSTATE CANCER AWARENESS - Stating findings of the Legislature and declaring that every year September will be "Prostate Cancer Awareness Month."	44	77	ADOPTED
6	Ways And Means	37	NATURAL RESOURCE ISSUES - Stating findings of the Legislature and authorizing the Legislative Council to appoint an interim committee to study natural resource issues	46	71	ADOPTED
7	Ways And Means	52	TELECOMMUNICATIONS - STUDY - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of issues surrounding regulation of the telecommunications industry to include, but not be limited to, encouraging statewide development of wideband fiber optics, strengthening communications in rural Idaho and promoting e-commerce and Internet technology	174	174	Senate State Affairs
8	Boe	55	STACY DRAGILA - Stating findings of the Legislature and commending Stacy Dragila for her superior conduct and for her accomplishments at the 2000 Summer Olympics in Sydney, Australia; and commending Dave Nielsen, her coach	70	115	ADOPTED
9	Revenue And Taxation	59	PROPERTY TAX - STUDY - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of property tax laws affecting the assessment, apportionment and taxation of the property of all businesses or other taxpayers engaged in the electronic transmission of information	125	125	Senate State Affairs

House Concurrent Resolution No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
10	Revenue And Taxation	63	RESIDENTIAL REAL PROPERTY TAX - STUDY Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of the process of taxation of residential real property and appraisal methodologies utilized by the 44 county assessors	125	125	Senate State Affairs
11	Judiciary, Rules And Administration	68	IDAHO STATE POLICE - RULES - Stating findings of the Legislature and rejecting all changes proposed by the Idaho State Police in administrative rules governing alcohol beverage control and relating to the definition of a restaurant	88	166	ADOPTED
12	Commerce And Human Resources	71	STATE EMPLOYEE COMPENSATION - Stating findings of the Legislature; expressing support and appreciation for state employees; and stating legislative policy concerning the change in employee compensation for state employees for fiscal year 2002	102	102	Senate Commerce and Human Resources
13	Judiciary, Rules And Administration	77	PRINTING CONTRACT - LEGISLATIVE BILLS - Approves the contract for the printing of legislative bills and resolutions	111	196	ADOPTED
14	Judiciary, Rules And Administration	78	PRINTING CONTRACT - DAILY JOURNALS - Approves the contract for the printing of the Senate and House Daily Journals.	111	196	ADOPTED
15	Judiciary, Rules And Administration	79	PRINTING CONTRACT - PERMANENT JOURNALS - Approves the contract for the printing of the Senate and House Permanent Journals	112	196	ADOPTED
16	Judiciary, Rules And Administration	80	PRINTING CONTRACT - SESSION LAWS - Approves the contract for the printing of the Session Laws	112	196	ADOPTED
17	Transportation And Defense	84	RAIL TRANSPORTATION - Stating findings of the Legislature and urging appropriate personnel to assess the impact of rail transportation on the economic future of the state of Idaho with particular emphasis upon the resource and agriculture communities in the rural portions of the state	146	304	ADOPTED
18	State Affairs	91	IDAHO MILLENNIUM INCOME FUND - Stating findings of the Legislature and authorizing the Legislative Council to appoint an interim committee to study and make recommendation on the use of appropriated moneys from the Idaho Millennium Income Fund	174	174	Senate State Affairs

House Concurrent Resolutions No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
19	State Affairs	91	UNEMPLOYMENT - DISABLED PERSONS - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of the excessive unemployment rate among persons with disabilities	125	125	Senate State Affairs
20	Transportation And Defense	97	GREAT WESTERN TRAIL CORRIDOR - Stating findings of the Legislature and designating lands within Idaho as the Idaho section of the Great Western Trail Corridor	126	126	Senate Transportation
21	State Affairs	108	CAPITOL COMMISSION - Stating findings of the Legislature and recognizing the activities of the Idaho Capitol Commission; supporting the Commission's master plan for the restoration and refurbishment of the State Capitol Building; and authorizing the Commission to enter into agreements with the Idaho State Building Authority to restore and refurbish the State Capitol Building	157	230	ADOPTED
22	Commerce And Human Resources	117	WORKER'S COMPENSATION - STUDY - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of the worker's compensation system in the state of Idaho	-	127	House Commerce and Human Resources
23	Judiciary, Rules And Administration	118	INCARCERATION ALTERNATIVES - STUDY - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of alternatives to prison incarceration for certain offenders and release alternatives and practices	252	252	Senate State Affairs
24	Environmental Affairs	128	ST. MARIES - SUPERFUND - Stating findings of the Legislature and expressing support for the city of St. Maries in its efforts to ensure responsible and economical cleanup of a questionable creosote site, while avoiding having the site prematurely and perhaps unnecessarily listed as a Superfund site	181	304	ADOPTED
25	Agricultural Affairs	128	AGRICULTURE DEPARTMENT - RULES - Stating findings of the Legislature and rejecting certain administrative rules adopted by the Department of Agriculture governing beef cattle feeding operations and relating to administrative appeals, definitions, nutrient management, designation of beef cattle feeding operations and authority to inspect	157	286	ADOPTED

House Concurrent Resolution No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
26 AA	Health And Welfare	128	PRESCRIPTION DRUG PURCHASE - COMPACT Stating findings of the Legislature and urging the Governor and the director of the Department of Health and Welfare to pursue opportunities to compact with our sister states to purchase prescription drugs at economical rates; and requesting a report ..... (House Amendments - p. 199)	222	286	ADOPTED
27	Education	141	EDUCATION BOARD - RULES - Stating findings of the Legislature and rejecting rules of the State Board of Education which would have incorporated by reference the achievement standards for grades 9 through 12, leaving those already approved standards as published in the Idaho Administrative Code; and rejecting certain sections of the State Board of Education's achievement standards for grades K through 8, while allowing the remaining sections to be incorporated by reference, with the understanding that the State Board of Education will begin rulemaking to place the grades K through 8 standards in the Idaho Administrative Code	191	267	ADOPTED
28	Education	141	VOCATIONAL REHABILITATION DIVISION - Stating findings of the Legislature and rejecting administrative rules of the Division of Vocational Rehabilitation concerning client appeals and relating to administrative review and fair hearing	191	192	Senate Education
29	Education	142	COLLEGES AND UNIVERSITIES - Stating findings of the Legislature and directing the State Board of Education to undertake a comprehensive review of the allocation formula for the General Fund lump sum appropriation to the public institutions of higher education, to develop and apply a revised and uniform methodology and to report on implementation of the formula	-	148	House Education
30	Education	159	TEACHERS - Stating findings of the Legislature and recognizing that the teaching profession is indeed among the most responsible and significant to the future of our society; and to set a goal of a minimum salary of $30,000 for teachers	206	206	Failed House
31	Ways And Means	170	ELECTRONIC COMMERCE AND TECHNOLOGY - STUDY - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of electronic commerce and technology	240	359	ADOPTED

House Concurrent Resolutions No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
32	Judiciary, Rules And Administration	237	SPORTS OFFICIALS - ASSAULT - Stating findings of the legislature; urging a public awareness on the problem of assaults on sports officials; and urging all school districts. little league programs, high school, college and recreational programs, along with law enforcement and prosecutors, to take steps necessary to reduce the incidence of violence on sports officials and to prosecute violators to the full extent of the law	257	310	ADOPTED
33	Revenue And Taxation	246	PERSONAL PROPERTY TAX - STUDY - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of the implementation of the phase out of the tax on personal property	278	278	Senate State Affairs
34	Ways And Means	254	COMMUNITY COLLEGE SYSTEM - STUDY - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of the community college system	306	306	Senate State Affairs
35	State Affairs	267	GREAT WESTERN TRAIL CORRIDOR - Stating findings of the Legislature and recognizing efforts to create the Great Western Trail Corridor	291	359	ADOPTED

House Joint Memorial No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1	State Affairs	52	ELECTORAL COLLEGE - Stating findings of the Legislature recognizing the merits of the Electoral College system in presidential elections and requesting that Congress make no amendments or other modifications to the Electoral College system	146	204	ADOPTED
2	Transportation And Defense	96	RAIL SERVICE - Stating findings of the Legislature and urging restoration of the daily passenger rail service of the Pioneer, serving to connect Idaho residents to the nation	172	246	ADOPTED
3	Agricultural Affairs	108	INDUSTRIAL HEMP - Stating findings of the Legislature and encouraging the commercial production of industrial hemp	225	225	Failed House
4	Resources And Conservation	116	NATIONAL PARK SERVICE - LAND CLOSURES Stating findings of the Legislature and requesting the President to direct the National Park Service to promptly and fully comply with the presidential proclamation of November 9, 2000, and stop closing lands	187	254	ADOPTED
5	Resources And Conservation	116	WOLF RECOVERY EFFORTS - Stating findings of the Legislature and calling for and demanding that wolf recovery efforts in Idaho be discontinued immediately and wolves be removed by whatever means necessary	227	366	ADOPTED
6	State Affairs	117	PRIVATE PROPERTY RIGHTS - Stating findings of the Legislature and urging the President of the United States to reiterate his strong support for private property rights by reaffirming Executive Order 12630	151	230	ADOPTED
7	State Affairs	139	VETERANS - Stating findings of the Legislature and petitioning Congress to support an amendment to 42 U.S.C. section 1396p (Liens, Adjustments and Recoveries), to exempt veterans in state veteran homes from having liens placed on their property if they participate in the Medicaid Program	202	267	ADOPTED
8	Revenue And Taxation	140	CLEARWATER BASIN ELK HABITAT - Stating findings of the Legislature and requesting the federal government to help implement the findings of the Clearwater Basin Elk Habitat Initiative	208	286	ADOPTED
9	Education	177	WORLD WAR II VETERANS - Stating findings of the Legislature and urging the United States government to facilitate discussions between all interested parties relating to compensation for American soldiers who were forced by the Japanese government to provide labor for the benefit of private Japanese companies while captured as prisoners of war during World War II	216	274	ADOPTED

House Joint Memorial No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
10	Revenue And Taxation	239	TAX RELIEF PLAN - FEDERAL - Stating findings of the Legislature; endorsing President George W. Bush's plan for cutting taxes; and requesting that Congress enact necessary measures to implement the President's tax relief plan ……	242	304	ADOPTED

House Joint Resolution No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1	Education	180	EDUCATION THOROUGHNESS - Proposing an amendment to the Constitution of the State of Idaho to clarify that the provisions of the constitution requiring the Legislature to establish and maintain a general, uniform and thorough system of public, fee common schools shall not apply to buildings or facilities of school districts ……	--	215	House State Affairs

House Resolution No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1	Bruneel and Jaquet	36	HOUSE ATTACHES COMPENSATION - Provides for compensation for the House attaches ……	40	40	ADOPTED
2	Education	159	READ ACROSS IDAHO DAY - Stating findings of the Legislature; declaring the importance of reading to children and encouraging Idaho parents, educators and other adults to make reading to children a priority; and declaring March 2, 2001, as "Read Across Idaho Day." ……..……	215	215	ADOPTED
3	State Affairs	177	BASKETBALL TEAMS UNIVERSITY - Stating findings of the Legislature and recommending intrastate athletic competitions among the basketball teams of the University of Idaho, Boise State University and Idaho State University on an annual basis for both men's and women's basketball teams ..	201	201	ADOPTED
4	Ways And Means	291	MULTISTATE HIGHWAY TRANSPORTATION AGREEMENT - Stating findings of the Legislature recognizing the importance of Idaho's active participation in the Multistate Highway Transportation Agreement; and supporting the continuing appointment of an Idaho representative to the coordinating committee of the Multistate Highway Transportation Agreement ……	313	313	ADOPTED

Senate Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1005	Judiciary And Rules	73	AGRICULTURAL FOOD PRODUCTS - Amends existing law relating to disparagement of agricultural food products to make a grammatical correction	137	154	LAW
1006	Judiciary And Rules	75	UNIFORM COMMERCIAL CODE - Amends existing law relating to the Uniform Commercial Code to make a technical correction	137	154	LAW
1007	Judiciary And Rules	75	CHECKS - DISHONORED - Amends existing law to clarify that the civil liability imposed for dishonored checks applies only to actions filed in the small claims department of the magistrates division of the district court	138	154	LAW
1008	Judiciary And Rules	75	DEFENDANT - TRIAL TIME - Amends existing law to provide that an action may be dismissed if a defendant, who is charged with both a felony and a misdemeanor in the same action or charging document, and whose trial has not been postponed upon his application, is not brought to trial within six months from the date the indictment or information is filed with the court	138	154	LAW
1009	Judiciary And Rules	75	NATURAL DEATH ACT - Amends existing law relating to the Natural Death Act to provide correct terminology	144	161	LAW
1010	Judiciary And Rules	75	JURY SELECTION - Amends existing law relating to jury selection to provide correct terminology	144	161	LAW
1011	Judiciary And Rules	75	JURY SELECTION/SERVICE - Amends existing law relating to jury selection and service to provide correct terminology and to make technical corrections	283	299	LAW
1012	Judiciary And Rules	88	ACCESSORIES TO CRIME - Amends existing law relating to the definition of "accessories" to crime to provide correct terminology	284	299	LAW
1014 AA	Judiciary And Rules	244	ALCOHOL BEVERAGE LICENSES - Amends existing law to provide that investigations relating to applications for retail liquor licenses, brewers' licenses, beer dealers' licenses, beer wholesalers' licenses, licenses to sell beer at retail, retail wine licenses, wine by the drink licenses, wine distributor's licenses and winery licenses shall include fingerprint-based criminal history checks; and to provide for the submission of fingerprints and fees for such investigations ..... (Senate Amendments - See Senate Journal)	321	343	LAW
1015	State Affairs	54	ALCOHOLIC BEVERAGES - Amends existing law to provide for expiration and renewal of liquor by the drink licenses; and to provide for expiration and renewal of licenses to manufacture, import, bottle, broker or possess for resale, or to distribute or sell wine	150	166	LAW

Senate Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1016	Transportation	164	MOTOR VEHICLES - VESSELS - Amends existing law to provide for internal consistency; to update to current practices; and to clarify certain provisions of motor vehicle and vessel titling laws	271	286	LAW
1017	Transportation	164	MOTOR VEHICLES - Amends and repeals existing law to clarify issuance of seasonal Class B or Class C driver's licenses; to provide that medical conditions may be indicated on driver's licenses and identification cards only if requested by the applicant; and requiring proof of financial responsibility for each vehicle registered by any person required to provide such proof	271	286	LAW
1018	Commerce And Human Resources	54	WORKFORCE DEVELOPMENT TRAINING TAX Amends existing law relating to employment security law to extend the effective date of the Workforce Development Training Tax to January 1, 2007	106	127	LAW
1019	Commerce And Human Resources	54	EMPLOYMENT SECURITY - Amends existing law relating to Employment Security Law to provide the taxable wage rates for all covered experience-rated employers for calendar year 2002	106	127	LAW
1020	Commerce And Human Resources	72	UNEMPLOYMENT CLAIMS - Amends existing law to delete the penalty for employers who fail to provide separation information within ten days of a request from the Department of Labor	200	217	LAW
1021	Commerce And Human Resources	106	EMPOYMENT SECURITY LAW - REED ACT - Amends existing law to provide that the conditions and restrictions applicable to Reed Act distributions in federal fiscal years 2000 and 2001 also apply to Reed Act distributions in federal fiscal year 2002; and to eliminate the requirement that interest charges on a federal advance to the Employment Security Fund must be paid from revenues derived from a tax on experience-rated employers	157	176	LAW
1022	Judiciary And Rules	106	FOREIGN-MONEY CLAIMS ACT - Adds to existing law to provide for foreign-money claims; to provide scope and for variation of the act by agreement; to provide for determining the money of the claim; to provide for determining the amount of the money of certain contract claims; to provide for the assertion and defense of a foreign-money claim; to provide for judgments and awards on foreign-money claims; to provide for prejudgment interest and judgment interest; to provide for determining the United States dollar value of foreign-money claims for limited purposes; to provide for the effect of current revalorization; to provide a short title; and to provide for application	334	355	LAW

Senate Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1023	Judiciary And Rules	143	UNIFORM PRINCIPAL AND INCOME ACT - Repeals and adds to existing law to enact the "Uniform Principal and Income Act."	335	355	LAW
1024	State Affairs	73	BUILDING AUTHORITY - Amends existing law to revise the compensation for the commissioners of the State Building Authority; and to provide for the leasing of state property to the Idaho State Building Authority	173	188	LAW
1025	State Affairs	88	PURCHASING - STATE - Amends existing law to revise the state procurement statutes to permit certain notices and solicitations to be posted electronically; to permit bids to be submitted electronically; to remove the vendor registration requirement; and to allow vendors to register online to be notified of bid opportunities	173	188	LAW
1031	Judiciary And Rules	94	ESTATE TAX - Amends existing law to provide references to trusts and other dispositive instruments in the apportionment of estate taxes	320	343	LAW
1032	Judiciary And Rules	94	ANNUITY CONTRACTS - Amends existing law to increase the maximum total exemption of benefits due and payable under annuity contracts	321	343	LAW
1033	Judiciary And Rules	94	PROBATE - Amends existing law relating to the Uniform Probate Code to provide that one/half of the intestate share shall pass to the surviving spouse if a decedent is survived by issue or a parent	321	343	LAW
1034	Finance	73	APPROPRIATIONS - Appropriating $3,000,000 to the State Board of Education for scholarships and grants; and expressing legislative intent regarding student eligibility for the scholarships	101	115	LAW
1036	Local Government And Taxation	88	COLLEGE SAVINGS ACCOUNT - Amends existing law to provide that if contributions are made to college savings accounts on or before April 15, 2001, it may be deducted for income tax purposes for tax year 2000; and to provide that an individual can make another contribution during 2001 and claim the deduction according to the limits provided for tax year 2001; and to provide that, in the case of an individual, the amount of a nonqualified withdrawal from a college savings account will be added to taxable income	235	246	LAW

Senate Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1037	Health And Welfare	88	IDAHO SAFE HAVEN ACT - Adds to and amends existing law relating to abandoned children to provide definitions; to provide for the emergency custody of certain abandoned children; to provide for requirements and confidentiality; to provide immunity from civil and criminal liability; to provide certain custodial parents with immunity from prosecution for abandonment; to provide for protective custody; to provide for placement; to provide for investigations and hearings; to provide for termination of parent-child relationships; to provide for claims of parental rights of certain abandoned children; to provide for certification of registry search; to provide a procedure for claim of parental rights; to provide for reports to the Legislature; to provide for notification of the registry for parental claims for certain abandoned children to those registering notice of commencement of paternity proceedings; to provide for custody of certain abandoned children without an order; to provide an exception to notice requirements for shelter care proceedings; to limit the rights and powers of guardian ad litems to obtain information regarding parents of certain abandoned children; and to provide that certain parents shall be deemed to have abandoned a child left with a safe haven, to have waived any right in relation to the child and to have waived the right to notice of hearing to terminate parental rights	314	330	LAW
1038 AA	Education	218	CHARTER SCHOOLS - Amends existing law to provide that the State Board of Education shall review the effectiveness of charter schools and report to the Legislature ..... (Senate Amendments - See Senate Journal)	282	299	LAW
1039	Health And Welfare	164	MARRIAGE AND FAMILY THERAPISTS - LICENSURE - Amends and adds to existing law to further define terms; to provide for licensure of marriage and family therapists and to provide exemptions; to provide for the Idaho State Licensing Board of Professional Counselors and Marriage and Family Therapists; to provide for membership and powers of the Idaho State Licensing Board of Professional Counselors and Marriage and Family Therapists; to provide for endorsement; to provide prohibited acts regarding a licensed marriage and family therapist or practicing or attempting to offer to practice marriage and family therapy; to provide for privilege from disclosure of confidential communications between professional counselors or marriage and family therapists and clients; to provide a fee for endorsement; and to provide powers and duties of the Bureau of Occupational Licenses	250	266	LAW

Senate Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1040 AA AA	Agricultural Affairs	280	DAIRY FARMS - Amends existing law to provide certain requirements for nutrient management plans; and to provide that nutrient management plans submitted to the Department of Agriculture by dairy farms shall include certain information. ..... (Senate Amendments - See Senate Journal)	325	343	LAW
1042 AA	Agricultural Affairs	224	NOXIOUS WEEDS - SUBDIVISIONS - Adds to existing law to require the submission of a signed certificate of acknowledgment upon filing of subdivision plats; and to provide that titles shall not be invalidated for noncompliance ..... (Senate Amendments - See Senate Journal)	-	224	House Agricultural Affairs
1043 AA	Judiciary And Rules	244	SEXUAL PREDATORS - NOTICE - Amends existing law to provide that notification of the Sexual Offender Classification Board's designation of an offender as a violent sexual predator will be served on the offender within ten working days of the designation and will be served on the sheriff in accordance with the offender's status ..... (Senate Amendments - See Senate Journal)	335	355	LAW
1045	Judiciary And Rules	100	CRIME VICTIMS - Amends existing law to provide that records and information in the possession of the Industrial Commission for purposes of administering the Crime Victim's Compensation Act shall be kept confidential and not subject to disclosure, with certain exceptions; and to provide procedures	-	100	House Judiciary, Rules, and Administration
1046	Judiciary And Rules	100	BRAND BOARD - EMPLOYEES - Amends existing law to limit the definition of nonclassified employees of the State Brand Board to the state brand inspector and the district supervisors; to provide certain authority to the state brand inspector in relation to the four district supervisors; and to provide that the Idaho classified personnel system shall govern the employment of certain employees of the State Brand Board	192	212	LAW
1047	Judiciary And Rules	143	INFRACTIONS - VENUE - Amends existing law to provide that if a misdemeanor or infraction is committed in a city which is located in two counties, the venue is in either county	275	292	LAW
1048	State Affairs	164	TOBACCO PRODUCTS - SALE TO MINORS - Amends existing law relating to sale or distribution of tobacco products to a minor to clarify the conditions which constitute a violation; to provide a schedule of penalties for violations; and to provide a formula for determination of the number of inspections to be conducted	202	217	LAW
1050	Commerce And Human Resources	164	REAL ESTATE LICENSES - Amends existing law to increase the maximum fee that may be charged for the issuance or renewal of an Idaho real estate license	275	292	LAW

Senate Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1051 AA	Commerce And Human Resources	218	REAL ESTATE LICENSE LAW - Amends existing law relating to real estate licenses to revise definitions; to revise minimum requirements for certain real estate licenses; to provide that certain expired licenses shall be automatically terminated; to provide for inactive status of licenses; to provide for receipt of certain referral fees by inactive licensees; to provide for reactivation of inactive licenses; to revise grounds for denial or nonrenewal of license; to provide that discovery of certain facts may be grounds for termination of license; to revise continuing education requirements; to provide adoption of national standards and to require national certification for certain courses; to provide for treatment of electronically generated agreements; to provide that a broker who terminates association with a sales associate shall notify the Commission; to provide that certain records shall be made available for investigatory purposes; to provide that licensees shall report convictions, incompetency declarations, adverse civil judgments and adverse final administrative actions within twenty days ..... (Senate Amendments - See Senate Journal)	275	292	LAW
1052	Judiciary And Rules	164	LIMITED PARTNERSHIPS - Amends existing law to provide for treatment of assignees of the assets of limited partnerships	252	266	LAW
1053	Judiciary And Rules	164	ATTORNEY'S FEES - Amends existing law to provide for reimbursement to the county by certain needy persons who have received services of an attorney provided at public expense; and to provide that the immediate inability of the needy person to pay the reimbursement shall not alone restrict the court from ordering reimbursement	335	355	LAW
1055	Resources And Environment	184	STATE WATER PLAN - Ratifies and approves an amendment to the Comprehensive State Water Plan for the North Fork Clearwater Basin as adopted by the Idaho Water Resource Board on December 21, 2000	277	292	LAW
1056	Resources And Environment	244	PRIVATE PONDS - Amends existing law to delete the permit fees for private ponds	277	292	LAW
1057 AAH	Local Government And Taxation	143	REAL PROPERTY - CITIES - Amends, repeals and adds to existing law to provide a comprehensive scheme to govern the conveyance of real property owned by a city, the appraisal of the property, terms of sale, disposition of the proceeds and authority to lease real and personal property ..... (House Amendments - p. 333)	347	366	LAW

Senate Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1058	Local Government And Taxation	100	CIGARETTES - Amends and repeals existing law to update a reference to the Internal Revenue Code for purposes of penalties regarding the importation of cigarettes; and to delete the provisions for documentation requirements for imported cigarettes .	203	217	LAW
1059	Judiciary And Rules	164	DECEASED - Amends existing law to enumerate persons authorized to control the disposition of the remains of a deceased person if the decedent had not made a prearranged funeral plan; to provide that the authority to control the disposition of the remains of a deceased person is relinquished if a person is charged with murder or voluntary manslaughter in connection with the decedent's death and to provide that such authority shall be returned if the charges are dropped or the person is acquitted; to define terms; to provide that certain individuals may permit or perform autopsies under certain circumstances; to provide that individuals permitting or performing autopsies shall not be liable unless they have actual notice of certain facts; and to provide that physicians may not rely upon oral authorization for the performance of an autopsy if the physician knows the deceased person opposed autopsies	321	343	LAW
1060	Education	164	CHARTER SCHOOLS - Amends existing law to require public charter schools to prepare and submit audit reports and to annually file financial and statistical reports with the State Department of Education	252	266	LAW
1061 AA	Education	218	TEACHER AND PRINCIPAL EFFECTIVENESS - Amends existing law to authorize criteria to evaluate teacher and principal effectiveness including classroom management, adherence to district curriculum, parent communication, student progress and professional conduct ..... (Senate Amendments - See Senate Journal)	-	218	House Education
1063	Judiciary And Rules	164	UNIFORM ATHLETE AGENTS ACT - Adds to and amends existing law to provide a short title; to define terms; to provide for administration, service of process and issuance of subpoenas; to require registration for athlete agents; to provide for a student-athlete's right to cancel; to provide authority to the Department of Self-Governing Agencies to administrate the athlete agents act; and to increase the amount of civil fines the Bureau of Occupational Licenses may collect	276	292	LAW

Senate Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1064 AA	Agricultural Affairs	244	CARBON SEQUESTRATION ADVISORY COMMITTEE - Adds to existing law to provide legislative intent; to provide for the creation of the Carbon Sequestration Advisory Committee; to provide for membership and compensation of the committee; to provide that the Soil Conservation Commission shall provide administrative assistance; to provide for powers and duties of the Carbon Sequestration Advisory Committee; to provide that the chairman of the Soil Conservation Commission shall prepare reports; to provide for powers and duties of the chairman of the Soil Conservation Commission; and to create the Carbon Sequestration Assessment Fund ..... (Senate Amendments - See Senate Journal)	275	275	Failed House
1067 AA	Agricultural Affairs	280	DAIRY FARMS - Amends existing law to provide that new or expanding dairy farms shall present a certified letter that the dairy farm complies with applicable county livestock ordinances and certain evidence of adequate water supply or an application for adequate water supply to the director of the Department of Agriculture prior to issuance of a permit to sell milk for human consumption ..... (Senate Amendments - See Senate Journal)	325	343	LAW
1068	State Affairs	199	WINE - TABLE/DESSERT - Amends existing law to revise definitions; to authorize the board of county commissioners of each county to permit the sale of table wine and/or dessert wine; to provide for the issuance of retail table wine and/or dessert wine licenses; to provide that the board of county commissioners of each county may submit the question of the sale of table wine and/or dessert wine to the electors; to provide a form for petition by registered electors demanding the board of county commissioners submit the question of permitting the sale of table and/or dessert wine at retail to the electors; and to provide for a form of ballot	-	199	House State Affairs
1069	Local Government And Taxation	190	PORT DISTRICTS - Amends existing law to include the provision of economic development facilities among the purposes for which port districts are authorized; to provide that a port district may finance, construct, condemn, purchase, acquire, add to, equip, maintain and operate certain facilities incident to the operation of a port together with industrial and economic development facilities which maintain or increase employment opportunities in a port district; and to include industrial and economic development facilities and port properties and facilities within the purposes for which port district revenue bonds may be issued	270	286	LAW

Senate Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1070 AA	Education	243	SCHOOL FACILITY SUPPORT FUND - Amends and adds to existing law to create a "School Facility Support Fund"; to provide for allocation of money to the fund, including lottery money, school support funds which remain following distributions and school district employers share of the Public Employee Retirement System extraordinary gains; and to govern the uses of the moneys in the fund .... (Senate Amendments - See Senate Journal)	-	243	House Education
1073	Health And Welfare	164	PARENTS - DISABLED - Amends existing law relating to parental rights of individuals with disabilities to prohibit discrimination and, when making evaluations, to require consideration of potential to use adaptive equipment and supportive services	-	259	House Health and Welfare
1074	Health And Welfare	164	CHILD ABUSE - Amends existing law relating to child abuse, abandonment and neglect to prohibit discrimination and to require consideration of a disabled individual's ability to employ adaptive and supportive equipment and services	-	164	House Health and Welfare
1075	Transportation	164	LICENSE PLATES - CAPITOL COMMISSION - Amends and adds to existing law to establish an Idaho State Capitol Commission license plate program effective January 1, 2002, through December 31, 2006	340	355	LAW
1077 AA	Transportation	258	DRIVER'S LICENSE - DISABLED PERSON - Amends existing law to provide that persons with a permanent disability may have a notation imprinted on their driver's license or identification card to indicate that they have a permanent disability ..... (Senate Amendments - See Senate Journal)	325	343	LAW
1078	Transportation	164	HIGHWAY DISTRICT COMMISSIONERS - Amends existing law to increase the maximum allowable monthly salaries of countywide highway district commissioners; and to increase the daily salary and maximum allowable annual salary of commissioners of all other highway districts	225	243	LAW
1082 AAH	Commerce And Human Resources	199	ART IN PUBLIC PLACES - Amends and adds to existing law to provide an exemption from competitive bidding for art acquired, restored or conserved pursuant to the Idaho Art in Public Places Act; to establish an art in public places program; to provide for administration of the program by the Idaho Commission on the Arts; to provide a formula to determine the amount that may be expended on works of art; and to provide limitations on the application ..... (House Amendments - p. 249)	-	305	House State Affairs

Senate Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1083 AA	Commerce And Human Resources	224	AIRCRAFT LIENS - Adds to existing law to provide for aircraft improvement liens; to provide for the duration of the lien; to define "owner"; to provide for claim of lien; to provide for sale of the aircraft; to provide for priority of aircraft improvement liens; to provide for release and discharge of the lien; to provide for joinder of actions; and to provide for filing fees as costs and attorney's fees ..... (Senate Amendments - See Senate Journal)	-	224	House Business
1085	Finance	164	APPROPRIATIONS - Appropriating an additional $499,300 to the Division of Building Safety for fiscal year 2001	182	196	LAW
1086	Health And Welfare	190	PHYSICAL THERAPISTS - LICENSURE - Repeals and adds to existing law to provide a comprehensive scheme of examination and licensure of physical therapists by the Idaho State Board of Medicine with the advice of a physical therapy advisory committee	270	286	LAW
1089 AA	Judiciary And Rules	225	SPEED LIMITS - SCHOOL ZONES - Adds to existing law to provide for reduced speed limits in school zones; to specify a penalty for exceeding the posted speed limit in a school zone; and to provide for a reduction of the maximum penalty by ordinance of a city council or board of county commissioners .. (Senate Amendments - See Senate Journal)	-	225	House Transportation and Defense
1090	State Affairs	190	HORSE RACES - Amends existing law to increase the number of live horse races per day; and to revise the formula governing the minimum requirements for licensure for simulcast pari-mutuel wagering	252	266	LAW
1091	Local Government And Taxation	164	MUNICIPAL CORPORATIONS - INVESTMENTS Amends existing law to provide additional authorized investments for funds of municipal corporations in specified reverse purchase agreements and A-rating or higher bonds, debentures or notes	220	236	LAW
1095	Transportation	164	DRIVER'S LICENSE FEES - Amends existing law to increase the fees on driver's licenses; to distribute the increase to the Emergency Medical Services III Account; and to decrease the allocation to the Highway Distribution Account for fees collected on the eight-year class D driver's license	-	164	House Transportation and Defense
1096	Transportation	164	SALES TAX - VESSELS/ALL-TERRAIN VEHICLES - Amends existing law to provide that vessels and attached motors, all-terrain vehicles, utility trailers and snowmobiles shall be exempted from sales tax in the same manner as motor vehicles and used mobile homes are currently exempted from sales tax	-	164	House Revenue and Taxation

Senate Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1100	Transportation	190	MOTOR VEHICLES - RESALE - Adds to existing law to provide that a vehicle dealer who takes possession of a vehicle for purposes of resale shall satisfy all liens perfected at the time of taking possession within a time certain, unless the owner agrees in writing to directly satisfy all liens; to provide that no vehicle may be resold until all liens have been satisfied in full; and to provide a penalty	281	299	LAW
1104 AA	Transportation	258	HIGHWAY DISTRICT COMMISSIONERS - Amends existing law to provide that certain powers of highway district commissioners shall not be abrogated or superceded ..... (Senate Amendments - See Senate Journal)	-	258	House Transportation and Defense
1105 AA	Transportation	258	HIGHWAY DISTRICTS - Amends existing law to provide that certain sales of real or personal property by a highway district or single countywide highway district are limited to property which has a value in excess of $5000 ..... (Senate Amendments - See Senate Journal)	337	355	LAW
1106	Transportation	300	COUNTYWIDE HIGHWAY DISTRICTS - Adds to existing law to provide that a summary of certain ordinances passed by the highway commissioners of a countywide highway district may be published in lieu of publishing the entire ordinance; to provide requirements; and to provide procedures	339	355	LAW
1107 AA	Transportation	332	HIGHWAY DISTRICT COMMISSIONERS - Amends existing law to provide for alternative elections and terms of office for highway district commissioners ..... (Senate Amendments - See Senate Journal)	-	332	House Transportation and Defense
1110	Education	199	SCHOOL INSPECTIONS - REPORTS - Amends existing law relating to safe public school facilities to require publication of a summary of the reports made to the board of trustees of a school district	-	199	House Education
1111	Education	243	SCHOOL DISTRICTS - PROPERTY - Amends existing law to expand certain authority of the board of trustees of a school district to sell or otherwise dispose of property owned by the school district	281	299	LAW
1114 AA	Education	280	TEACHERS - SALARIES - Amends existing law to increase the base salary in the school district salary-based apportionment schedule; and to adopt requirements for a school district salary schedule .... (Senate Amendments - See Senate Journal)	336	355	LAW

Senate Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1116 AA	Education	280	STUDENTS - READING - Adds to existing law to provide statewide goals for reading evaluations conducted in the public schools; and to provide additional assistance to schools which fail to achieve specified goals ……..…… (Senate Amendments - See Senate Journal)	326	343	LAW
1117	Education	225	PREKINDERGARTEN READINESS - Adds to existing law to provide a prekindergarten readiness program; to provide eligibility; to provide for reimbursement; and to provide reporting ……	-	225	House Education
1118	Judiciary And Rules	180	INDIVIDUAL RETIREMENT ACCOUNTS - Amends existing law to further define "employee benefit plan"; and to further govern community property interest in an individual retirement account ……..……	321	343	LAW
1119	Judiciary And Rules	190	TENANTS - MANUFACTURE CONTROLLED SUBSTANCE - Amends existing law to provide for reasonable suspicion of the unlawful delivery, production or use of a controlled substance as grounds for initiating an action of unlawful detainer by a landlord for property occupied by a tenant ……	285	299	LAW
1120	Judiciary And Rules	199	PRIVATE PRISONS - Amends existing law relating to private prisons to revise definitions; to provide for written contracts; to provide that cities and counties may authorize housing of certain prisoners; to prohibit housing of certain prisoners; to clarify requirements and limitations on cities and counties in contracting with private prison contractors; to provide for licensing; to authorize housing of certain out-of-state prisoners subject to review and approval by the Department of Correction; to clarify certain purposes of monitoring; to provide for notification of escapes and crimes, including incidents committed inside or outside the facility; to provide for reimbursement of costs; to provide for recovery of costs of prosecution; and to provide for rules ……	335	355	LAW
1121	Resources And Environment	184	IRRIGATION DISTRICTS - Amends existing law to require that an order of the board of directors of an irrigation district changing the boundaries of an irrigation district shall be filed in the recorder's office of the county within which the annexed lands are situated; and to require that an exclusion order of an irrigation district shall be filed in the recorder's office of the county within which the excluded lands are situated ……..……	277	292	LAW

Senate Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1122	Resources And Environment	231	WATER RIGHTS - Amends existing law to allow temporary changes to water rights by transfer or exchange of water during a drought emergency; and to provide a statutory reference to provide that the director of the Department of Water Resources is not required to publish notice or make findings in regard to the changes	277	292	LAW
1127 AA	Commerce And Human Resources	225	LEGAL SERVICE EXPENSE PLANS - Adds to existing law to define the term "legal service expense plan"; to exempt legal service expense plans from regulation as insurance; and to specify code provisions applicable to legal service expense plans ..... (Senate Amendments - See Senate Journal)	284	299	LAW
1130	Commerce And Human Resources	180	MANUFACTURED HOMES - INSTALLATION - Amends existing law to provide that no manufactured home installer shall engage in business in Idaho without being licensed by the Division of Building Safety; to define "manufactured home installer"; and to redefine "manufactured home service company." .	-	180	House Business
1132	Education	225	CHARTER SCHOOLS - Amends existing law to provide for appeal of a decision not to approve a revision of the charter of a charter school	262	279	LAW
1133	Education	225	SCHOOLS - STAFF DEVELOPMENT - Amends existing law to provide that the reduction in public school instructional hours, which is allowed to accommodate staff development activities, shall be on days as deemed appropriate by the local school board	271	286	LAW
1137	Transportation	199	TRAFFIC ACCIDENT MEMORIALS - Amends existing law to provide that traffic accident memorials shall not be limited to golden stars; and to require the consent of the next of kin of the deceased prior to placing a traffic accident memorial adjacent to the site of the accident	239	253	LAW
1139	Transportation	244	RAILROAD GRADE CROSSINGS - Amends existing law to provide that the Railroad Grade Crossing Protection Fund may be used to pay for the costs of constructing railroad grade crossing or separation structures and may be used to support public education and safety programs which promote awareness of public safety at railroad grade crossings; to provide that the Idaho Transportation Department shall apportion the entire cost of the construction of any railroad grade crossing or grade separation structures between the railroad company or companies and the Idaho Transportation Department or local authority	339	340	Failed House

Senate Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1140 AA	Judiciary And Rules	244	HIGHWAYS - Amends existing law to provide that it is a violation for running water across certain public highways, roads or streets by flooding or sprinkler irrigation; to provide certain conditions for application of the section; to provide for infractions and misdemeanors; to provide for exceptions; and to provide an exception for violations defined in the chapter ……..…… (Senate Amendments - See Senate Journal)	332	355	LAW
1142 AA	Agricultural Affairs	244	ORGANIC FOOD PRODUCTS - Repeals and amends existing law relating to organic food products to revise definitions; to provide for rules relating to standards for certain livestock health care and medical treatment, prevention and control of infections or communicable diseases among certain livestock, and standards for prohibitions against denial of health care or medical treatment of livestock in order to obtain or retain organic certification; to provide for the distribution of an annual list of all certified organic producers, handlers and vendors … (Senate Amendments - See Senate Journal)	271	286	LAW
1143	Agricultural Affairs	190	CERVIDAE - Amends existing law relating to domestic cervidae to provide for civil violations of certain statutes and rules regarding diseases and domestic cervidae; to provide civil penalties; and to provide for certain criminal offenses ……	277	292	LAW
1145	Health And Welfare	180	TRAUMA ADVISORY COMMITTEE - Adds to existing law to create within the Department of Health and Welfare a Trauma Advisory Committee; to provide duties; and to require a report to the Legislature ……..……	251	266	LAW
1146	Health And Welfare	184	PATIENT CARE RECORDS - Amends existing law to provide for hospital records to be in an electronic medium; to increase the time that clinical laboratory test records and reports must be kept; to provide that hospital records relating to orders for the care and treatment of a patient or for the administration of any drug or pharmaceutical must be authenticated to ensure accuracy and patient safety; and to provide procedures and mechanisms for authentication …….	251	266	LAW
1147	Health And Welfare	231	CHILD NEGLECT REPORTING REGISTRY - Amends existing law to provide an exception, for information regarding certain abandoned children, in regard to the duty imposed on the Department of Health and Welfare to maintain a central registry for the reporting of child neglect, abuse and abandonment information ……	314	330	LAW

Senate Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1150 AA	Judiciary And Rules	231	DRUG PUSHER REGISTRATION - Adds to and amends existing law to provide for drug pusher registration; to establish a central drug pusher registry and to provide for agency responsibility; to require notice of the duty to register; to require local and annual registration; to require notification of a change of address or name; to provide for release from registration requirements and expungement from the registry; to provide for public access to the drug pusher offender registry information; to provide penalties for vigilantism and other misuse of drug pusher offender registry information ..... (Senate Amendments - See Senate Journal)	-	231	House Judiciary, Rules, and Administration
1153	Local Government And Taxation	185	TAX DEEDS - Amends existing law to provide that the right of redemption expires one year from the date of issuance of a tax deed; to provide that, if a tax deed is issued and payment is not received within one year, the tax deed is presumptive evidence of the regularity of proceedings and fee simple title rests with the county; to provide that possession under a tax deed is conclusive after one year; and to provide that no action shall be maintained to contest a delinquency, assessment or certain proceedings if the purchaser or his successors in interest have paid all property taxes for one year	270	286	LAW
1155	Local Government And Taxation	190	LIBRARY DISTRICTS - Adds to existing law to authorize the board of trustees of a library district to create a capital improvement reserve fund; to provide uses of the fund; and to require reports and audits of the fund	-	262	House Local Government
1156 AA	Local Government And Taxation	258	PROPERTY - ADVERSE POSSESSION - Amends existing law to provide that adverse possession shall not be considered established if a written instrument has been recorded in the real estate records kept by the county recorder of the county in which the property is located and such written instrument declares that it was not the intent of a party, by permitting possession or occupation of real property, to thereby define property boundaries or ownership; and to provide that a person claiming adverse possession must present clear and convincing evidence that certain requirements have been met .... (Senate Amendments - See Senate Journal)	325	343	LAW
1157 AA	Local Government And Taxation	259	SCHOOL DISTRICTS - BONDS - Amends existing law to delete the requirement that school district bonds be issued within two years from the date of the bond election; to provide that school bonds may be sold at public or private sale; and to authorize the sale of school bonds by electronic bidding ..... (Senate Amendments - See Senate Journal)	320	343	LAW

Senate Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1158 AA	Local Government And Taxation	259	BONDS - NOTES - ELECTRONIC BIDDING - Amends and adds to existing law to authorize the sale of bonds, notes and other obligations of public entities at public or private sale; to authorize sale by electronic bidding; to require a deposit in such amount as the government body deems necessary; and to authorize the use of a surety bond as bid security ..... (Senate Amendments - See Senate Journal)	320	343	LAW
1162	State Affairs	184	PARK AND RECREATION - FEES - Amends existing law to authorize the Park and Recreation Board to waive fees for Idaho veterans with 100% disability	221	236	LAW
1164 AA	State Affairs	259	ELECTION CAMPAIGN FINANCE - Amends existing law to provide that the chapter on election campaign contributions and expenditures shall apply to magistrate retention elections ..... (Senate Amendments - See Senate Journal)	315	330	LAW
1165	Finance	180	APPROPRIATIONS - Appropriating an additional $189,000 to the Industrial Commission for fiscal year 2001	193	212	LAW
1166	Judiciary And Rules	224	INSURANCE - Amends existing law to provide that if an insurance policy provides benefits for pregnancy, childbirth or miscarriage, and an employee or dependent is pregnant at the time of discontinuance of the policy and not eligible for any replacement group coverage within sixty days of discontinuance, the policy must provide that the benefits will be payable to the same extent as if discontinuance had not occurred, but not beyond a period of twelve months following discontinuance ...	281	299	LAW
1167 AA	Judiciary And Rules	300	MUNICIPAL ANNEXATION - Adds to, amends and repeals existing law to provide for municipal annexation of land which is contiguous or adjacent to a city with consent of the landowner; to provide for annexation of land which is contiguous or adjacent to a city when not all landowners give their consent; to provide that a seller's disclosure statement shall include two questions relative to newly constructed residential real property that previously has not been inhabited; and to provide a demand procedure to facilitate compliance with the law for those counties and cities which have not adopted required ordinances providing for the identification of an area of city impact within the unincorporated area of the county ..... (Senate Amendments - See Senate Journal)	-	300	House Local Government
1168	State Affairs	231	BREAST AND CERVICAL CANCER - Amends existing law to require medical assistance coverage for eligible individuals identified by breast and cervical cancer-related treatment services	281	299	LAW

Senate Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1170	Judiciary And Rules	225	SEX OFFENDER REGISTRATION - Amends existing law to define "aggravated offense"; and to provide that persons convicted of an aggravated offense shall not be exempted from the registration requirements of the Sexual Offender Registration Act	276	292	LAW
1171	Judiciary And Rules	225	DRUG COURTS - Adds to existing law to create drug courts; to provide a statement of policy; to provide eligibility requirements; to provide for drug court evaluation; to provide for implementation of drug courts; to provide for funding; and to provide for drug court participant fees	315	330	LAW
1172	Judiciary And Rules	231	COORDINATED FAMILY SERVICES - Adds to existing law to provide for the implementation of a coordinated family services plan; to provide for evaluation of the family court services plan; and to provide for administration of funding	315	330	LAW
1173	State Affairs	244	MOTOR VEHICLES - REGISTRATION - Amends existing law to provide a single fee for registration of vehicles weighing between eight thousand and sixty thousand pounds maximum gross vehicle weight	-	244	House Transportation and Defense
1174	State Affairs	231	BOND BANK AUTHORITY - Adds to and amends existing law to create the Idaho Bond Bank Authority; to provide membership and compensation of the authority; to provide that bonds are fully negotiable; to provide that bonds are legal instruments; to exempt property and bonds of the authority from taxes and assessments; to provide for issuance and form of issuance of bonds; to provide for sale and sale prices of bonds; to provide for payment or refunding of bonds; to provide for purchase and disposition of bonds of the authority; and to provide for presumption of validity of bonds and contracts	283	299	LAW
1175	Finance	213	APPROPRIATIONS - Appropriating an additional $124,000 to the Board of Examiners for fiscal year 2001	301	318	LAW
1176	Judiciary And Rules	244	VEHICULAR MANSLAUGHTER - Amends existing law to increase the maximum fine and maximum sentence for vehicular manslaughter	-	244	House Judiciary, Rules, and Administration
1177	State Affairs	244	TRUCKS - SPEED LIMITS - Amends existing law to provide that the maximum lawful speed limit on interstate highways shall not exceed sixty-five miles per hour for vehicles with five or more axles	340	340	Failed House

Senate Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1178	State Affairs	244	STATE-TRIBAL GAMING COMPACTS - Amends existing law to require the Governor to serve a copy of a gaming compact on each member of the Legislature at least twenty-one calendar days before the compact is signed; and to provide that the compact shall not become effective unless the Legislature adopts a concurrent resolution, in both houses, approving the compact	341	355	VETOED
1180	Finance	244	APPROPRIATIONS - WOMEN'S COMMISSION - Appropriates $49,200 to the Idaho Women's Commission for fiscal year 2002; and limits the full-time equivalent positions to .52	294	318	LAW
1181	Finance	244	APPROPRIATIONS - INSURANCE DEPARTMENT - Appropriates $6,214,200 to the Department of Insurance for fiscal year 2002; limits the number of full-time equivalent positions to 68.5 .	295	318	LAW
1182	Finance	247	APPROPRIATIONS - PUBLIC SCHOOLS - Provides amounts to be expended from various funds for the public schools; appropriates $932,969,800 to the Public School Income Fund for fiscal year 2002; appropriates $992,844,800 for the Educational Support Program for fiscal year 2002; amends existing law to provide an increase in the base salary for salary-based apportionment; provides for expenditures for certain technology, including Libraries Linking Idaho Program; provides for expenditures for expenses related to the Idaho Council for Technology in Learning; provides for expenditures for grants to teachers for development of creative and innovative instruction methods or curriculum; provides for expenditures for non-English and limited English proficiency programs; provides for expenditures for the teacher-mentor program; and provides for a study regarding teachers using personal funds for classroom supplies	315	330	LAW
1184	Finance	247	APPROPRIATIONS - TRANSPORTATION DEPARTMENT - Appropriates $431,893,100 to the Idaho Transportation Department for fiscal year 2002; limits the number of full-time equivalent positions to 1,836; provides legislative intent that all moneys transferred to the Local Bridge Inspection Fund and Railroad Grade Crossing Protection Fund be continuously appropriated; authorizes a transfer of funds to the Aeronautics Fund; reappropriates certain unexpended and unencumbered balances for the Contract Construction and Right-of-Way Acquisition Program; reappropriates certain unexpended and unencumbered balances to the Idaho Transportation Department; and reappropriates certain unexpended and unencumbered balances for Airport Development Grants	296	318	LAW

Senate Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1185	Finance	244	APPROPRIATIONS - PARKS AND RECREATION DEPARTMENT - Appropriates $33,189,700 to the Department of Parks and Recreation for fiscal year 2002; limits the authorized full-time equivalent positions to 158.25; appropriates $75,000 for matching fund support of the Gateway Visitors Centers; reappropriates unexpended and unencumbered fund balances for the Park Development Program; provides intent that all revenue generated from the operation of an Entrepreneurial Budget System be deposited in the Special Revenue Funds for the Department of Parks and Recreation; authorizes the State Controller to transfer $1,000,000 of the appropriation to the Park Land Trust Fund and specifies use for the moneys in the fund; appropriates $1,078,500 to the Lava Hot Springs Foundation for fiscal year 2002; and limits the number of full-time equivalent positions for the Lava Hot Springs Foundation to 10	296	318	LAW
1186	Finance	244	APPROPRIATIONS - ADMINISTRATION DEPARTMENT - Appropriates $27,019,900 to the Department of Administration for fiscal year 2002; and limits the number of full-time equivalent positions to 173.60	295	318	LAW
1187	Finance	244	APPROPRIATIONS - STATE TREASURER - Appropriates $1,830,300 to the State Treasurer for fiscal year 2002; provides that moneys assessed for State Treasurer banking services be placed in the Indirect Cost Recovery Fund and provides for transfers of moneys from the fund; provides that $358,500 is to be used only for the payment of bank service fees; reappropriates unexpended and unencumbered fund balance to be used for nonrecurring expenditures; provides that $1,000 may be used to defray expenses resulting from the discharge of the State Treasurer's official duties; and limits the number of full-time equivalent positions to 18	295	318	LAW
1188	Finance	244	APPROPRIATIONS - CATASTROPHIC HEALTH CARE - Appropriates $10,000,000 for Catastrophic Health Care for fiscal year 2002	301	318	LAW
1189	Finance	244	APPROPRIATIONS - Appropriating an additional $57,500 to the Board of Medicine for fiscal year 2001	295	318	LAW
1190	Finance	244	APPROPRIATIONS - COMMISSION ON AGING - Appropriates $10,823,500 to the Office of the Governor for the Commission on Aging for fiscal year 2002; and limits the number of full-time equivalent positions to 15	296	318	LAW

Senate Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1191	Judiciary And Rules	244	JUDICIAL SALARIES - Amends existing law to increase the base annual salaries of nonattorney magistrates and the annual salaries of the justices of the Supreme Court and judges of the district courts by four and one-half percent	322	343	LAW
1192	Judiciary And Rules	244	SEX OFFENDER REGISTRY - Amends existing law to delete language requiring a written request for information; to provide that the department may provide public access to the sex offender registry by means of the Internet; and to provide that a fee may be collected for each response to a written request for information	276	292	LAW
1193 AA	State Affairs	280	AERONAUTICS ADVISORY BOARD - Amends existing law to increase the membership of the Aeronautics Advisory Board from three to five members; to provide for areas of expertise to be represented on the board; and to increase terms of office from three years to five years ..... (Senate Amendments - See Senate Journal)	339	355	LAW
1194	State Affairs	247	LOTTERY TICKETS - Amends existing law to provide for background investigations of bingo and raffle operators and for vendors; to provide felony penalties if a person presents a previously paid or illegally obtained state lottery ticket or knowingly transfers a previously paid or illegally obtained lottery ticket or share to another person for presentation of payment; and to provide the value of a loss involving the theft of lottery tickets	282	299	LAW
1195	Finance	269	SCHOOLS - LIMITED-ENGLISH PROFICIENCY - Adds to existing law to establish a program of limited-English proficiency early intervention to be conducted by school districts for students who are five years of age; to provide a special demonstration program for students who are four years of age; to provide funding; to create an oversight committee; and to provide a sunset date	-	286	House Education
1196	Finance	247	APPROPRIATIONS - COMMUNITY COLLEGES - Appropriates $20,581,400 to the State Board of Education for Community College Support for fiscal year 2002; and provides legislative intent regarding property tax relief in community college districts	296	318	LAW
1197	Finance	255	APPROPRIATIONS - ENDOWMENT FUND INVESTMENT BOARD - Appropriates $604,500 to the Office of the Governor for the Endowment Fund Investment Board for fiscal year 2002; limits the number of full-time equivalent positions to 5.5; and provides legislative intent regarding the transfer of moneys from the various earning reserve funds to the income funds	296	318	LAW

Senate Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1199 AAH	Judiciary And Rules	288	FIREFIGHTERS - Amends existing law to provide that a person may stand on a highway to solicit contributions if allowed to do so by the local authority having jurisdiction over the highway; and to provide a limitation of time for an authorization ..... (House Amendments - p. 353)	356	366	LAW
1200 AA	Judiciary And Rules	300	RECREATION DISTRICTS - Amends existing law to provide that petitions for formation of recreation districts shall state the maximum tax rate that would be imposed upon taxable property within the recreation district or planned unit development recreation district; to provide a tax levy for districts created prior to July 1, 2001; to provide a tax levy for districts created on or after July 1, 2001; to provide maximum rates; and to provide a procedure if a district desires to impose a tax in excess of that contained in the petition ..... (Senate Amendments - See Senate Journal)	-	300	House Revenue and Taxation
1202	Finance	255	APPROPRIATIONS - SELF-GOVERNING AGENCIES - Appropriates $7,654,700 to the regulatory boards in the Department of Self-Governing Agencies for fiscal year 2002; and limits the number of full-time equivalent positions in each of the regulatory boards	297	318	LAW
1203	Finance	255	APPROPRIATIONS - IDAHO STATE LOTTERY - Appropriates $10,501,300 to the Idaho State Lottery in the Department of Self-Governing Agencies for fiscal year 2002; limits the authorized full-time equivalent positions to 47; and provides legislative intent that amounts necessary to pay prizes, retailer commissions, advertising and promotional costs shall be continuously appropriated	297	318	LAW
1204	Finance	255	APPROPRIATIONS - Appropriates $1,236,100 to the State Appellate Public Defender for fiscal year 2002; and limits the number of full-time equivalent positions to 13	297	318	LAW
1205	Finance	255	APPROPRIATIONS - ATTORNEY GENERAL - Appropriates $16,165,100 to the Attorney General for fiscal year 2002; provides for the transfer of the balance from the State Legal Services Fund; specifies legislative intent that $1,000 may be used to assist in defraying expenses relating to or resulting from the discharge of the Attorney General's official duties; limits the number of full-time equivalent positions to 183.15; and reappropriates unexpended and unencumbered balances for the Special Litigation Program to be used for fiscal year 2002	297	318	LAW

Senate Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1206	Finance	255	APPROPRIATIONS - SUPREME COURT - Appropriates $26,541,900 to the Supreme Court for fiscal year 2002; appropriates $457,900 to the Guardian Ad Litem Fund; provides legislative intent that $5,000 may be used to defray expenses relating to the discharge of the Supreme Court Justices' official duties and $1,500 to defray expenses relating to the discharge of the Court of Appeals Judges' official duties; and provides legislative intent specifying a cap on the amount expended for administrative overhead for the Guardian Ad Litem Program	298	318	LAW
1207	Finance	255	APPROPRIATIONS - LANDS DEPARTMENT - Appropriates $29,915,500 to the Department of Lands for fiscal year 2002; limits the number of full-time equivalent positions to 247.61; and authorizes the maximum amount of the deficiency warrants the State Board of Land Commissioners may issue to suppress and eradicate forest pests	301	318	LAW
1208	Finance	255	APPROPRIATIONS - SOIL CONSERVATION COMMISSION - Appropriates $4,738,600 to the Soil Conservation Commission for fiscal year 2002; and limits the number of full-time equivalent positions to 25	298	318	LAW
1209	Finance	255	APPROPRIATIONS - MILITARY DIVISION - Appropriates $19,834,200 to the Office of the Governor for the Military Division for fiscal year 2002; grants continuous appropriation authority for the Bureau of Hazardous Materials' Miscellaneous Revenue Fund for fiscal year 2001; limits the number of authorized full-time equivalent positions to 187.80; and appropriates an additional $56,500 to the Office of the Governor for the Military Division for fiscal year 2001	298	318	LAW
1210	Judiciary And Rules	280	PATIENTS - MENTALLY ILL - Amends existing law to provide conditions for the use of seclusion or the use of physical restraints on a hospitalized mentally ill patient; and to provide that the use of, an evaluation of and the reasons for such restraint shall be made a part of the patient's clinical records	336	355	LAW
1212 AAH	Finance	255	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - FAMILY AND COMMUNITY SERVICES DIVISION - Appropriates $150,964,600 to the Division of Family and Community Services for fiscal year 2002; provides intent that of the moneys appropriated, $100,000 be used to purchase radio/television ads targeted to adolescents; and provides for a transfer of moneys to the Social Services Block Grant for Community Supported Employment Services ..... (House Amendments - p. 333)	--	348	House Appropriations

Senate Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1213 AAH	Finance	255	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - INDIRECT SUPPORT SERVICES - INDEPENDENT COMMISSIONS AND COUNCILS - Appropriates $32,590,100 for Indirect Support Services and $3,685,800 for Independent Commissions and Councils for fiscal year 2002; specifies that the State Controller shall make transfers to the Cooperative Welfare Fund; reappropriates unexpended and unencumbered balances of the Cooperative Welfare Fund to be used for nonrecurring expenditures; authorizes the expenditure of all receipts collected as noncognizable funds; and limits the authorized full-time equivalent positions to 3,085.01 ..... (House Amendments - p. 333)	--	348	House Appropriations
1215 AAH	Finance	255	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - PUBLIC HEALTH SERVICES - Appropriates $53,239,500 to the Department of Health and Welfare for Public Health Services for fiscal year 2002; authorizes the State Controller to make transfers to the Cooperative Welfare Fund; reappropriates unexpended and unencumbered fund balances of the Cooperative Welfare Fund for nonrecurring expenditures; authorizes expenditure of all receipts collected as noncognizable funds; provides legislative intent that the appropriation of moneys from the Cancer Control Fund supersedes the provisions of Section 57-1702, Idaho Code; and appropriates an additional $2,575,300 to the Department of Health and Welfare for Public Health Services for fiscal year 2001 ..... (House Amendments - p. 334)	-	348	House Appropriations
1216 AAH	Finance	255	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - SELF-RELIANCE PROGRAMS - Appropriates $123,662,700 to the Department of Health and Welfare for Self-reliance Programs for fiscal year 2002; authorizes the State Controller to make transfers to the Cooperative Welfare Fund; reappropriates unexpended and unencumbered fund balances of the Cooperative Welfare Fund for nonrecurring expenditures; provides legislative intent to redirect moneys from the Temporary Assistance for Needy Families Block Grant to the Community Resource Worker Program for fiscal year 2002; and amends the appropriation for fiscal year 2001 to appropriate an additional $150,500 to the Department of Health and Welfare for the Self-reliance Programs for fiscal year 2001 .. (House Amendments - p. 334)	-	348	House Appropriations
1217	Finance	255	APPROPRIATIONS - PUBLIC HEALTH DISTRICTS - Appropriates $10,458,400 to the Public Health Trust Fund for fiscal year 2002; and appropriates an additional $98,000 to the Panhandle Health District for fiscal year 2002	300	318	LAW

Senate Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1218	Finance	255	APPROPRIATIONS - BUILDING SAFETY DIVISION - Provides intent regarding the expenditures of the Division of Building Safety; appropriates $8,894,700 to the Division of Building Safety for fiscal year 2002; and limits the number of full-time equivalent positions to 118	301	318	LAW
1219	Finance	255	APPROPRIATIONS - LEGISLATIVE COUNCIL - Appropriates $5,907,600 to the Legislative Council for fiscal year 2002	302	318	LAW
1220	Finance	255	APPROPRIATIONS - AGRICULTURAL RESEARCH/COOPERATIVE EXTENSION PROGRAM - Appropriates $30,109,100 to the Board of Regents of the University of Idaho for the Agricultural Research and Cooperative Extension Service Program for fiscal year 2002; and reappropriates unexpended and unencumbered fund balances for nonrecurring expenditures for fiscal year 2001	302	318	LAW
1221	Finance	255	APPROPRIATIONS - STATE BOARD OF EDUCATION - Appropriates $2,847,300 to the State Board of Education for the Office of the State Board of Education for fiscal year 2002; limits the full-time equivalent positions to 21; and reappropriates unexpended and unencumbered fund balance to the State Board of Education for the Office of the State Board of Education for nonrecurring expenditures ...	302	318	LAW
1222	Finance	255	APPROPRIATIONS - HEALTH EDUCATION PROGRAMS - STATE BOARD OF EDUCATION - Appropriates $7,103,700 to the State Board of Education and the Board of Regents of the University of Idaho for Health Education Programs including the WOI Veterinary Education Program, WWAMI Medical Education Program, Idaho Dental Education Program, WICHE and University of Utah Medical Education Program, and the Family Practice Residency Program for fiscal year 2002; limits the number of full-time equivalent positions to 20.39; and reappropriates any unexpended and unencumbered fund balances for nonrecurring expenditures	302	318	LAW
1223	Finance	259	APPROPRIATIONS - SPECIAL PROGRAMS - STATE BOARD OF EDUCATION - Appropriates $5,935,600 to the State Board of Education and the Board of Regents of the University of Idaho for Special Programs for fiscal year 2002; limits the number of full-time equivalent positions to 25.79; and reappropriates unexpended and unencumbered balance to be used for nonrecurring expenditures	306	323	LAW

Senate Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1224	Finance	259	APPROPRIATIONS - SECRETARY OF STATE - Appropriates $2,224,900 to the Secretary of State for fiscal year 2002; provides legislative intent that $1,000 be used to defray expenses relating to the discharge of the Secretary of State's official duties; reappropriates any unexpended and unencumbered balance; and limits the number of full-time equivalent positions to 32	302	318	LAW
1225	Finance	259	APPROPRIATIONS - OFFICE OF THE GOVERNOR - Appropriates $2,112,700 to the Executive Office of the Governor for fiscal year 2002; and limits the number of full-time equivalent positions to 25	306	323	LAW
1226	Finance	259	APPROPRIATIONS - CORRECTION DEPARTMENT - Appropriates $124,460,800 to the Department of Correction for fiscal year 2002; and limits the full-time equivalent positions to 1,417.56	309	323	LAW
1227	Finance	259	APPROPRIATIONS - PROFESSIONAL-TECHNICAL EDUCATION - Appropriates $54,866,500 to the State Board for Professional-Technical Education for the Division of Professional-Technical Education for fiscal year 2002; and reappropriates unexpended and unencumbered fund balances for nonrecurring expenditures	314	330	LAW
1228	Finance	259	APPROPRIATIONS - PUBLIC BROADCASTING - Appropriates $8,738,300 to the State Board of Education for the Idaho Educational Public Broadcasting System for fiscal year 2002; and limits the number of authorized full-time equivalent positions to 39	314	330	LAW
1229	Finance	259	APPROPRIATION - ARTS COMMISSION - Appropriates $1,648,200 to the Secretary of State for the Commission on the Arts for fiscal year 2002; and limits the number of full-time equivalent positions to 11	306	323	LAW
1230	Finance	259	APPROPRIATIONS - MILLENNIUM FUND - Appropriates $2,756,500 from the Millennium Fund to the State Treasurer for specified purposes for fiscal year 2002; and provides legislative intent regarding the Catastrophic Health Care Cost Program and regarding the allocation of available funds	306	323	LAW
1234	Finance	269	APPROPRIATIONS - INDUSTRIAL COMMISSION - Appropriates $12,908,400 to the Industrial Commission for fiscal year 2002; and limits the number of full-time equivalent positions to 138.5	306	323	LAW

Senate Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1235	Finance	269	APPROPRIATIONS - VETERANS SERVICES - Appropriates $16,721,500 to the Division of Veterans Services within the Department of Self-Governing Agencies for fiscal year 2002; and limits the number of full-time equivalent positions to 299.32	307	323	LAW
1236	Finance	269	APPROPRIATIONS - LABOR DEPARTMENT - Appropriates $692,700 to the Department of Labor for fiscal year 2002; and limits the number of full-time equivalent positions to 7	307	323	LAW
1237	Finance	269	APPROPRIATIONS - DEPARTMENT OF FISH AND GAME - Appropriates $62,836,200 to the Department of Fish and Game for fiscal year 2002; limits the number of full-time equivalent positions to 511; and states legislative intent that the Department of Fish and Game continue the $150,000 pheasant stocking effort; and provides for a transfer of $116,800 to the Fish and Game Fund	345	365	LAW
1238	Finance	269	APPROPRIATIONS - Reducing the fiscal year 2001 appropriation to various state departments, agencies and institutions to reflect personnel cost-savings that have occurred due to the Public Employee Retirement System Gainsharing Program	309	323	LAW
1239	Finance	269	APPROPRIATIONS - WATER RESOURCES - Appropriates $22,015,300 to the Department of Water Resources for fiscal year 2002; and limits the full-time equivalent positions to 183; appropriates and authorizes the transfer of $60,000 for fiscal year 2002 for an aquifer recharge structure; appropriates an additional $608,100 to the Department of Water Resources for fiscal year 2001; and appropriates and authorizes the transfer of $200,000 to the Idaho Water Resource Board Revolving Development Fund and $200,000 to the Water Management Fund for fiscal year 2001	309	323	LAW
1240	Finance	269	APPROPRIATIONS - AGRICULTURE DEPARTMENT - Appropriates $26,849,200 to the Department of Agriculture for fiscal year 2002; and limits the number of full-time equivalent positions to 177.31	309	323	LAW
1241	Finance	280	APPROPRIATIONS - COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED - Appropriates $3,921,300 to the Office of the Governor for the Commission for the Blind and Visually Impaired for fiscal year 2002; and limits the number of full-time equivalent positions to 42.50	316	330	LAW

Senate Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1242	Finance	280	APPROPRIATIONS - IDAHO STATE POLICE - Appropriates $52,663,400 to the Idaho State Police for fiscal year 2002; limits the number of full-time equivalent positions to 542.07; provides legislative intent regarding reallocation of patrol officer positions; and provides intent regarding an agreement between the Idaho State Police and the Department of Health and Welfare to enforce the provisions of the law regarding "Prevention of Minor's Access to Tobacco."	316	330	LAW
1243	Finance	280	APPROPRIATIONS - VOCATIONAL REHABILITATION - Appropriates $17,520,600 to the State Board of Education for the Division of Vocational Rehabilitation for fiscal year 2002; and limits the number of full-time equivalent positions to 148	319	343	LAW
1244	Finance	280	APPROPRIATIONS - JUVENILE CORRECTIONS DEPARTMENT - Appropriates $47,205,200 to the Department of Juvenile Corrections for fiscal year 2002; and limits the number of full-time equivalent positions to 348; and appropriates an additional $320,600 to the Department of Juvenile Corrections for fiscal year 2001	319	343	LAW
1245	Finance	280	APPROPRIATIONS - DEPARTMENT OF ENVIRONMENTAL QUALITY - Appropriates $40,465,000 to the Department of Environmental Quality for fiscal year 2002; limits the number of full-time equivalent positions to 370.55; reappropriates unexpended and unencumbered fund balances of the Cooperative Welfare Fund; directs the transfer of $520,000 to the Environmental Remediation Fund; provides intent regarding Bunker Hill remediation; provides intent with regard to transfers of moneys between programs; provides intent regarding Coeur d'Alene River Basin projects; provides for a transfer of $510,000 to the Air Quality Permitting Fund; appropriates an additional $342,900 to the Department of Environmental Quality for the Air Quality Program for fiscal year 2001; provides intent regarding the use of the additional moneys for the Air Quality Program to reduce the permitting backlog; and authorizes one additional full-time equivalent position for fiscal year 2001	319	343	LAW
1246	Finance	280	APPROPRIATIONS - STATE LIBRARY BOARD - Appropriates $4,029,800 to the State Board of Education for the State Library Board for fiscal year 2002; limits the number of authorized full-time equivalent positions to 46; and reappropriates unexpended and unencumbered fund balance to be used for nonrecurring expenditures	319	343	LAW

Senate Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1247	Finance	280	APPROPRIATIONS - IDAHO SCHOOL FOR THE DEAF AND THE BLIND - Appropriates $7,793,300 to the State Board of Education for the Idaho School for the Deaf and the Blind for fiscal year 2002; limits the full-time equivalent positions to 123.52; and reappropriates unexpended and unencumbered balances ……..	319	343	LAW
1248	Finance	280	APPROPRIATIONS - HISTORICAL SOCIETY - Appropriates $3,992,800 to the State Board of Education for the Idaho State Historical Society for fiscal year 2002; limits the number of full-time equivalent positions to 51.36; and reappropriates unexpended and unencumbered General Fund balances for the Historical Preservation and Education Program ……..……	320	343	LAW
1251	Finance	288	APPROPRIATIONS - TAX APPEALS BOARD - Appropriates $337,800 to the State Board of Tax Appeals in the Department of Revenue and Taxation for fiscal year 2002; and limits the number of full-time equivalent positions to 5 ……	322	343	LAW
1252	Finance	288	APPROPRIATIONS - STATE TAX COMMISSION Appropriates $37,598,300 to the State Tax Commission in the Department of Revenue and Taxation for fiscal year 2002; and limits the number of full-time equivalent positions to 415 ……	322	343	LAW
1253	Judiciary And Rules	300	PROBATE CODE - HOMESTEAD ALLOWANCE Adds to and amends existing law to provide application of law to the estate of a decedent who dies domiciled in Idaho; to revise the homestead allowance for a decedent's estate; to increase the amount of exempt property and to provide that the amount shall be in addition to any homestead or homestead allowance; to revise the family allowance; to increase the living allowance; and to revise procedures relating to the family allowance ……	342	355	LAW
1254	State Affairs	318	ROADS - RIGHTS-OF-WAY - Amends House Bill 268 of the First Regular Session of the Fifty-sixth Idaho Legislature, relating to roads and public rights-of-way, to clarify the effect of certain public records on title to real property; and to clarify application of the provisions of that act ……	-	331	House Transportation and Defense
1255	State Affairs	300	ENERGY COST RECOVERY BONDS - Adds to existing law to authorize the Public Utilities Commission to allow for the issuance of bonds for public utilities so that recovery of large energy increases through fuel or power cost adjustments, purchased gas adjustment tracker rates, commodity tracker rate adjustments or purchased power tracker rates will be facilitated by the issuance of bonds …..	353	365	LAW

Senate Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1256	State Affairs	308	PROPERTY TAX - AGRICULTURAL LAND - Amends existing law to further define "land actively devoted to agriculture" to include land which is the subject of an irrigation buy-back contract between the owner and a power supplier	-	308	House Revenue and Taxation
1257	Finance	300	APPROPRIATIONS - SUBSTANCE ABUSE PROGRAMS - Appropriates $490,000 to the Department of Health and Welfare for community-based substance abuse treatment services for fiscal year 2001; appropriates $2,201,000 to the Department of Health and Welfare for community-based substance abuse treatment services for fiscal year 2002; appropriates $576,000 to the Department of Health and Welfare for substance abuse treatment services that support the drug court program; appropriates $1,176,800 to the Department of Correction for substance abuse treatment programs; appropriates $732,900 to the Department of Correction for evaluation of the effectiveness of substance abuse programs and to provide assessments to support the drug courts; appropriates $812,400 to the Department of Correction for substance abuse treatment programs for offenders on parole and probation; provides legislative intent that the Department of Health and Welfare and Idaho Supreme Court enter into an agreement concerning the development of treatment options for drug court participants; provides intent that the Department of Health and Welfare develop specifications for contracts for substance abuse services for clients under the supervision of the drug courts; provides intent regarding assessment by the Department of Correction of offenders receiving substance abuse treatment; provides intent that the Department of Health and Welfare assess clients receiving substance abuse treatment; reappropriates certain unexpended and unencumbered balances to the Division of Family and Community Services in the Department of Health and Welfare; provides 47.5 additional full-time equivalent positions for the Department of Correction for fiscal year 2002; and adds to existing law to provide a special oversight committee on state funded substance abuse treatment	334	355	LAW
1258	Finance	300	APPROPRIATIONS - VETERANS SERVICES - Appropriates an additional $575,000 to the Division of Veterans Services within the Department of Self-Governing Agencies for fiscal year 2001	326	343	LAW
1259	Finance	332	LIEUTENANT GOVERNOR - PER DIEM - Amends existing law to increase the per diem rate paid to the Lieutenant Governor while the Legislature is in or out of session	342	355	LAW

Senate Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1260	State Affairs	332	LIENS - AGRICULTURAL COMMODITY DEALERS - Amends existing law to provide that a commodity producer or dealer that delivers agricultural products under contract or bailment has a lien on the product or proceeds of sale of the product; to provide for the duration of certain lines; and to provide for the time in which a lien may be created by filing written notice of the lien with the Secretary of State	359	366	LAW
1261	Finance	332	APPROPRIATIONS - STATE BOARD OF EDUCATION - TEACHER TRAINING - Appropriates $700,000 to the State Board of Education and the Board of Regents of the University of Idaho for teacher training for fiscal year 2002; and provides legislative intent that the Idaho Council for Technology in Learning make a recommendation on the use and allocation of funds for teacher training; and provides intent that $200,000 shall be used as a match for funds received from the Bill and Melinda Gates Foundation for the "State Leadership Challenge Grant" if certain conditions are met	358	366	LAW
1262	Finance	332	APPROPRIATIONS - Appropriates an additional $30,600 to the Department of Self-Governing Agencies for fiscal year 2002	358	366	LAW
1263	Finance	345	APPROPRIATIONS - Appropriates an additional $12,100 to the Lieutenant Governor for fiscal year 2002	360	366	LAW
1264	Finance	345	APPROPRIATIONS - Appropriating an additional $250,000 to the Department of Agriculture for fiscal year 2002; and authorizing an additional 3 full-time equivalent positions	360	366	LAW
1265	Finance	345	APPROPRIATIONS - Appropriating an additional $640,000 to the Supreme Court for fiscal year 2002	361	366	LAW
1266	Finance	345	APPROPRIATIONS - Appropriating an additional $598,900 to the Supreme Court for fiscal year 2002	357	366	LAW
1267	Finance	345	APPROPRIATIONS - Appropriating an additional $991,000 to the Supreme Court for fiscal year 2002	361	366	LAW
1268	Finance	345	APPROPRIATIONS - Appropriates an additional $94,600 to the Department of Labor for fiscal year 2002; authorizes an additional 2 full-time equivalent positions for fiscal year 2002; and provides legislative intent regarding the Idaho Rural Partnership	362	366	LAW

Senate Bill No.	Introduced By	Intro-duction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1269	Finance	345	APPROPRIATIONS - Appropriating an additional $500,000 to the State Board of Education and the Board of Regents of the University of Idaho for an endowment land exchange	362	366	LAW
1270	Finance	345	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - MEDICAL ASSISTANCE SERVICES - Appropriates $809,515,600 to the Department of Health and Welfare for Medical Assistance Services for fiscal year 2002; authorizes expenditure of all receipts collected as noncognizable funds; authorizing an additional 7 full-time equivalent positions for fiscal year 2002; and appropriates an additional $112,358,900 to the Department of Health and Welfare for Medical Services for fiscal year 2001 ...	-	348	House Appropriations
1271	Finance	355	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - INDIRECT SUPPORT SERVICES - INDEPENDENT COMMISSIONS AND COUNCILS - Appropriates $32,590,100 for Indirect Support Services and $3,685,800 for Independent Commissions and Councils for fiscal year 2002; authorizes the expenditure of all receipts collected as noncognizable funds; limits the authorized full-time equivalent positions to 3,092.01; and provides intent regarding salary savings and outreach efforts	363	366	LAW
1272	Finance	355	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - PUBLIC HEALTH SERVICES - Appropriates $53,239,500 to the Department of Health and Welfare for Public Health Services for fiscal year 2002; authorizes expenditure of all receipts collected as noncognizable funds; provides legislative intent that the appropriation of moneys from the Cancer Control Fund supersedes the provisions of Section 57-1702, Idaho Code; appropriates an additional $2,575,300 to the Department of Health and Welfare for Public Health Services for fiscal year 2001; and provides legislative intent regarding personnel costs	364	366	LAW
1273	Finance	355	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - FAMILY AND COMMUNITY SERVICES DIVISION - Appropriates $150,964,600 to the Division of Family and Community Services for fiscal year 2002; authorizes expenditure of all receipts collected as noncognizable funds; provides intent that of the moneys appropriated, $100,000 be used to purchase radio/television ads targeted to adolescents; provides for a transfer of moneys to the Social Services Block Grant for Community Supported Employment Services; and provides intent regarding salary savings and outreach activities	364	366	LAW

Senate Bill No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
1274	Finance	355	APPROPRIATIONS - DEPARTMENT OF HEALTH AND WELFARE - MEDICAL ASSISTANCE SERVICES - Appropriates $809,515,600 to the Department of Health and Welfare for Medical Assistance Services for fiscal year 2002; authorizes the State Controller to make transfers to the Cooperative Welfare Fund; reappropriates unexpended and unencumbered fund balances of the Cooperative Welfare Fund for nonrecurring expenditures; authorizes expenditure of all receipts collected as noncognizable funds; provides intent regarding the Children's Health Insurance Program; provides intent regarding state veterans homes; provides intent regarding private intermediate care facilities for the mentally retarded; provides intent regarding use of generic drugs; provides intent regarding rates paid for durable medical equipment; provides intent with regard to a regional comprehensive utilization management plan; provides intent regarding cost-sharing by Medicaid clients; provides intent regarding day treatment services to clients with mental illness; provides intent regarding reduction of outreach efforts; provides legislative intent regarding salary savings; and appropriates an additional $112,358,900 to the Department of Health and Welfare for Medical Services for fiscal year 2001	365	366	LAW
1275	Finance	355	DEPARTMENT OF HEALTH AND WELFARE - SELF-RELIANCE PROGRAMS - Appropriates $123,613,900 to the Department of Health and Welfare for Self-reliance Programs for fiscal year 2002; authorizes the State Controller to make transfers to the Cooperative Welfare Fund; reappropriates unexpended and unencumbered fund balances of the Cooperative Welfare Fund for nonrecurring expenditures; authorizes expenditure of all receipts collected as noncognizable funds; provides legislative intent to redirect moneys from the Temporary Assistance for Needy Families Block Grant to the Community Resource Worker Program for fiscal year 2002; amends the appropriation for fiscal year 2001 to appropriate an additional $150,500 to the Department of Health and Welfare for the Self-Reliance Programs for fiscal year 2001; and provides legislative intent regarding personnel costs and outreach efforts	357	366	LAW

Senate Concurrent Resolution No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
101	State Affairs	74	JUNETEENTH NATIONAL FREEDOM DAY - Stating findings of the Legislature and designating June 16, 2001, and the third Saturday in June thereafter as "Juneteenth National Freedom Day" with appropriate ceremonies and presentations during that day to be conducted to honor Idahoans of African descent	181	196	ADOPTED
102	State Affairs	60	PHILLIP ANDERSON - JAMES MOULSON - Stating findings of the Legislature and recognizing Corporals Phillip Anderson and James Moulson for their devotion to public service and to their communities	70	76	ADOPTED
103	Health And Welfare	81	PHARMACY BOARD - RULES - Stating findings of the Legislature and rejecting the Pharmacy Board administrative rule relating to the listing of the drug carisoprodol	181	188	ADOPTED
104	Local Government And Taxation	97	TAX COMMISSION - RULE - Stating findings of the Legislature and approving an administrative rule of the State Tax Commission imposing a fee or charge relating to penalties and dishonored checks	156	176	LAW
105	State Affairs	108	IDAHO PLACE NAMES - Stating findings of the Legislature and establishing a process for identification and recommendations to replace place names, in the state of Idaho, which include the word "squaw."	-	108	House State Affairs
106	Education	129	TEACHERS - STUDENTS - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of all laws, rules, procedures and practices that hinder the success of teachers and students from achieving the achievement standards	-	129	House Ways and Means
107	Education	129	SCHOOL READINESS - Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to develop proposals for improving school readiness and preliteracy skills	-	129	House Ways and Means
108	Health And Welfare	129	MEDICAID BUY-IN PROGRAM - Stating findings of the Legislature and directing the Department of Health and Welfare to develop a Medicaid buy-in program and report to the Legislature	270	286	ADOPTED
109	Health And Welfare	162	HEALTH CARE FACILITIES - Stating findings of the Legislature and directing the Department of Health and Welfare to apply for a waiver allowing surveys of certain health care facilities by independent accrediting organizations to be deemed to meet state inspection requirements	262	279	ADOPTED

Senate Concurrent Resolution No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
110	Health And Welfare	197	MENTALLY ILL - DEVELOPMENTALLY DISABLED - Stating findings of the Legislature and requesting the Department of Health and Welfare to research and adapt the aged and disabled waiver and/or state plan on personal care services to provide services needed by mentally ill, developmentally disabled or multiple diagnosed individuals	251	266	ADOPTED
113	Finance	230	WATER RESOURCES DEPARTMENT - NEW BUILDING - Stating findings of the Legislature and authorizing the Department of Water Resources to enter into an agreement with the State Building Authority to provide financing and development of a new office building	-	230	House Appropriations
114	State Affairs	308	PUBLIC SCHOOL FACILITY FUNDING - STUDY Stating findings of the Legislature and authorizing the Legislative Council to appoint a committee to undertake and complete a study of appropriate and effective means of funding public school facilities	338	338	Failed House
116	State Affairs	308	BILLINGSLEY CREEK - Stating findings of the Legislature and authorizing the Department of Parks and Recreation to enter into agreements with the Idaho State Building Authority to finance and acquire property for a state park in and around the Billingsley Creek area near Hagerman, Idaho	366	368	ADOPTED
117	State Affairs	324	ADMINISTRATIVE RULES - Stating findings of the Legislature and approving agency rules which were submitted for review and impose fees or charges, with exceptions; and rejecting certain rules	363	366	ADOPTED
118	State Affairs	324	ADMINISTRATIVE RULES - TEMPORARY - Stating findings of the Legislature and approving and extending temporary state agency rules that would otherwise expire at the end of the First Regular Session of the Fifty-sixth Idaho Legislature	341	355	ADOPTED

Senate Joint Memorial No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
101	Agricultural Affairs	38	POTATO PRODUCERS - Stating findings of the Legislature and requesting that the Secretary of the Department of Agriculture provide diversion funds that have been earmarked by Congress for potato producers to help ease the economic crisis the producers face in 2001	44	46	ADOPTED
102	Resources And Environment	97	OWYHEE-BRUNEAU CANYONLANDS - Stating findings of the Legislature and urging that the President of the United States refuse to designate Owyhee-Bruneau Canyonlands National Monument without input and consultation with representatives of state and local governments and the people in Idaho ..	201	217	ADOPTED
103	Resources And Environment	118	ROADLESS AREAS - REGULATIONS - Stating findings of the Legislature and requesting that President Bush impose a moratorium on roadless area regulations	227	243	ADOPTED
104	Resources And Environment	118	FOREST FUELS - Stating findings of the Legislature and urging federal land management agencies to work closely with the states and local governments to implement a cohesive strategy to reduce the overabundance of forest fuels	227	243	ADOPTED
105	Resources And Environment	171	FEDERAL LANDS TASK FORCE REPORT - Stating findings of the Legislature and requesting Congress to enact legislation enacting the pilot projects recommended in the report submitted to the State Land Board entitled "Breaking the Gridlock: Federal Lands Pilot Projects in Idaho."	227	243	ADOPTED
106	State Affairs	280	CANADIAN LUMBER - IMPORTS - Stating findings of the Legislature and requesting that President Bush direct the Office of the U.S. Trade Representative and the Secretary of Commerce to make the problem of subsidized Canadian lumber imports a top priority, to take every possible action to end Canadian lumber subsidy practices; and if Canada will not reach an agreement regarding the ending of subsidies, asking for enforcement of the trade laws against subsidized and dumped imports and for the exploration of all options to stop unfairly traded imports and to limit injury to the U.S. timber industry	353	365	ADOPTED
107	Judiciary And Rules	308	BEEF IMPORTS MORATORIUM - Stating findings of the Legislature and supporting a moratorium on all imports of live cattle, precooked beef, all beef products and potentially contaminated feed ingredients for a period of three years or until importers can prove that the meat, live animals and feed ingredients are free of Bovine Spongiform Encephalopathy (Mad Cow Disease) for the protection of the United States cattle industry	337	355	ADOPTED

Senate Joint Memorial No.	Introduced By	Introduction Page	Subject Matter	Final Vote Page	Final Action Page	Final Disposition
108	Judiciary And Rules	308	MEAT PRODUCTS LABELING - Stating findings of the Legislature and urging the Congress of the United States to enact legislation mandating country of origin labeling for meat, to require that products labeled "U. S. Produced" be born, raised and processed completely in the United States and that any meat products imported into the United States meet all the same standards as those required on American-produced meat products	337	355	ADOPTED
109	Judiciary And Rules	308	FOOT AND MOUTH DISEASE - Stating findings of the Legislature and supporting safeguards to prevent movement of Foot and Mouth Disease on persons, on other animals not directly susceptible to the virus but which could be passive carriers, and inanimate objects; and supporting a moratorium on all imports of cloven-hoofed animals and products for a period of three years or until importers can prove that cloven-hoofed animals and products are free of Foot and Mouth Disease for the protection of American livestock owners	338	355	ADOPTED

HOUSE BILLS WHICH BECAME LAW
FIRST REGULAR SESSION
FIFTY-SIXTH LEGISLATURE

House Bill No.	Introduced By	Signed By Governor	Effective Date	Session Law Chapter No.
2	Mr. Speaker: Requested by Department of Health and Welfare	3/19/01	3/19/01 6/30/02 Sunset Clause	47
4	Mr. Speaker: Requested by Department of Health and Welfare	3/22/01	7/1/01	76
5 AA	Mr. Speaker: Requested by Bureau of Occupational Licenses	3/22/01	7/1/01	77
7 AA	Mr. Speaker: Requested by Bureau of Occupational Licenses	3/22/01	7/1/01	78
8	Mr. Speaker: Requested by Idaho Commission on Aging	3/22/01	7/1/01	79
9 AA	Mr. Speaker: Requested by Bureau of Occupational Licenses	3/22/01	7/1/01	80
10	Mr. Speaker: Requested by Department of Health and Welfare	3/20/01	7/1/01	68
11 AA	Mr. Speaker: Requested by Bureau of Occupational Licenses	3/22/01	7/1/01	81
12	Mr. Speaker: Requested by Bureau of Occupational Licenses	2/22/01	7/1/01	24
13 AA	Mr. Speaker: Requested by Bureau of Occupational Licenses	3/22/01	7/1/01	82
14 AA	Mr. Speaker: Requested by Bureau of Occupational Licenses	3/22/01	7/1/01	83
15 AA	Mr. Speaker: Requested by Bureau of Occupational Licenses	2/27/01	7/1/01	26
17	Mr. Speaker: Requested by Department of Corrections	2/16/01	7/1/01	16
18 AA	Mr. Speaker: Requested by Department of Corrections	3/26/01	7/1/01	180
20	Mr. Speaker: Requested by Department of Juvenile Corrections	2/16/01	7/1/01	15
21	Mr. Speaker: Requested by Department of Juvenile Corrections	2/16/01	7/1/01	14
22	Mr. Speaker: Requested by Department of Finance	3/22/01	7/1/01	84
23	Mr. Speaker: Requested by Department of Finance	3/23/01	7/1/01	131
24 AA	Mr. Speaker: Requested by Board of Professional Engineers and Professional Land Surveyors	3/28/01	7/1/01	247
25	Mr. Speaker: Requested by Department of Insurance	3/22/01	7/1/01	85
26	Mr. Speaker: Requested by Department of Finance	3/22/01	7/1/01	86
27	Mr. Speaker: Requested by Bureau of Occupational Licenses	3/23/01	7/1/01	132
28 AA	Mr. Speaker: Requested by Bureau of Occupational Licenses	3/23/01	7/1/01	133
29 AA	Mr. Speaker: Requested by Bureau of Occupational Licenses	3/23/01	7/1/01	134

House Bill No.	Introduced By	Signed By Governor	Effective Date	Session Law Chapter No.
30	Mr. Speaker: Requested by Bureau of Occupational Licenses	3/23/01	7/1/01	135
31	Mr. Speaker: Requested by Idaho Commission on Aging	3/22/01	7/1/01	87
32	Mr. Speaker: Requested by Bureau of Occupational Licenses	3/22/01	7/1/01	88
33 AA	Mr. Speaker: Requested by Bureau of Occupational Licenses	3/23/01	7/1/01	136
34	Mr. Speaker: Requested by Department of Finance	3/23/01	7/1/01	137
35 AA AAS	Mr. Speaker: Requested by Department of Insurance	4/2/01	7/1/01	296
36	Mr. Speaker: Requested by Division of Financial Management	2/16/01	7/1/01	13
38	Mr. Speaker: Requested by Public Employee Retirement System of Idaho	3/22/01	3/22/01	89
39	Mr. Speaker: Requested by Public Employee Retirement System of Idaho	3/22/01	7/1/01	90
41	Mr. Speaker: Requested by Public Employee Retirement System of Idaho	3/23/01	7/1/01	138
42	Mr. Speaker: Requested by Public Employee Retirement System of Idaho	3/23/01	7/1/01	139
43	Mr. Speaker: Requested by Department of Fish and Game	3/26/01	7/1/01	206
47 AAS	Hornbeck	4/4/01	7/1/01	347
49	Mr. Speaker: Requested by Division of Military	3/23/01	7/1/01	140
50	Mr. Speaker: Requested by Division of Military	3/23/01	7/1/01	141
52	Mr. Speaker: Requested by Division of Military	3/28/01	7/1/01	248
53	Mr. Speaker: Requested by Division of Military	4/4/01	7/1/01	322
54	Bell	3/22/01	3/22/01	91
55	Deal	2/16/01	1/1/01	12
58	Health And Welfare	3/22/01	7/1/01	92
60 AA	Health And Welfare	3/22/01	7/1/01	93
61	Judiciary, Rules And Administration	3/5/01	7/1/01	33
62	Judiciary, Rules And Administration	3/19/01	7/1/01	48
63	Judiciary, Rules And Administration	3/19/01	7/1/01	49
64	Judiciary, Rules And Administration	3/19/01	7/1/01	50
65 AA	Judiciary, Rules And Administration	3/26/01	7/1/01	181

House Bill No.	Introduced By	Signed By Governor	Effective Date	Session Law Chapter No.
66	Appropriations	2/7/01	2/7/01	1
67	Revenue And Taxation	3/22/01	7/1/01	94
68	Appropriations	2/16/01	2/16/01	11
69	Appropriations	2/16/01	2/16/01	10
70	Agricultural Affairs	3/28/01	7/1/01	249
71 AAS	Agricultural Affairs	3/21/01	1/1/02	70
72	Agricultural Affairs	3/23/01	7/1/01	145
73	Agricultural Affairs	3/23/01	7/1/01	146
74	Agricultural Affairs	3/28/01	7/1/01	250
75	Agricultural Affairs	3/23/01	7/1/01	147
76	Agricultural Affairs	3/23/01	7/1/01	148
80	Revenue And Taxation	4/10/01	1/1/02	370
81	Appropriations	2/16/01	2/16/01	9
82	Appropriations	2/16/01	2/16/01	8
83	Appropriations	2/16/01	2/16/01	7
84	Appropriations	2/16/01	2/16/01	6
87 AAS	Revenue And Taxation	4/4/01	1/1/01	323
90	Agricultural Affairs	3/23/01	7/1/01	149
93	Appropriations	2/16/01	2/16/01	5
94	Appropriations	2/16/01	2/16/01	4
95	Appropriations	2/16/01	2/16/01	3
100	Judiciary, Rules And Administration	3/19/01	3/19/01	51
101	Judiciary, Rules And Administration	3/22/01	7/1/01	95
109	Revenue And Taxation	3/19/01	7/1/01	52
110	Revenue And Taxation	4/3/01	1/1/01	321
111	Revenue And Taxation	3/19/01	1/1/02(For tax returns due on/after this date)	53

House Bill No.	Introduced By	Signed By Governor	Effective Date	Session Law Chapter No.
112	Revenue And Taxation	3/19/01	1/1/02 (For tax returns due on/after this date)	54
114	Resources And Conservation	3/2/01	3/2/01	31
119	Revenue And Taxation	3/19/01	1/1/01	55
120	Revenue And Taxation	3/19/01	7/1/01	56
121 AAS	Revenue And Taxation	3/31/01	1/1/01 Sections 1-7 3/31/01 Section 8	270
122	Revenue And Taxation	3/19/01	7/1/01	57
124	Transportation And Defense	3/26/01	7/1/01	182
125	Appropriations	2/22/01	2/22/01	25
126	Appropriations	2/16/01	2/16/01	2
128	State Affairs	3/26/01	7/1/01	183
129	Business	3/23/01	7/1/01	150
130	Business	3/23/01	7/1/01	151
131	Business	3/22/01	3/22/01	96
132	Business	3/23/01	7/1/01	152
133	Business	3/19/01	3/19/01	62
134	Judiciary, Rules And Administration	3/22/01	7/1/01	97
140	State Affairs	3/26/01	7/1/01	198
141	State Affairs	3/26/01	7/1/01	199
142	State Affairs	2/28/01	2/28/01	29
143	Revenue And Taxation	3/22/01	7/1/01	98
144 AAS	State Affairs	4/4/01	7/1/01	315
146	State Affairs	3/22/01	7/1/01	99
147	Transportation And Defense	3/23/01	7/1/01	153
148	Revenue And Taxation	3/22/01	1/1/01	100
149	Revenue And Taxation	3/23/01	1/1/01	157
150	Revenue And Taxation	3/20/01	1/1/02	69

House Bill No.	Introduced By	Signed By Governor	Effective Date	Session Law Chapter No.
151 AA	Judiciary, Rules And Administration	3/22/01	7/1/01	101
154	Business	3/22/01	3/22/01	102
155	Business	3/28/01	7/1/01	251
156 AA	Business	3/23/01	7/1/01	154
160	Revenue And Taxation	3/19/01	1/1/01	58
161	Business	3/23/01	7/1/01	155
162	Local Government	3/23/01	7/1/01	156
164	Environmental Affairs	3/22/01	7/1/01	103
165	Health And Welfare	3/28/01	7/1/01	211
167	Transportation And Defense	3/22/01	7/1/01	104
169 AA AAS	Agricultural Affairs	4/4/01	7/1/01	324
170	Agricultural Affairs	3/22/01	7/1/01	105
174	Revenue And Taxation	3/26/01	7/1/01	207
175	State Affairs	3/22/01	7/1/01	106
176 AAS	Resources And Conservation	3/31/01	7/1/01	271
177	Resources And Conservation	3/23/01	7/1/01	158
178	Appropriations	3/19/01	3/19/01	59
180 AA	Resources And Conservation	3/23/01	7/1/01	159
181	Judiciary, Rules And Administration	3/26/01	7/1/01	200
182	Judiciary, Rules And Administration	3/26/01	7/1/01	201
183	Judiciary, Rules And Administration	3/23/01	7/1/01	160
184	Judiciary, Rules And Administration	3/23/01	7/1/01	161
185 AA	Judiciary, Rules And Administration	3/22/01	7/1/01	107
186	Business	3/23/01	7/1/01	162
188	State Affairs	3/22/01	3/22/01	108
191 AA	State Affairs	3/23/01	3/23/01	163
192 AA	Environmental Affairs	4/2/01	7/1/01	297
193	Local Government	3/22/01	7/1/01	109

House Bill No.	Introduced By	Signed By Governor	Effective Date	Session Law Chapter No.
195	Local Government	3/23/01	7/1/01	164
196	Local Government	3/23/01	7/1/01	165
198	Health And Welfare	3/22/01	7/1/01	110
201	Revenue And Taxation	3/22/01	7/1/01	111
202	Revenue And Taxation	3/23/01	7/1/01	166
205	Business	3/26/01	7/1/01	208
206 AAS	State Affairs	3/31/01	7/1/01	272
209	Local Government	3/26/01	3/26/01	184
210	Agricultural Affairs	4/2/01	7/1/01	298
211 AA	Agricultural Affairs	4/11/01	7/1/01	381
212	Health And Welfare	3/23/01	3/23/01	167
214	Transportation And Defense	3/26/01	10/1/01	185
215	Transportation And Defense	3/23/01	3/23/01	168
217	Appropriations	3/19/01	7/1/01	60
218	Appropriations	3/19/01	7/1/01	61
221	Resources And Conservation	3/23/01	7/1/01	169
222	Resources And Conservation	3/23/01	7/1/01	170
223	Resources And Conservation	3/23/01	7/1/01	171
224	Resources And Conservation	3/23/01	7/1/00	172
225	Commerce And Human Resources	3/28/01	7/1/01	212
226	Commerce And Human Resources	3/23/01	7/1/01	173
232 AA	Business	4/4/01	7/1/01	316
233	Business	3/23/01	7/1/01	174
237 AAS	Business	4/2/01	7/1/01	299
238 AA	Business	4/2/01	7/1/01	300
242 AA	Judiciary, Rules And Administration	4/4/01	7/1/01	317
244	Judiciary, Rules And Administration	3/22/01	3/22/01	112
245	Judiciary, Rules And Administration	3/22/01	7/1/01	113
246	Judiciary, Rules And Administration	4/4/01	1/1/01	318

House Bill No.	Introduced By	Signed By Governor	Effective Date	Session Law Chapter No.
247	Judiciary, Rules And Administration	3/23/01	7/1/01	144
249	Judiciary, Rules And Administration	3/23/01	7/1/01	143
251	State Affairs	3/28/01	7/1/01	213
252	Revenue And Taxation	4/11/01	1/1/01	382
256 AA	Environmental Affairs	4/10/01	4/10/01(With special provisions for effective date for Section 1)	371
257	Environmental Affairs	3/23/01	7/1/01	175
262 AA AAS	Agricultural Affairs	4/11/01	7/1/01	383
269	Transportation And Defense	4/9/01	7/1/01	348
270	Transportation And Defense	3/23/01	7/1/01	176
278	Education	3/22/01	7/1/01	114
280 AAS	State Affairs	4/10/01	7/1/01	372
290	State Affairs	3/23/01	3/23/01 (Applicable retroactively to violations alleged to have been committed for which prosecution deadline has not passed)	142
292	Education	3/28/01	3/28/01	252
294	Education	3/26/01	7/1/01	209
299	Revenue And Taxation	4/4/01	7/1/01	325
301	Appropriations	4/9/01	7/1/01	349
302	Appropriations	3/22/01	7/1/01	115
303	Appropriations	3/23/01	7/1/01	177
304	Appropriations	3/22/01	7/1/01	116
305 AA	State Affairs	4/2/01	7/1/02	301
306	State Affairs	3/28/01	7/1/01	253
307	State Affairs	3/28/01	7/1/01	254

House Bill No.	Introduced By	Signed By Governor	Effective Date	Session Law Chapter No.
308	State Affairs	3/26/01	7/1/01	186
309	Health And Welfare	3/31/01	7/1/01	273
312 AA	Revenue And Taxation	4/11/01	1/1/01	384
313	Appropriations	3/22/01	7/1/01	117
315 AA	Ways And Means	4/4/01	4/4/01	326
316	Education	3/28/01	7/1/01	255
317 AAS	Education	4/2/01	7/1/01	302
318	Appropriations	3/22/01	3/22/01	118
321 AA	State Affairs	3/28/01	3/28/01	256
322	State Affairs	3/28/01	7/1/01	214
327	Education	4/2/01	7/1/01	308
330	Appropriations	4/3/01	7/1/01	314
331	State Affairs	3/23/01	7/1/01	178
334	Appropriations	3/31/01	7/1/01	274
335	Appropriations	3/31/01	7/1/01	275
336	Appropriations	4/2/01	7/1/01	303
337	Appropriations	3/31/01	7/1/01	276
338	Ways And Means	3/26/01	7/1/01	187
339	Ways And Means	4/9/01	4/9/01	350
340	State Affairs	3/31/01	7/1/01	277
341	Appropriations	3/31/01	7/1/01	278
342	Appropriations	4/2/01	7/1/01	282
343	Appropriations	4/4/01	7/1/01	319
344	Appropriations	4/2/01	4/2/01	283
345	Judiciary, Rules And Administration	3/23/01	7/1/01	179
347 AA	State Affairs	4/11/01	7/1/01	385
348	State Affairs	4/9/01	7/1/01	351
351	State Affairs	3/28/01	3/28/01	260
352	State Affairs	3/28/01	7/1/01	257

House Bill No.	Introduced By	Signed By Governor	Effective Date	Session Law Chapter No.
353	Revenue And Taxation	3/28/01	7/1/01	258
356 AAS	State Affairs	3/31/01	7/1/01	279
358	Ways And Means	4/10/01	4/10/01	373
359	Ways And Means	4/9/01	7/1/01	352
364	Ways And Means	4/9/01	10/1/01	353
365	Ways And Means	3/28/01	3/28/01	259
366	Agricultural Affairs	4/2/01	4/2/01	304
367	Revenue And Taxation	4/9/01	7/1/01	354
369	Revenue And Taxation	4/9/01	7/1/01	355
371	Commerce And Human Resources	4/4/01	4/4/01	327
372	Appropriations	4/2/01	4/2/01	305
373	Appropriations	4/10/01	4/10/01 Sections 1-5 7/1/01 All other sections	374
374	Appropriations	3/31/01	7/1/01	280
375	Appropriations	4/4/01	7/1/01	328
376	Appropriations	4/4/01	4/4/01 Sections 6-8 7/1/01 All other sections	320
377 AAS	Revenue And Taxation	4/11/01	1/1/01 Sections 1-12 and 16 1/1/02 Sections 13-15	386
378	Revenue And Taxation	4/9/01	1/1/01	356
382	Revenue And Taxation	4/10/01	4/10/01	375
383	Ways And Means	4/17/01	1/1/01	394

GOVERNOR'S VETO MESSAGES

House Bill No.	Introduced By	Subject Matter	Governor's Message Page
231	Gagner	PUBLIC PROJECTS - Amends existing law to clarify procedures for the selection of professionals providing design services for public projects.	372
282AA	Clark	STATE GENERAL FUND - BUDGET - Amends existing law to provide that the Legislature shall not set a General Fund budget for the following fiscal year that exceeds 6.0555% of the estimated total personal income of the state for that fiscal year, as determined by the Economic Estimates Commission . .	372

HOUSE ATTACHES
FIFTY-SIXTH LEGISLATURE
FIRST REGULAR SESSION

The following attaches were elected and sworn in January 9, 2001:

ALLISON, DUSTIN . . . . . Page
ALLUMBAUGH, BARBARA LEE . . . . . Secretary to Local Government Committee
ANDERSON, T.J. . . . . *Page
ANNIS, MARJORIE L. . . . . Information Center Telephone Operator
BAKER, BETTY A. . . . . Secretary to Judiciary, Rules, and Administration Committee
BECK, JAKOBI . . . . . *Page
BEDKE, EMILY . . . . . *Page
BILBAO, NANCY . . . . . Information Center Telephone Operator
BLAKE, JENNIFER . . . . . *Page
BRADSTREET, KALI . . . . . Page
BRYANT, JANET . . . . . Secretary to Subcommittees
BURWELL, SUE . . . . . Information Center Director
BUXTON, MARILYN . . . . . Information Specialist
CHRISTENSEN, JUDITH K. . . . . Sergeant at Arms
CRANER, NICOLE . . . . . Page
DANIELS, JESSE . . . . . Page
DANIELS, KAREN . . . . . Secretary to Education Committee
DAVIS, MARY . . . . . Secretary to Minority Leadership
ELMORE, JENNA . . . . . Page
EVANS, ASHLEY . . . . . *Page
EWERT, KATHY . . . . . Secretary to Appropriations Committee
FARNSWORTH, MELISSA . . . . . Chairmen's Suite Secretary/Receptionist
FORBES, SUSAN . . . . . 4th Floor Doorkeeper/Secretary
FRANKS, TERRI . . . . . **Fiscal Assistant to the Speaker
FRECKER, ANNA . . . . . Page
FRIEDERS, SUSAN . . . . . Administrative Assistant to Majority Leadership
GARRETT, KATHIE . . . . . Secretary to Commerce and Human Resources Committee
GEDDES, LIZBETH . . . . . Page
GOCHNOUR, JOHN . . . . . Page
GOEDDERTZ, VERNA M. . . . . Assistant Chief Clerk
GOLLING, GEORGIA . . . . . Tour Guide
GOLLING, ROBERT . . . . . Assistant Sergeant at Arms
GORDON, NICHOLE . . . . . Page
GRAHAM, JAMEY . . . . . Secretary to Environmental Affairs Committee
GRANGE, SHAUNEEN . . . . . Secretary to Minority Leadership
GRAVES, DARCI . . . . . Page
HARDENBROOK, JIM . . . . . Chaplain

*Attaches sworn in at a later date
**Permanent employees

HARRINGTON, JAMES . . . . . Page
HEADY, PEGGY . . . . . Assistant Secretary to Revenue and Taxation Committee
HEIMER, DAWN . . . . . Assistant Lounge Hostess
HIATT, HATTIE . . . . . *Page
HUBBARD, SHELLEY . . . . . Journal Clerk
JONES, BRYANT . . . . . *Page
JONES, TERESA C.. . . . . Secretary to State Affairs Committee
JUKER, PAMM . . . . . **Chief Clerk
KEELER, MARY . . . . . Docket Clerk
KLEIN, VIVIAN . . . . . Administrative Assistant to Minority Leadership
LUDWIG, FORREST . . . . . Journal Clerk
LUDWIG, JEANNE . . . . . **Administrative Assistant to the Speaker
MAGILL, LOUISE . . . . . Information Center Telephone Operator
MALONEY, THOMAS . . . . . Copy Machine Operator
MCKIBBEN, MELISSA . . . . . Secretary/Receptionist (J. R. Williams Bldg)
MILLER, COLTON . . . . . Page
MOLITOR, MARY LOU . . . . . Secretary to Business Committee
MOORE, RONDA . . . . . Lounge Hostess
MORGAN, DONNA . . . . . Copy Machine Operator
NIELSON, EMILEE . . . . . *Page
NOAH, JOSIE . . . . . *Page
O'KIEF, JENNIFER . . . . . Secretary to Transportation and Defense Committee
OLIVER, SHANNON . . . . . Page
PETERS, JESSICA . . . . . *Page
PIERCE, MARYELLEN . . . . . Information Center Telephone Operator
ROBERTS, AARON . . . . . *Page
RUDOLPH, DANIEL . . . . . Page
SCHULTE, ROSE . . . . . Secretary to Agricultural Affairs Committee
SHAFFER, ERIKA . . . . . *Page
SHARP, JULIA . . . . . *Page
SHELL, CARL . . . . . Assistant Sergeant at Arms
SIMMONS, LORISSA . . . . . Page
SULLIVAN, VICKI. . . . . Secretary to Health and Welfare Committee
VICKERY, LAUREEN . . . . . *Page
WARD, ANNIE . . . . . *Page
WERLINGER, SUSAN . . . . . Secretary to Resources and Conservation Committee
WERTZ, MARVA . . . . . Tour Guide
WORL, AMBER . . . . . Page
WRIGLEY, SALLY . . . . . *Page
YOST, KATHRYN L. . . . . Secretary to Revenue and Taxation Committee

*Attaches sworn in at a later date
**Permanent employees

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST EXTRAORDINARY SESSION
FIFTY-SIXTH LEGISLATURE

_____

FIRST LEGISLATIVE DAY
FRIDAY, DECEMBER 8, 2000

House of Representatives

At the hour of 10 a.m., Friday, December 8, 2000, the day and hour fixed by Proclamation of the Governor of the State of Idaho for the convening of the First Extraordinary Session of the Fifty-sixth Idaho Legislature, the members of the House of Representatives convened in the House Chamber of the Capitol Building in the City of Boise, with Bruce Newcomb, Speaker of the Fifty-sixth Idaho Legislature, presiding, assisted by Pamm Juker, Chief Clerk.

STATE OF IDAHO
DEPARTMENT OF STATE

CERTIFICATION

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho and legal custodian of the Seal of said State and all Proclamations of the Governor of the State of Idaho pursuant to 67-903, Idaho Code, do hereby certify that the annexed is a full, true and complete copy of the Proclamation of the Governor of the State of Idaho concerning the convening of the Fifty-Sixth Idaho Legislature in an Extraordinary Session, received and filed in this office on the seventh day of December, 2000, and that the same appears of record in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Idaho. Done at Boise, Idaho, this 7th day of December, 2000.

/s/ PETE T. CENARRUSA
Secretary of State

/s/ MIREN E. ARTIACH
Deputy Secretary of State

The certification was ordered filed in the office of the Chief Clerk.

THE OFFICE OF THE GOVERNOR

EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE

PROCLAMATION

WHEREAS, consumers of electricity in the State of Idaho have enjoyed some of the lowest rates for electricity in the nation and such rates are a factor in Idaho's economic vitality;

WHEREAS, since 1970, the public policy of the State of Idaho has been to promote stability among and between electric suppliers furnishing electricity within the state, to prohibit the 'pirating' of customers of another supplier, to discourage duplication of electric facilities, and to stabilize the territories and customers served with electricity by such suppliers; and

WHEREAS, in order to fulfill these goals, the law of the State of Idaho, as set forth in the Electric Supplier Stabilization Act (ESSA), has restricted competition for existing utility customers by prohibiting would-be suppliers from providing service to current or former customers of another supplier without the written consent of the other supplier; and

WHEREAS, for several years, the Legislature's Committee on Electric Utility Restructuring has studied the proposed impact of electric utility deregulation on the State of Idaho; and

WHEREAS, on October 3, 2000, the United States Court of Appeals for the Ninth Circuit held that notwithstanding the clearly articulated policy of the State of Idaho, that electricity suppliers who withhold consent from would-be suppliers to current or former customers of the supplier, pursuant to state law are subject to federal antitrust liability; and

WHEREAS, the decision of the Ninth Circuit has created uncertainty in state law and could subject some electricity suppliers to federal antitrust liability; and

WHEREAS, the long-standing public policy in Idaho should be maintained in light of such uncertainty and until the State Legislature has the opportunity to more fully deliberate this issue during upcoming regular legislative session; and

WHEREAS, article 4, section 9 of the Constitution of the State of Idaho empowers the Governor, on extraordinary occasions, to convene the Legislature by proclamation; and

WHEREAS, the issue of whether the public policy of Idaho to promote stability among and between electric suppliers furnishing electricity within the State should be maintained on an interim basis constitutes such an extraordinary occasion.

NOW, THEREFORE, I, DIRK KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by the Constitution and laws of the State of Idaho, do by this Proclamation convene the 56th Idaho Legislature in Extraordinary Session in the Legislative Chambers at the Capitol

in Boise City, Ada County, Idaho, at the hour of 10 a.m., on the 8th day of December, 2000, to:

1. Consider and enact legislation, on an interim basis, to provide for sufficient state supervision over the clearly articulated state policy of prohibiting would-be suppliers from providing service to current or former customers of another supplier without the written consent of the other supplier; and

2. Consider and enact legislation to provide for, on an interim basis, any other appropriate measure which confers active state supervision over the conduct covered by the ESSA; and

3. Consider and enact legislation which shall not be effective after March 1, 2001.

The Extraordinary Session of the Legislature convened by the Proclamation shall have no power to legislate on any subject other than that specified herein.

I HEREBY DIRECT AND REQUIRE that a copy of this Proclamation be delivered to the Lieutenant Governor, to each of the members of the 56th Idaho Legislature and to the Constitutional Officers of the State Government at the earliest practicable time.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 7th day of December in the year of our Lord two-thousand and of the Independence of the United States of America the two hundred twenty-fourth and of the Statehood of Idaho the one hundred tenth.

/s/ DIRK KEMPTHORNE
Governor of the State of Idaho

/s/ PETE T. CENARRUSA
Secretary of State

The Proclamation was ordered filed in the office of the Chief Clerk.

I, PETE T. CENARRUSA, 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 House of Representatives of the First Extraordinary Session of the Fifty-sixth Legislature, as shown by official records on file in my office:

DISTRICT NAME
1 ..... John L. Campbell (R), George E. Eskridge (R)
2 ..... Hilde Kellogg (R), Wayne R. Meyer (R)
3 ..... James W. Clark (R), Kris Ellis (R)
4 ..... Mary Lou Shepherd (D), Don Pischner (R)
5 ..... Tom Trail (R), Gary F. Young (R)
6 ..... Frank C. Bruneel (R), Dan Mader (R)
7 ..... Charles D. Cuddy (D), R.J. "Dick" Harwood (R)
8 ..... Ken A. Roberts (R), Twila L. Hornbeck (R)
9 ..... Lawerence E. Denney (R), Monty Pearce (R)
10 ..... Beverly Montgomery (R), Darrell Bolz (R)
11 ..... Robert E. Schaefer (R), Gary E. Collins (R)
12 ..... Dolores J. Crow (R), W. W. "Bill" Deal (R)
13 ..... Debbie Field (R), Julie Ellsworth (R)
14 ..... Mike Moyle (R), Shirley McKague (R)
15 ..... Steve Smylie (R), Max C. Black (R)
16 ..... Margaret Henbest (D), Horace B. "Hod" Pomeroy (R)
17 ..... David Callister (R), Ruby R. Stone (R)
18 ..... William T. "Bill" Sali (R), Fred D. Tilman (R)
19 ..... David H. Bieter (D), Ken Robison (D)
20 ..... Frances Field (R), Sher Sellman (R)
21 ..... Wendy Jaquet (D), Tim Ridinger (R)
22 ..... Celia R. Gould (R), Douglas R. Jones (R)
23 ..... Leon Smith (R), George H. Swan(R)
24 ..... John A. "Bert" Stevenson (R), Maxine T. Bell (R)
25 ..... Jim D. Kempton (R), Bruce Newcomb(R)
26 ..... JoAn E. Wood (R), Lenore Hardy Barrett (R)
27 ..... Todd M. Hammond (R), Dell Raybould (R)
28 ..... Max C. Mortensen (R), Cameron Wheeler (R)
29 ..... Jack T. Barraclough (R), Kent A. Higgins (R)
30 ..... Lee Gagner (R), Thomas F. Loertscher (R)
31 ..... Dennis M. Lake (R), Thomas E. Moss (R)
32 ..... Larry C. Bradford (R), Eulalie Teichert Langford (R)
33 ..... Bert C. Marley (D), Roger W. Chase (D)
34 ..... Donna H. Boe (D), Kent S. Kunz (R)
35 ..... Steve Hadley (R), Wayne Kendell (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-second day of November, in the year of our Lord, Two Thousand, and of the Independence of the United State of America, the Two Hundred and Twenty-fourth.

/s/ PETE T. CENARRUSA
Secretary of State

The Certificate of Election was ordered filed in the office of the Chief Clerk.

Roll Call

Roll call showed all 70 members present.

Prayer was offered by Representative Loertscher.

The Pledge of Allegiance was led by Representative Loertscher.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Bruneel moved that the House adopt as Temporary Rules and Joint Rules of the First Extraordinary Session of the Fifty-sixth Idaho Legislature the Temporary House Rules and Joint Rules as adopted by the First Regular Session of the Fifty-sixth Idaho Legislature. Seconded by Ms. Jaquet.

Whereupon the Speaker declared the motion carried by voice vote and the Temporary House Rules and Joint Rules were adopted.

Mr. Bruneel moved that the following persons be approved as attaches to serve the House of Representatives for and during the First Extraordinary Session of the Fifty-sixth Idaho Legislature with salaries as fixed by House Resolution 3 of the Second Regular Session of the Fifty-fifth Idaho Legislature. Seconded by Ms. Jaquet.

Chief Clerk and Parliamentarian ..... Pamm Juker
Journal Clerk ..... Forrest Ludwig
Docket Clerk ..... Mary Keeler
Sergeant at Arms ..... Judy Christiansen
Assistant Sergeant at Arms ..... Carl Shell
Administrative Assistant to Majority Leadership .... Sue Frieders
Administrative Assistant to Minority Leadership .... Vivian Klein

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kempton, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 70

Whereupon the Speaker declared the motion carried and announced the oath of office had previously been administered to the above named attaches.

At this time, Mr. Bruneel took the Chair.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 1
BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO THE ELECTRIC SUPPLIER STABILIZATION ACT; TO PROVIDE A STATEMENT OF INTENT; AMENDING SECTION 61-332, IDAHO CODE, TO CLARIFY THE PURPOSES OF THE ELECTRIC SUPPLIER STABILIZATION ACT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 61-332A, IDAHO CODE, TO REVISE DEFINITIONS, TO DELETE A REFERENCE TO OBSOLETE MATERIAL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 61-332B, IDAHO CODE, TO REQUIRE APPROVAL OF THE PUBLIC UTILITIES COMMISSION FOR TRANSFERRING CONSUMERS; AMENDING SECTION 61-332C, IDAHO CODE, TO PROVIDE PROVISIONS FOR SELECTING AN ELECTRIC SUPPLIER FOR NEW ELECTRIC SERVICE ENTRANCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 3, TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 61-332D, IDAHO CODE, TO SUPERVISE WHEELING SERVICES; AMENDING SECTION 61-333, IDAHO CODE, TO REQUIRE ELECTRIC SERVICE TERRITORY CONTRACTS TO BE FILED WITH AND APPROVED BY THE PUBLIC UTILITIES COMMISSION, TO PROVIDE FOR NOTICE AND HEARING REGARDING CONTRACT APPROVAL AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 61-334, IDAHO CODE, TO PROVIDE THAT THE PUBLIC UTILITIES COMMISSION HAS CERTAIN AUTHORITY OVER ELECTRIC SUPPLIERS, TO PROVIDE FOR APPLICATION OF PUBLIC UTILITIES LAW AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 61-334A, IDAHO CODE; AMENDING SECTION 61-334B, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE FOR FILING A COMPLAINT WITH THE PUBLIC UTILITIES COMMISSION, TO PROVIDE FOR NOTICE AND HEARINGS, TO PROVIDE REMEDIES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 3, TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 61-334B, IDAHO CODE, TO PROVIDE COMMISSION SUPERVISION AND AUTHORITY; AMENDING CHAPTER 3, TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 61-334C, IDAHO CODE, TO PROVIDE ELECTRIC SUPPLIER IMMUNITY; REPEALING SECTIONS 61-332, 61-332A, 61-332B, 61-332C, 61-332D, 61-333, 61-334, 61-334A, 61-334B AND 61-334C, IDAHO CODE; AMENDING CHAPTER 3, TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 61-332, IDAHO CODE, TO PROVIDE THE PURPOSE OF THE ELECTRIC SUPPLIER STABILIZATION ACT; AMENDING CHAPTER 3, TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 61-332A, IDAHO CODE, TO PROVIDE DEFINITIONS FOR THE ELECTRIC SUPPLIER STABILIZATION ACT; AMENDING CHAPTER 3, TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 61-332B, IDAHO CODE, TO PROVIDE THAT AN ELECTRIC SUPPLIER SHALL BE PROHIBITED FROM SERVING CONSUMERS OR FORMER CONSUMERS OF ANOTHER SUPPLIER; AMENDING CHAPTER 3, TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 61-332C, IDAHO CODE, TO PROVIDE RULES FOR SELECTING ELECTRIC SUPPLIERS FOR NEW ELECTRIC SERVICE ENTRANCES; AMENDING CHAPTER 3, TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 61-333, IDAHO CODE, TO AUTHORIZE CONTRACTS AMONG ELECTRIC SUPPLIERS TO RESOLVE TERRITORIES, CONSUMERS AND TO TRANSFER FACILITIES; AMENDING CHAPTER 3, TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 61-334, IDAHO CODE, TO PROVIDE SPECIAL RULES OF INTERPRETATION; AMENDING CHAPTER 3, TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 61-334A, IDAHO CODE, TO PROVIDE LEGAL RELIEF FOR AGGRIEVED ELECTRIC CONSUMERS; AMENDING CHAPTER 3, TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 61-334B, IDAHO CODE, TO PROVIDE LEGAL REMEDIES FOR VIOLATION OF THE ELECTRIC SUPPLIER STABILIZATION ACT; DECLARING AN

EMERGENCY FOR VARIOUS SECTIONS, PROVIDING A SUNSET CLAUSE FOR ONE SECTION AND PROVIDING AN EFFECTIVE DATE FOR OTHER SECTIONS OF THIS ACT.

H 1 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

December 8, 2000

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 1**.

GOULD, Chairman

H 1 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 1** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 1** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kempton, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 70

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 1** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Speaker to open debate.

The question being, "Shall **H 1** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bell, Bieter, Black, Boe, Bolz, Bradford, Bruneel, Callister, Campbell, Chase, Clark, Collins, Crow, Cuddy, Deal, Denney, Ellis, Ellsworth, Eskridge, Field(13), Field(20), Gagner, Gould, Hadley, Hammond, Harwood, Henbest, Higgins, Hornbeck, Jaquet, Jones, Kellogg, Kempton, Kendell, Kunz, Lake, Langford, Loertscher, Mader, Marley, McKague, Meyer, Montgomery, Mortensen, Moss, Moyle, Pearce, Pischner, Pomeroy, Raybould, Ridinger, Roberts, Robison, Sali, Schaefer, Sellman, Shepherd, Smith, Smylie, Stevenson, Stone, Swan, Tilman, Trail, Wheeler, Wood, Young, Mr. Speaker. Total -- 70

Whereupon the Speaker Pro Tem declared **H 1** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that the House recess until 1 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House at recess until 1 p.m.

RECESS

Afternoon Session

The House reconvened at 1 p.m., the Speaker in the Chair.

Roll call showed 65 members present.

Absent and excused -- Boe, Hammond, Higgins, Pearce, Smith. Total -- 5.

Total -- 70

Prior to recess, the House was at the Seventh Order of Business.

Motions, Memorials, and Resolutions

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

December 8, 2000

Mr. Speaker:

I return herewith **H 1** which has passed the Senate.

WOOD, Secretary

H 1 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bruneel moved that the House of Representatives of the First Extraordinary Session of the Fifty-sixth Legislature of the State of Idaho adjourn Sine Die. Seconded by Ms. Jaquet.

Whereupon the Speaker declared the motion carried and the House of Representatives of the First Extraordinary Session of the Fifty-sixth Legislature of the State of Idaho adjourned Sine Die at 1:47 p.m., December 8, 2000.

BRUCE NEWCOMB, Speaker

ATTEST:
PAMM JUKER, Chief Clerk

H 1 was enrolled, signed by the Speaker, signed by the President, and delivered to the Governor at 1:50 p.m., December 8, 2000.

OFFICE OF THE GOVERNOR
Boise

December 8, 2000

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 1

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

CERTIFICATE

STATE OF IDAHO)
HOUSE OF REPRESENTATIVES)
BOISE, IDAHO)

WE, BRUCE NEWCOMB, Speaker of the House of Representatives, and PAMM JUKER, Chief Clerk, do hereby certify and attest as follows:

That we have carefully compiled in the House Journal of the First Extraordinary Session of the Fifty-sixth Idaho Legislature, all of the proceedings of the First Legislative Day, and that the said Journal contains a full, true and correct record of all of the proceedings of said House of Representatives for said day and final action upon all legislation.

IN WITNESS WHEREOF, we have hereunto set our hands, this 8th day of December, 2000.

BRUCE NEWCOMB, Speaker

Attest:
PAMM JUKER, Chief Clerk

FIRST EXTRAORDINARY SESSION

House Bill No.	Introduced By	Subject Matter	Final Action Page	Final Disposition
1	Ways and Means	ELECTRIC SUPPLIER STABILIZATION ACT - Clarifies the purposes of the Electric Supplier Stabilization Act; to require approval of the public utilities commission for transferring consumers; to provide provisions for selecting an electric supplier for new electric service entrances; and to supervise wheeling services.	533	533